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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 78 NEW YORK, FRIDAY, OCTOBER 1, 1937 TEN CENTS

Television in Europe Lags, Asserts Paley

Says CBS Soon to Give Statement on Plans

After surveying television developments in Europe during his seven-week vacation tour of England, France, Scotland and Ireland, William S. Paley, president of CBS, returned yesterday on the *Normandie* somewhat disappointed at the progress made in that field of broadcasting.

"I did an awful lot of observing and talked to people responsible for

Additional developments in radio yesterday on page 9

television in Europe," Paley told MOTION PICTURE DAILY.

"The public reaction in England is disappointing and the sale of receiving sets reflects that. There are less than 2,000 sets, despite the regular broadcasts over BBC. These television broadcasts were started more than a year ago and the size of the image is about 8 in. x 10 in., the same as ours.

Speaking for his own company, he

(*Continued on page 9*)

Report "U" Workers May Seek C. I. O. Aid

In the face of persistent reports, denied by J. Cheever Cowdin, chairman of the board of Universal, that approximately 150 employes at the home office will be let out tonight was a widely circulated story yesterday that headquarters workers had filed application for a C.I.O. charter. Cowdin, referring to the number reportedly discharged, called it "hooey." Anne Berenholz, in charge of film activities of the United Office and Professional Workers, a

(*Continued on page 7*)

Heifetz Signed for Goldwyn "Festival"

Jascha Heifetz has been signed by Samuel Goldwyn to appear in "The Great Musical Festival," which is to be produced in Technicolor next May. This will be the internationally famous violinist's first screen appearance. He will leave the coast today for New York to begin a concert tour. His first appearance for the season will be at the Orchestra Hall, Chicago, Oct. 24. He will perform at Carnegie Hall here Nov. 3.

Quality Films In Britain Is Mayer's Plan

No Budgets to Be Fixed By M-G-M, He Says

By BILL ORNSTEIN

Quality pictures, along the same lines as those made at the company's coast studios, will be the policy of M-G-M's new British production setup, Louis B. Mayer, production head, stated yesterday on his arrival on the *Normandie* after a three-month tour of Amsterdam, Carlsbad, Vienna, Paris, Prague, Budapest and London.

"There will be no set production budgets," Mayer added. "That's the way we do it on the coast and the same policy will prevail in England.

"Quality is first, cost is second."

Mayer stated that there were no definite number of pictures scheduled abroad, but "we will make as many as we can as soon as our organization is built up. The English government is supporting us enthusiastically and we are going along fine."

Victor Saville has given up his own company to join M-G-M, Mayer said, "and he will handle only big pictures for us." Mayer expressed

(*Continued on page 4*)

Matthews, Hale May Join Metro British

LONDON, Sept. 30.—Jessie Matthews and Sonnie Hale, her husband and director, may sign with Metro British following the completion of "Sailing Along," their final picture on their current G.B. contract.

Victor Saville, formerly with G.B., joins Metro Monday. Earlier reports that "The Citadel" goes to Metro today were confirmed.

Formerly Kiesler

Hedy Lamarr arrived on the *Normandie* yesterday with an M-G-M contract among her valuables. Miss Lamarr actually is Hedy Kiesler, star of "Ecstasy," the Czechoslovakian film which has aroused a storm of comment in this country. In it, she bathes in the nude. In it, she has an affair with her celluloid lover wherein the dramatic emphasis is conveyed by a long, large and lingering closeup of Miss Kiesler's head reflecting reactions suitable to the mood. Some opinion has maintained this is artistry. Others had another name for it. Anyway, Miss Kiesler is in America and about to become a member of the Hollywood community. K.

MPTO Will Plan At Board Session

The M.P.T.O.A. will map its plans for a new campaign to obtain distributor cooperation on trade practice regulations at its board of directors' meeting in December, Ed Kuykendall, president, stated yesterday.

Kuykendall leaves for Philadelphia this morning, beginning a coast-to-coast visit of important regional exhibitor units, which is scheduled to be concluded just prior to the board meeting. During his tour he plans to obtain exhibitor sentiment concerning the type of trade practice regulation needed, as indicated by local exhibitor problems throughout the country. He will report back to the board with his findings, and the organization's future action along this line will be mapped accordingly by the board.

While in New York this week

(*Continued on page 8*)

How Mussolini Did It

When Vittorio Mussolini came ashore, bound for Holllywood, last week, as then reported by *Motion Picture Daily*, Hal Roach, his announced partner and host for his Hollywood sojourn, said:

"He wrote the screen column for his father's paper. He was the only one to knock Italian-made productions and praise American films."

Premier Mussolini owns and publishes *Il Popolo d'Italia* of Milan, the publication to which the son of Il Duce has been a contributor. *Motion Picture Herald* has obtained translations of some of young Mussolini's contributions.

In the May issue he wrote of the "strike move in Hollywood":

"The humoristic papers have found a new outlet for their quips at the expense of celebrated stars and cinematographic magnates

(*Continued on page 8*)

Reentry Into Stage Field Not General

Columbia Only Firm to Change Attitude

Columbia's announced decision to re-enter the Broadway stage financing field does not presage any general change in attitude of other major companies toward the Dramatists' Guild contract now in effect, it was ascertained yesterday by a check with other large companies.

Of the seven producing companies which declared that they would refrain from financing plays after the adoption of the guild's new contract in 1935, Columbia appears to be the only one which now declares a change in attitude. Amplifying its statement of the day before to the effect that the company had decided to resume play financing and had set up an appropriation for the purpose, a second statement was issued by Columbia yesterday removing any doubt concerning the place of the Dramatists' Guild contract in the company's plans. Yesterday's statement follows:

"As a further step in its play producing plans announced yesterday, Harry Cohn, president of Columbia Pictures, today stated that the company is ready to sign the minimum

(*Continued on page 8*)

Producers Oppose IATSE Film Credit

HOLLYWOOD, Sept. 30.—It is understood here that producers will fight to the limit the insistence of the I. A. T. S. E. that its emblem be used on the main titles of pictures.

Strategy mapping awaits the return of Louis B. Mayer, president of the Producers' Ass'n., but the indications are that the I. A. T. S. E. demand for screen recognition will be dropped into the lap of the distribution companies.

Producers point out unofficially that

(*Continued on page 8*)

Educational Year's Net Up to $168,056

Educational Pictures, Inc., and subsidiaries yesterday reported, for the year ended June 26, 1937, a net profit of $168,056.26, as compared with a net profit for the previous year of $104.357.49. The figures were included in the annual report mailed to stockholders yesterday. The 1937 net is equal to $1.87 per share on the common stock outstanding.

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(Registered U. S. Patent Office)

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Trust Case Denial Filed by Electrics

A. T. & T., Western Electric and Erpi filed joint denials in the U. S. District Court yesterday in answer to the $6,000,000 anti-trust suit brought against them by Stanley K. Oldden, as assignee of the Pacent Electric Co.

The plaintiff alleges that the violations involve the manufacture of sound film apparatus and parts. The defendants assert that more than six years have elapsed since the alleged act and claim that the statute of limitations bars the present action. Dismissal of the suit with costs is asked.

Flash Previews

"Breakfast for Two"—Humor, sophistication and a wealth of eye-filling indoor sets feature this story of a girl rejuvenating the remnants of a once proud family.

"Public Cowboy No. 1"—Cattle rustling brought up to date with the assistance of airplanes, radio and refrigeration. An unusual western.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Purely Personal

BILL SUSSMAN, HARRY H. BUXBAUM and JOE LEE of 20th Century-Fox conferred with SAM D. COCALIS, MONROE STEIN and MOE GOLDBERG of the Cocalis circuit yesterday at the Tavern during lunch hour and indications are that a new product deal will be set with the circuit shortly.

•

RUDY VALLEE, AL BERNIE, ELLIOTT DANIELS, NEIL EVANS, EL DELBRIDGE, CHET BREE, WILLIAM STAN, BENJAMIN BARZUME and BARON & BLAIR left last night for Kansas City. Tonight VALLEE will continue on to the coast, via TWA, where he will open at the Cocoanut Grove.

•

LOUIS ANSELL, partner of F. & M. in St. Louis; MATT SCHULTER, head film buyer, and EDWARD ARTHUR, executive, are in town on a number of product deals. According to HARRY C. ARTHUR, they will remain until the end of the World Series.

•

WHITFORD DRAKE, Erpi president, will sail next Wednesday on the *Queen Mary* for his annual conferences with the company's British and Continental representatives. He will be away a month or six weeks, according to present plans.

•

S. MILLARD of Golden Rock Films of Gary, Ind., is in town to rent local and nearby theatres for showing of hygiene-educational pictures. He is accompanied by GEORGE FLORIDA.

•

DOUGLAS MACLEAN, back from Europe where he had embarked on a play-viewing spree, gathered his former eastern staff for luncheon at the Algonquin yesterday.

•

LITA GREY CHAPLIN will be among the guests of honor at the banquet to be given Col. EDWARD HAVEMEYER SNYDER at the George Washington Hotel tomorrow evening.

•

EMANUEL SILVERSTONE, representative in America of ALEXANDER KORDA, will leave today for a tour of the midwest exchanges of United Artists. Back in about a week.

•

JACK WARNER, JACK COHN, DICK MERRILL, CHARLES BOYER, PAT PATTERSON, GERMAINE AUSSEY and GILBERT MILLER are sailing today on the *Normandie*.

•

ARTHUR A. LEE, CLINTON M. WHITE and ARTHUR GREENBLATT of G. B. will leave tonight to attend the midwest regional meeting in Chicago tomorrow.

•

NAT LIEBESKIND, managing director for RKO in the Argentine, arrived from Buenos Aires on the *Northern Prince* late yesterday afternoon.

•

SAMUEL GOLDWYN is due to arrive from the coast the first week in November for the opening of "Hurricane" at the Astor on a two-a-day policy.

•

SI SEADLER became the old moving man yesterday. He has gone into a hotel on a temporary basis while the new apartment is prepared for his occupancy.

•

JACK SCHLAIFER, western division manager for U. A., will be tendered a testimonial dinner on Oct. 2 at the Congress Hotel in Chicago.

•

PATRICIA ELLIS will arrive on the *Roma* today. She recently completed work in KORDA's "Paradise for Two."

•

J. CHEEVER COWDIN is planning a trip to the coast shortly. After that he intends to sail for Europe.

•

ERIN O'BRIEN MOORE will be honor guest at a party to be given by Leon and Eddy Sunday night.

•

CHARLES VIDOR, director for B. P. Schulberg, left for Hollywood last night via TWA.

•

HARRY LAVINE, Republic franchise holder in Philadelphia, was in town yesterday.

•

WILLIAM KUPPER is in New Orleans on 20th Century-Fox business.

•

HOWARD STRICKLING will leave for the coast Sunday or Monday.

•

HERBERT MARSHALL is in town from Hollywood. Holiday-making.

•

CHARLES R. ROGERS will leave for the coast today by plane.

•

PAUL LUKAS arrives today on the *Roma*.

B-Bar-H to "21"

Charlie and Paul Bender, the B-Bar-H cowpunchers, go social next Tuesday night at "21." It is to be the reunion night with all the buckaroos present and the Bender boys as hosts. The pardners, or in other words, those who get close to nature on the Bender ranch near Palm Springs, are to meet with cocktails, food and cowboy songs free for nothing, provided they —the pardners—get an invitation.

The banquet will take the form of a barbecue and no horses will be admitted.

Myers Silent About Kuykendall's Stand

WASHINGTON, Sept. 30.—Abram F. Myers, Allied general counsel, refused to make formal comment today when shown a copy of Ed Kuykendall's statement to the effect that the M.P.T.O.A. would welcome cooperation from other exhibitor organizations and legislative remedies would correct industry complaints unless distributors made concessions.

Myers gave the impression that he considered Kuykendall's remarks more a restatement of his position than a direct bid for cooperation.

Wilcox Sails Oct. 8

LONDON, Sept. 30.—Herbert Wilcox, producer of, and Anna Neagle, star of "Victoria the Great," sail for New York Oct. 8 on the *Aquitania*. They are to be guests of the Governor-General of Canada at a state banquet at Ottawa on the 13th when the picture will have its premiere.

Chicago Operators Get 5% Pay Raise

CHICAGO, Sept. 30.—Exhibitor representatives today agreed to grant members of the Operators' Union a five per cent wage increase starting October 1. Union officials will bring this up for ratification at a general meeting next Thursday. The union had asked for a 20 per cent increase but the present offer probably will be accepted.

At a meeting to discuss the union wage situation and other matters, Aaron Saperstein, president of Illinois Allied, today told MOTION PICTURE DAILY that he has been instructed by his organization to go ahead with arrangements for the filing of a monopoly suit against Balaban & Katz. He promised an official statement next week.

Republic Employes May Strike

CHICAGO, Sept. 30.—Film exchange union employes at the Republic Pictures exchange will strike Saturday unless exchange officials agree to pay the union scale, it was stated by union officials today, who said that all other exchanges here, both major and independent, had granted increases. Irving Mandel is manager of the local Republic exchange.

Chicago Union Claims 800

CHICAGO, Sept. 30.—Peter Shayne, president, today stated that the Theatre Employees Union, Local B46, I.A.T.S.E., already has 800 ushers, cashiers and doormen on its rolls and expects to get a similar number within the next 60 days. Most of the circuit employees in this classification have joined and higher wages will be demanded when unionization throughout the city is complete.

Conferences on U. A. Buy Set for October

Conferences for the consummation of a deal whereby Samuel Goldwyn and Alexander Korda will purchase the interest of Charles Chaplin, Douglas Fairbanks and Mary Pickford in U. A. for $6,000,000 will be held on the coast next month, it was stated by a Goldwyn spokesman yesterday.

Korda is due with David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., from England in a week or so and will continue on to Hollywood to meet Goldwyn.

Schaefer Goes West; Greenthal to Follow

George J. Schaefer, U. A. general sales manager, left New York for Hollywood by train yesterday and Monroe Greenthal, director of advertising and publicity, will follow by plane today. They will be on the coast about a week to view the company's new product, both finished and unfinished.

Among the pictures they will see will be: "The Adventures of Marco Polo," "Hurricane," "The Goldwyn Follies," "Nothing Sacred," "The Adventures of Tom Sawyer," "Stand-In" and "52nd Street."

"100 Men" Gets 3rd Week

"100 Men and a Girl" will be held for a third week at the Roxy, starting today. "This Way, Please" will follow "Sophie Lang Goes West" into the Criterion Oct. 6.

Society means big business!





WIFE DOCTOR *and* NURSE

(the new type of romance)

IS DOING THE KIND OF BUSINESS THAT MAKES *everybody* HAPPY!

Held over in Cincinnati ... and San Francisco ... and Philadelphia ... and Baltimore! Beating record-cracking "Thin Ice" and "You Can't Have Everything" in Louisville! Sailing ahead of "Slave Ship" in St. Louis! Leading "Slave Ship" and "Cafe Metropole" in Houston! Outstepping "On the Avenue" and "Lloyds" in Oklahoma City! Yes sir! It's just what the doctor ordered!

20TH STARTS THE NEW SEASON AS YOU KNEW IT WOULD!

20th tops Motion Picture Herald's Box Office Champion poll for August with "You Can't Have Everything," 20th's first release for 1937-38! *A habit!*

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

EMcN. 17/2/38

Quality Films In Britain Is Mayer's Plan

(*Continued from page* 1)

confidence in Saville and said he was impressed with his recent achievements.

Work on "Yank at Oxford" is expected to be completed in two weeks. A decision on sending over additional players from Hollywood will be made at conferences with Nicholas M. Schenck, the M-G-M production head said.

Although Mayer has tentatively set his departure for the coast for Monday, he said he would try to get away as soon as Schenck will let him go. He was not definite as to whether Al Lichtman would go to England, stating that Lichtman was waiting to talk to him about the trip.

"Business in England and on the Continent is very good," Mayer asserted. The next picture to be made at Denham studios will be "Shadow on the Wing," which is slated to get under way in two weeks.

Mayer was on a contract-signing spree while abroad and on the *Normandie*. He signed two performers on the French liner and several others in various foreign cities. The two he gave term pacts to are Hedy Lamarr, Viennese actress, who played the lead in "Ecstasy," but as Hedy Kiesler, and Grisha Goluboff, 14-year-old concert violinist, a native of California, who was returning after playing at the Salzburg Festival. Miss Lamarr will leave for Hollywood in a few days, while Goluboff will accompany the Mayer party west.

Contracted 15 in Europe

Walter Reisch, who wrote and directed "Masquerade," also was a passenger on the ship and he will leave for the M-G-M studios in a week.

I. M. Nabel, agent, said that he had closed with Mayer for 15 players in Europe and eight in this country. The 23 include opera singers, concert stars and stage and screen talent. The names will be announced as soon as Mayer returns to the coast, according to Nabel.

Benny Thau, M-G-M production executive, and Howard Strickling were in the Mayer party. Thau said he would leave for the coast in three or four days.

"We have no plans for our own studio in England," Thau declared. "We are feeling our way slowly and eventually plan to enter into a heavy production schedule. All the pictures to be made in England will be up to the M-G-M standard. We haven't completed plans on what we're going to make there," he said. Taylor will not return for another eight weeks. He will remain in England for the preview, Thau said. As for other players going abroad, "that hasn't been set yet."

M-G-M Finishing Shorts

HOLLYWOOD, Sept. 30.—M-G-M will wind up its 1936-'37 program of short subjects in October with four releases. They are "Jungle Juveniles" and "Sunday Night at the Trocadero," Oct. 2; "Rainbow Pass," Oct. 9, and "Behind the Criminal," Oct. 14.

Normandie Dock Looks Like Convention for All Majors

It looked like a combination convention of M-G-M, Universal, Warners, 20th Century-Fox and RKO at the French line pier early yesterday morning when the *Normandie* locked with a group of film celebrities.

M-G-M home office representatives who were on deck to meet Louis B. Mayer, Benny Thau and Howard Strickling included Al Lichtman, Howard Dietz, Al Altman, Florence Browning, Harry Bernstein, Ernest Morrel, Mel Heyman and Milton Weiss.

J. Cheever Cowdin, Charles R. Rogers, Charles Ford, Marc Lachman, Paul Gulick and Beulah Livingstone staged a welcome party for Danielle Darrieux, who arrived with her husband, Henry De Coin.

The Warner contingent meeting Fernand Gravet included Joseph Hummel and Mitchell Rawson.

Rutgers Neilson and Jack Lewis were the RKO duo welcoming Douglas Fairbanks, Jr.

Earle Wingart met Sonja Henie.

Cameramen were all over the pier and boat.

Ship Docked Early

The boat docked at 7:25 A. M. Some of the reception committees hadn't had their breakfasts, but every one was in excellent humor. It was an exciting morning for the customs men, reporters, photographers and the celebrities who were awakened at 5 A. M.

Mayer was feeling pretty brisk for that hour of the morning. He posed for a number of pictures with his wife and Strickling and answered all questions put to him by reporters. He looked thinner than when he sailed three months ago with Joseph M. Schenck, but he said he felt fine and was anxious to get back to the coast studios. Further details on his trip abroad appear in another story in these columns.

Miss Darrieux was overwhelmed by the press. She said that she had studied English for three months. Several times an interpreter had to assist her. She will remain here until Tuesday and then will leave for the Universal studios to begin work in "The Rage of Paris." Her last picture was "Mayerling," which is current at the Filmarte. Universal today will tender the foreign star a cocktail party at the Pierre.

Gravet was accompanied by his wife and Ad Schulberg. The Mervyn LeRoy star was mobbed on all sides and took it graciously. He said he had just completed a role in "The Lie of Nini Petrona" for Solar Films in France and that he planned to remain in New York four days before leaving for Hollywood to start in "Food for Scandal."

Miss Henie looked charming. She said she had visited London and Norway. It was a vacation with swimming, fishing and shooting grouse taking up most of her time. No, she didn't skate once. The 20th Century-Fox star left for the coast yesterday by plane to start work in "Bread, Butter and Rhythm."

Fairbanks, Jr., Back

Fairbanks, Jr., was among the first to greet reporters on deck. He wanted to leave by plane for Hollywood last night. RKO wanted him to see "Having Wonderful Time" last night. He was waiting for a wire from the coast last night. Before the time MOTION PICTURE DAILY went to press, Fairbanks was still around, waiting for his telegram with ducats for the legitimate show, in which he will appear in the screen version, and with an American Airline ticket in his pocket. He will get away today, however.

Criterion Pictures is still active, Fairbanks said, although he is not planning to appear in any more films for the company. He said he still holds a minority interest in it. After he finishes his role in the RKO picture, Fairbanks, Jr., and is set to do "Rupert of Hentzlau," sequel to "The Prisoner of Zenda," for Selzneck International. He was away three months and visited France, Austria and England.

Ramon Novarro also was a passenger. He said he discussed the possibility of making a picture in France with producers in that country. He is still looking for a suitable story and intends to return to Paris in December, after he finishes another film for Republic, to decide whether he will accept the French proposal. He plans to leave immediately for Hollywood to confer with H. J. Yates on his next picture which, Novarro said, will be a modern comedy.

Buchanan Slated for Play

Jack Buchanan, who produced four pictures this year and plans six to eight next season, arrived to appear in "Between the Devil" for the Shuberts. The play is scheduled to open in nine days with Evelyn Laye opposite him. Buchanan has his own film company, Jack Buchanan Prod. His last picture was "Break the News," with Maurice Chevalier and directed by Rene Clair.

Cole Porter was ill and was rushed off the pier. Mary Garden, scheduled to arrive on the *Normandie*, was not among the passengers. Lew Wertheimer, who appeared on the passenger list, has been in California for three weeks.

Jack Cohn was among the visitors. He said he came down to meet Mayer, but the only words he got in while the M-G-M executive was trying to get his passport details straightened out were "Hello, how are you and how was the trip?"

Mr. and Mrs.



Louis B. and Mrs. Mayer photographed on the Normandie *yesterday. Story on Mayer and his trip starts on page* 1. *Photo by Metropolitan Photo Service.*

"U's" French Import Arrives



Danielle Darrieux, under long-term contract to Universal, as she arrived on the Normandie *yesterday. The welcoming committee consists of J. Cheever Cowdin (left) and Charles R. Rogers (right). Photo by Cosmo-Sileo.*



HIS VIRILE VOICE!

THE HEART-TOUCH IN

HOW THE WOMEN LOVE

"The Gay Desperado" gayer than ever . . . with Hollywood's beautiful Girl of Your Dreams in his arms!



Glorious new music by

RUDOLF FRIML

composer of "Vagabond King," "The Firefly," etc. — and by other famous composers . . . Your enraptured audiences will never forget Martini's singing of "I Want The World To Know" . . . and those sentimental, exciting, eventful scenes staged in crowded HOLLYWOOD BOWL on big-concert night . . . A marvelous climax to an outstanding entertainment!



NINO MARTINI

IN

Music FOR Madame

WITH

JOAN FONTAINE

ALAN MOWBRAY
BILLY GILBERT
ALAN HALE
GRANT MITCHELL
ERIK RHODES
LEE PATRICK
ROMO VINCENT

A JESSE L. LASKY PRODUCTION
DIRECTED BY JOHN BLYSTONE
SCREEN PLAY BY GERTRUDE PURCELL AND ROBERT HARARI

RKO RADIO PICTURES

British Reels Quarrel Over Horror Scenes

LONDON, Sept. 22.—A sharp controversy has arisen over the inclusion of so-called "horror" shots of casualties in the recent bombing of Shanghai by Japanese planes in the China-Japanese conflict, in the British newsreels.

Francis L. Harley has made an official statement on behalf of British Movietone News deprecating "the exhibition of horrific films or horrific incidents." Harley's statement followed the inclusion of grim episodes in recent issues of the Paramount and Universal reels.

Harley's statement says: "It is no part of a newsreel's function to shock or horrify any section of its audiences. The horrors of war are too recent a memory for the unexpurgated details of the Shanghai bombing to add anything to the public's detestation of war."

Producers' Responsibility Cited

"The privilege of conducting a newsreel carries with it considerable responsibility," he further says. "We are charged with the duty of showing news faithfully and reporting it sincerely, but we have also to consider the susceptibilities of our audiences and should strive to give them their entertainment without outraging their feelings."

Part of the controversy centered between G. T. Cummins, editor of British Paramount News, and Jeffrey Bernerd of Gaumont British News.

Bernerd, whose reel showed the devastation caused by the raid, but did not include the grim pictures of casualties which caused comment in the Paramount reel, has gone on record that "to show the ghastly destruction of human beings is letting down the exhibitor. It is not going to stop war." Bernerd declared that the people who should see the full reel are rulers like Chamberlain, Hitler, Mussolini and Roosevelt, not people who want entertainment for themselves and their children.

Cummins Defends Realism

Retorting, Cummins claims the same right for newsreels as for newspapers to record "the trends and events of this amazing world." He quotes theatre managers as saying that the public has highly praised the Paramount reel, as a salutary proof of what war on civilians means.

An official statement from Paramount justified the scene showing the bodies of air raid victims being gathered into lorries, and other gruesome features of their picture by the claim that,

"The task of a newsreel in reporting a war is to show the war as it is, rather than as a glorious pageant of embattled chivalry."

The general comment is that the reels are doing a public service in telling the truth, and the shocked reaction of audiences support this view. At newsreel houses the scenes were indicated as "not suitable for children."

The Newsreel Parade

Movietone News

Vol. 20, No. 6
(20th Century-Fox)

Scenes of a Japanese encircling maneuver around Shanghai defenses occupies the lead position in this issue. The material offers soldiers and their armaments with plenty of sound effects. This is followed by shots of Wellington Koo, Chinese Ambassador, letting the League of Nations in Geneva have the "inside" on Japanese invasion.

"Old Faithful" performs for the Presidential party in Yellowstone Park in the News of the Nation division. This is followed by scenes of Justice Black disembarking at Norfolk, the spectacular launching of a Great Lakes freighter and the highly exciting blasting of a mountain in Wisconsin, with 20,000 pounds of explosives set off to do the job. New chapeaux for the women are seen on lovely models through one of Vyvyan Donner's novel frames. The Ritz Brothers cut up on Sid Grauman's sidewalk in the Hollywood Spotlight sequence. Hunting dog trials on Long Island, well filmed, fill Ed Thorgersen's spot. Lew Lehr calls the bowling shots made by a chimpanzee.

The entire reel is first-rate with many dramatic moments and interesting subjects.

Running time, 10½ mins. P.

News of the Day

Vol. 9, No. 204
(M-G-M)

President Roosevelt's western tour and the return of Associate Justice Black from Europe provide the news high spots of the midweek release of this reel. The President's travels are depicted against the scenic backgrounds of Yellowstone Park and the Bonneville Dam country and rate as an interesting record. Justice Black's arrival in Norfolk, where he is besieged by reporters intent upon obtaining a statement concerning his Ku Klux Klan affiliations, is of interest primarily because of the front page attention being given the incident.

The League of Nations protest to Japan against the bombing of civilians in China is covered briefly. There is a shot of Vittorio Mussolini's arrival at the Hal Roach studio in Culver City where he is greeted by the Our Gang youngsters. Sporting events make up the remainder of the release and include the International Masters' tennis matches, a women's track meet and a tryout of a new type racing car. The release is lacking in any particular "punch" clip and, in this reviewer's opinion, falls short of average newsreel interest.

Running time, 8 minutes. K.

Paramount News

No. 17
(Paramount)

At the start of the reel are the words "Mingalone stuff later." This means that shots of the spectacular flight in Maine of Al Mingalone tied to a lot of small balloons will be inserted. The continuity sheet says he will be interviewed by Gabriel Heatter.

The six numbers in the reel as now cut show scenes on the New Orleans Cotton Exchange with prices fluctuating because of heavy rains. Interesting, but not outstanding. Aerial views are shown of Boulder Dam and Shiva Temple, the plateau in the Grand Canyon, where Mark Hawley, scientist, has been making studies of animal life. A good number.

Some footage is devoted to W. C. Fields getting ready to make a scene in a picture. It's good for several laughs.

Shots of Justice Black being besieged by reporters on shipboard are timely, but not particularly absorbing. Scenes showing President Roosevelt in Yellowstone Park are beautiful. He is also shown speaking at the Grand Coulee Dam.

Running time without the Mingalone sequence, 7 mins. J.

Pathe News

Vol. 9, No. 21
(RKO)

U. S. Supreme Court Justice Black takes the spotlight in this reel. Not only does he dodge the Ku Klux Klan question to reporters on his return from Europe, but Grand Dragon J. S. Baskin in New York cleverly evades similar interrogations on the same subject.

Audrey Townsend, debutante, leads a group of mannikins in a fashion display of afternoon and evening gowns for the fall season. Silver, gold and black are the predominating colors. Noel Mills handles the narration capably.

Byron Nelson, clinching the $12,000 golf tournament at Belmont, Mass., bests Henry Picard in a pouring rain. Clem McCarthy describes the last round of the match.

Gilbert Seldes, recently appointed CBS television director, states that television is proceeding on a straight course and has no hurdles to jump. He adds that CBS has been experimenting privately with the device and when it is ready it will not take the place of films or radio, but will be a third type of entertainment as satisfactory as the other two.

Professor F. K. Kirsten tests a model plane using rotary blades instead of wings and propeller and predicts a new era in aviation at Seattle, Wash. The bumper grape harvest and annual festival in Rome is pictured in all its splendor. The dynamiting of Wolf Creek Pass, Col., to make way for a new highway also is shown. The reel closes with President Roosevelt making a speech at the dedication of the new $50,000,000 dam at Bonneville, Ore. A routine release.

Running time, 7½ mins. O.

Universal Newsreel

Vol. 9, No. 602
(Universal)

For the most part the clips in the mid-week issue of this reel lean toward thrilling action and excitement. The makeup is good and the cutting brings out the high spots.

The livest piece of pictorial reporting shows Justice Black returning from Europe. He lands at Norfolk, but says nothing. A golf match with Byron Nelson taking the honors at Belmont, Mass.; scenes at the Pendleton Roundup and "Lucky" Teeter scaring the grandstand at Trenton, N. J. with his daredevil troupe of car wreckers take care of the sporting end. Other sequences show an acrobat doing his stuff blindfolded in Belair, Cal.; a racing car upsetting on a new track in Hammond, Ind.; the wine festival in Lodi, Cal.; Chicago's Chinatown holding a funeral for its mayor; fire in a meat packing plant, also in Chicago; and New York police rookies going through various drills and stunts at Madison Square Garden.

Running time, 9 mins. P.

Report "U" Workers May Seek C.I.O. Aid

(*Continued from page* 1)

C.I.O. affiliate, said no statement on the situation could or would be made until today.

The air was rife with an assortment of rumors regarding Universal's admitted retrenchment policy. One concerned C. M. Woolf, managing director of National Film Distributors, Ltd., English company already financially interested in Universal. The report was Woolf was about to acquire a heavier interest in the company, which suggested this might develop through N. L. Nathanson, president of the Famous Players Canadian Corp., who is reputedly close to Woolf and who had been mentioned earlier as a possible new factor in Universal. Nathanson already has denied any such intent.

Of this Cowdin said: "I spoke to London twice on Wednesday. It was about exhibition of our product in England; the matter you mention did not come up."

Tied in with this angle was a further report that Universal would distribute 10 British pictures a year here. Cowdin again denied.

SAN FRANCISCO, Sept. 30.—James R. Grainger, general sales manager of Universal, left for New York tonight.

Appeal on "Ecstasy" Ban Argued in Court

ALBANY, Sept. 30.—The appeal of Eureka Prod., Inc., from the New York censors' ban on "Ecstasy" was heard today by the Appellate Division. The film was banned in March, 1936, and an appeal was taken by Eureka to the Commissioner of Education, who upheld the ban the following September.

Henry Pearlman, attorney for Eureka, based his appeal on three grounds: (1) that the film is an artistic and not an indecent or immoral work; (2) that the censors applied the wrong principles of law in banning it, and (3) that the refusal of the state to permit its showing after its importation had been approved by Federal authorities was in unlawful interference with foreign commerce.

Decision was reserved.

Bank Suit Dismissed

OMAHA, Sept. 30.—The Omaha National bank's foreclosure suit on the closed 3,000-seat Paramount has been dismissed without prejudice by District Judge Frank Dineen to formally return control of the house to the A. H. Blank interests. No date has been set for reopening.

Reentry Into Stage Field Not General

(Continued from page 1)

basic agreement of the Dramatists' Guild. He further announced that he was ready to enter production this season."

Several producer sources expressed bewilderment over the reference to the "signing" of the guild's minimum basic agreement, pointing out that contracts are not made with the guild but are made between producers and playwrights. The general assumption, however, was that the company would agree to the guild's terms in any producing it undertook.

Spokesmen for Paramount, Warners, M-G-M, 20th Century-Fox, RKO and Universal, the other companies who stated they would discontinue play financing in protest against the new guild contract, were emphatic in declaring that their attitude had undergone no change and no production financing would be undertaken by them during this Broadway season.

Columbia Intention Doubted

Several responsible quarters expressed doubt that Columbia would actually re-enter the Broadway financing field, suggesting that the announcements to that effect were in the nature of "bargaining gestures" for an undisclosed talent or production material acquisition now in work.

Cohn could not be reached for comment on these statements.

The Bureau of New Plays, which was sponsored by the seven companies, including Columbia, as an agency for discovering new plays and playwrighting talent on their withdrawal from the Broadway scene, yesterday announced the opening of its second play competition. Awards are made for the best six plays submitted by accredited students during the season.

Jack Cohn Sailing

Jack Cohn, vice-president of Columbia, sails on the *Normandie* today on what he yesterday described as his usual annual trip abroad.

One of the purposes concerns Columbia's plans for British quota pictures under the impending Films Act. Cohn will be gone about three weeks.

"Horizon" Gets $88,000

"Lost Horizon" garnered approximately $88,000 in its first week at the Music Hall. "Stage Door" will start an indefinite engagement next Thursday.

Philadelphia Golf Play Starts Today

PHILADELPHIA, Sept. 30.—Several hundred film men will tee off tomorrow morning for the annual Variety Club golf tournament at the Whitemarsh Country Club. All players are supposed to be ready to start between 11 o'clock and 2 o'clock.

In the evening there will be a dinner with entertainment, and prizes will be distributed. Milton Rogasner is chairman of the arrangements committee.

A number of men are expected from New York.

How Mussolini Did it

(Continued from page 1)

with the habitual Havana cigar in their mouths, and the public are given a further proof of the lack of intelligence and seriousness to be found in the mass of people who live in the California Mecca. Is this an effect of the sun?"

Answering his own hypothetical question as to what the rest of the world would do if Hollywood closed down for a year, "a kind of flood without the ark, which would be blessed by a goodly few . . . never again to see the ears of Clark Gable, or Dietrich's legs, or Garbo's feet, or Joan Crawford's mouth, or Katharine Hepburn's nose, or Luise Rainer's eyes, or Goldwyn's and Ziegfeld's ballet girls." Mussolini considered the case of each European country and wound up with this regarding Italy:

"Perhaps in the space of five or six years we may get ahead. In any case we are equipped and ready. We are working at full swing and more enthusiastically, and we shall soon fill Cine City. Even the smallest capitalists will have an opportunity of doing their part and of making an economic film. Thousands of people will find work and thousands will work in the constructive part. Many prejudices will be done away with and the greatest liberty will be conceded from an artistic point of view. . . . Our orders must then be to first effectively conquer the favor of the Italian public before we upset things abroad."

Again, a week later:

"There are several persons who are interested that our cinematographic industry should proceed more vigorously on its way, learning everything that is best to be learned, squeezing the intelligence of cinema maniacs, abandoning all aesthetic dissertations and expressing in true cinematographic language of its own the new power of Rome."

MPTOA Will Plan At Session of Board

(Continued from page 1)

Kuykendall conferred with a number of distribution executives on the subject of trade practices, but stated yesterday that he was unable to discuss the results at this time.

In Philadelphia today Kuykendall may discuss the exhibitors' buyers' strike against Paramount with U.M.P.T.O. officials with a view to bringing the exhibitor organization and the company together. Kuykendall said yesterday, however, that he had not been requested by either side to attempt to effect a settlement, but that the "strike," naturally, would be one of the topics of discussion and that if he could aid in effecting any agreement between the two parties he would be willing to do so.

Kuykendall will go to Memphis for the Tri-States M.P.T.O. convention next week, and thereafter to New Orleans, Los Angeles, San Francisco, Portland, Seattle, Denver, Salt Lake City, Dallas, Atlanta and Pinehurst. His trip will end in the latter city on Dec. 6 at the convention of the M.P.T.O. of North and South Carolina. The M.P.T.O.A. board meeting, the date for which has not yet been set, will be held shortly thereafter.

Aarons Reports Gains

PHILADELPHIA, Sept. 30.—George P. Aarons, secretary of the local U.M.P.T.O., returned today from Pittsburgh where he addressed the M.P.T.O. of Western Pennsylvania. He reported 100 theatres in the western group had joined in the power of attorney idea for Paramount buying established by the Philadelphia group.

"Love Me" Retitled

HOLLYWOOD, Sept. 30.—"Don't Lead with Your Heart" is the new title of the Grand National film formerly known as "Love Me Again."

Producers Oppose IATSE Film Credit

(Continued from page 1)

it would publicize the I. A. T. S. E. and the A. F. of L. before every theatre-goer in America, and probably involve the industry in the current tangle between the A. F. of L. and the C. I. O.

Major studios are giving screen credit to the American Society of Cinematographers, whose collective bargaining contract for first cameramen has several more years to run. Mayer's arrival in Hollywood, scheduled next week, is expected to be followed by a visit of George Browne, I. A. T. S. E. president, who has been represented by William Bioff.

Court Halts SEC on Company Disclosures

By BERTRAM F. LINZ

WASHINGTON, Sept. 30.—Declaring that the S.E.C. may not arbitrarily force a corporation to disclose information regarding its setup where to do so might result in irreparable injury, the District of Columbia Court of Appeals today held that corporations have the right to invoke the jurisdiction of the courts to prevent such disclosure.

The decision was rendered on an appeal of three corporations which contested the right of the S.E.C. to force them to disclose information regarding salaries, gross sales and other data.

The S.E.C. had held hearings in each case and had ruled that disclosure of the information was in the public interest and, when the matter reached the court, asked that the cases be dismissed.

In its decision, the court said the commission was wrong in thinking that it was the intent of Congress that it should refuse requests for confidential treatment without a hearing, and held that "it is fundamental that the property rights of the citizens may not be put in jeopardy or destroyed."

Bargaining Hearing Is Opened on Coast

HOLLYWOOD, Sept. 30.—William R. Ringer, special trial examiner, opening the hearing on the petition of the Screen Writers Guild to be determined sole collective bargaining agency for film writers in the first case involving application of the Wagner Act to the industry on the west coast today overruled objections of producer attorneys and Screen Playwrights, Inc., to the introduction of evidence in the action and took under advisement motions of the producers and playwrights to dismiss the entire proceedings.

Arguments for the motion to dismiss were featured by an attack upon sections of the Wagner Act by Neil McCarthy, attorney for the Playwrights, which already holds a collective bargaining agreement with the producers and writers. McCarthy declared, among other objections, that the Wagner Act, if applied in this instance, would violate the Federal Constitution by depriving playwrights of liberty and freedom as granted by the playwright-producer pact.

Bearing the brunt of the producer arguments against the proceedings was Walter Tuller of the law firm of Omelveny, Tuller and Myers, representing Paramount; Milton Schwartz of Loeb, Walker and Loeb, representing the MPPDA, and Pat Casey for Universal, MGM, Republic and Samuel Goldwyn.

The first day was devoted to legal skirmishing in which producers lost a minor point when attorneys failed to have each case argued separately, studio by studio.

F&M Poll Finals Monday

ST. LOUIS, Sept. 30.—Final reports in the popularity poll being conducted by Fanchon & Marco in conjunction with the St. Louis *Star-Times* are expected to be released next Monday. They will reflect the results of more than 50,000 replies to questionnaires.

Tabulation of the first 40,000 replies show Clark Gable, Myrna Loy and Shirley Temple holding leads.

Wall Street

20th-Fox Best Gain on Board

	Open	High	Low	Close	Net Change
Col.	21⅛	21⅛	21	21	.....
Cons.	2⅛	2⅛	2⅛	2⅛	.....
Cons., pfd.	8½	9	8½	8¾	+ ½
E. K.	175	175½	175	175	— ¼
G. T. E.	19¼	19⅞	19¼	19½	+ ½
Loew's	72	72¾	71¾	72¼	+ ⅞
Para.	18⅜	18⅝	17⅞	17⅞	— ⅝
Para. 2	16⅝	16⅝	16⅜	16⅜	— ¼
Pathe	8⅛	8⅜	8	8	— ¼
RKO	6¼	6½	6⅛	6⅛	— ⅛
20th C.-Fox	29⅜	30⅛	29⅜	30⅛	+ ⅝
20th, pfd.	36¼	37½	36½	37½	+1
Warner	11⅛	11¾	10¾	10¾	— ¼

Light Curb Movement

	Open	High	Low	Close	Net Change
G. N.	2¼	2¼	2⅛	2⅛	+ ⅛
Sentry	⅜	⅜	⅜	⅜	.....
Sonotone	1¾	2	1¾	1⅞	+ ⅛
Tech.	25⅝	25¾	25⅛	25⅛	— ⅜
Trans-Lux	3¼	3¼	3⅛	3⅛	— ⅛

Warner Bonds Up 2 Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	96¼	95¾	95¾	— ½
Loew's	99¼	99	99¼	+ ½
Paramount B'way 3s '55	67¼	67¼	67¼	+ ⅝
Paramount Pict. 6s '55	100	100	100	— ⅛
Warner Bros. 6s '39 wd	88⅛	87⅝	87⅝	+2

(Quotations at close of Sept. 30)

Television in Europe Lags, Asserts Paley

(*Continued from page 1*)

said: "CBS has been broadcasting television intermittently for some time. We will soon make an announcement, probably in two or three weeks, of more permanent plans.

"Eventually we plan regular television periods, but the date when we will begin is not set. However, our announcement will include the date.

"We have taken over the tower of the Chrysler Bldg., for the installation of a television transmitter. We are also expanding the number of radio broadcasts from Europe. CBS will open another office on the Continent, but where it will be located I cannot say at this time."

Among the drawbacks of television abroad, Paley pointed out, are the cost of sets—from $350 to $400 in England—and the small size of the image.

"The program problem is the most important factor in television in this country," he said. Television will come under F.C.C. regulation, as does radio, Paley asserted. He plans to leave for the coast later in the year.

N. A. B. Committees Are Named by Elmer

WASHINGTON, Sept. 30.—President John Elmer of the National Ass'n of Broadcasters, stated today that he had named a state committee following a poll of membership.

The purpose of the committee is to facilitate the national functioning of the organization. It is composed of one member from each state and territory. Each four states are grouped to form a district presided over by one of the committeemen. To date seven of twelve district chairmen have accepted; also 36 state men.

Alfred J. McCosker of WOR will represent New Jersey and Harold E. Smith of WOKO will represent New York.

Elmer also said the engineering committee would have Paul Loyet, WHO, Des Moines, as chairman.

World Series Games Offered to Networks

With the National and American League pennant races run, Judge K. M. Landis, high commissioner of the game, has offered the World Series broadcast privileges on a sustaining basis to the three national chains.

It is presumed that the New York key stations, WABC, WOR, and either one or both of NBC's stations, WJZ and WEAF, will take the games. They will be offered across the networks, of course, but it can not be determined until later how many of the affiliated stations will care to disrupt their commercial schedules to accept the games.

Olson Has New Program

The Olson Rug Co. is sponsoring a new morning series over WEAF only, Wednesdays from 9:30 to 9:40 A. M. The contract is for eight weeks. Presba, Fellows and Presba is the agency.

A.F.M. Pact Near

It is possible that today will see the completion of the drafting of the standard agreement for the hiring of musicians by the networks. Officials of the A. F. M. and the networks convened yesterday for the purpose and will continue their deliberations today.

Talmadge and Jessel Series Agreed Upon

After almost a full year of negotiating, the Redfield-Johnstone agency has finally completed the setup for the Norma Talmadge-Georgie Jessel show. A dozen sponsors will participate in the series.

The series is titled "30 Minutes in Hollywood," and will be broadcast over 29 stations of the Mutual network. Crawford Clothes will sponsor the show over WOR. The Oklahoma Power and Light Co. will sponsor over six stations in that state; Geffers & Sattler over seven stations on the west coast; Gobbels Brewing Co. over seven stations in Michigan, and nine other sponsors in as many other cities.

The program will originate from the studios of KHJ in Los Angeles.

Wilson Leaves CBS; Joins Maxon Agency

Robert Wilson, Jr., for the past seven years CBS sales representative for the Philadelphia territory, has resigned from the network to accept a position as director of radio for the Maxon agency. He will assume his new duties some time next week.

Maxon has two accounts now on the air with programs, Heinz & Co., whose "Magazine of the Air" series is offered over CBS, and the General Electric Co., sponsors of the "Hour of Charm" over NBC. Wilson will be the agency's inaugural director of radio.

McNinch Will Take F. C. C. Oath Today

WASHINGTON, Sept. 30.—Frank R. McNinch, appointed last month to be chairman of the F.C.C., today announced that his resignation as chairman of the Federal Power Commission will become effective immediately and that he will take the oath of office as a member of the F.C.C. tomorrow at noon.

McNinch made it clear that he would make no immediate statement of his plans for his new work.

CBS to Add WRDW, Atlanta

CBS will add another station to the network Oct. 31, when WRDW, Augusta, Ga., joins the web. The station is owned and operated by the Augusta Broadcasting Corp. and is managed by W. J. E. Reynolds. It has a daytime power of 250 watts nights, and a night power of 100 watts.

WELI Picks Furgason & Aston

Furgason & Aston, Inc., have been appointed national representatives of WELI, New Haven.

Radio Personals

"SMILING" ED McCONNELL, injured recently in an automobile accident, will be back on his program Sunday. . . . Rear Admiral Richard E. Byrd will appear on the inaugural "Hobby Lobby" Hudson Motor Car Co. show Oct. 6. . . . Frazier Hunt will be a guest speaker on the opening Dr. Dafoe broadcast Oct. 4. . . .

✚

Billy Baar, whose "Grandpa Burton" sketches were a well known radio attraction, has returned from England, where for the past seven months he has been broadcasting for BBC . . . Barry Wood has been signed under CBS artists bureau management . . . Irving Reis, who returned recently from Europe, will resume his direction of the "Columbia Workshop" for the program of Oct. 10 . . . Lucrezia Bori will give her first radio concert of the season on the Ford "Sunday Evening Hour" Oct. 10 . . . Abe Lyman will be Jack Benny's program guest Sunday . . . Richard Arlen will appear on the "Bakers' Broadcast" Sunday along with Walt Disney . . .

✚

Beginning Oct. 7, the Vallee program will be aired from Hollywood . . . Rudy, incidentally, will act as emcee on the Chase & Sanborn program Oct. 7, permitting Don Ameche to take an additional week's vacation . . . Billy Swanson has signed the Andrews Sisters to sing with his orchestra . . . Abe Lyman will begin his fifth consecutive year of "Waltz Time" broadcasts today over the Red network . . . Al Kavelin, back from an extended musical tour, has organized a new orchestra and is now auditioning the unit. 'Tis said the band boasts some new musical features . . . Jane Pickens' mother is out of the hospital . . . Bernie Cummings' band is recording for Decca . . . Al Goodman will take over the "Hit Parade" on CBS Oct. 2, marking the seventh time he will have appeared in this series . . .

✚

HORACE HEIDT and his band have been booked into the State for the week of Oct. 7. He will be followed by JOE LEWIS and WINI SHAW the following week, the Salici Puppets the week after and then TED LEWIS and his musicians.

Ross to Head New Program

David Ross will head a new CBS sustaining period titled "Your Birthday Party" Oct. 3. Freddie Rich's orchestra and a choral group will be offered in support. The series will be heard Sundays from 8:30 to 9 P. M.

"Farm Hour" in 10th Year

"The National Farm and Home Hour," will celebrate its 10th year over NBC networks Oct. 2. A total of 70 NBC-Blue stations broadcast the program each weekday at 12:30 P.M.

Tony Cabooch Joins WHK

DES MOINES, Sept. 30. — Tony Cabooch, comedian for the past year over WHO, will leave WHO Oct. 1 and go to Cleveland to join the artists staff of WHK.

New Shows On the Air

"Kate Smith Hour"

The new "Kate Smith Hour" got off to a glittering, Kleig-lighted start last night, with the southland songbird getting a star-studded procession which included Tallulah Bankhead, Henry Fonda, Sport Champions Barney Ross, Lou Gehrig, Ralph Guldahl, Charlie Kurtzinger, Lew Ambers, Glenn Cunningham, Archie San Romani, Henry Jeffra and Jack Miller's orchestra and Henry Youngman.

The new hour threatens to steamroller over any and all opposition, which means principally the Rudy Vallee Hour over NBC. Judging from last night's guest cast, and the one announced for next week, the General Foods purse strings can and will open wider than Standard Brands'.

Despite the preponderance of guest talent the show belongs principally to Kate. A Trojan for work, she offered three songs, delivered most of the commercials, partly served as "emmcee" and was in and out, mostly in, of the script throughout.

Tallulah Bankhead and Henry Fonda delivered a scene from the teary "Camille." Fonda's interpretation of the role of Armand was a trifle too austere for that impetuous lover but the husky-voiced Tallulah played the tragic Lady of the Camillias in the grand manner.

The sport champions spoke briefly, very fortunately, but their presence gave an electric touch to the show. Henry Youngman had a particularly good script.

Kate Smith is presented Thursday from 8 to 9 P. M. over CBS. General Foods sponsors for Swan Down Cake Flour and Calumet Baking Powder. Young & Rubicam is the agency.

More NBC Shifts on Coast

SAN FRANCISCO, Sept. 30.—Further readjustments in NBC west coast personnel have been made by Don E. Gilman, vice-president. Sydney Dixon succeeds Harry F. Anderson as west coast sales manager, Anderson resigning to become business manager of the *Honolulu Advertiser*. William B. Ryan will be sales manager in San Francisco.

Brusiloff on WMCA Show

Nat Brusiloff's orchestra will provide the background for WMCA's new variety show starting Oct. 3 from 9:30 to 10 P. M., and to be heard six times weekly thereafter. Madison Personal Loan Co. is sponsoring. Jane Clifton, Bob Parker and Don Kerr also will be heard on the show.

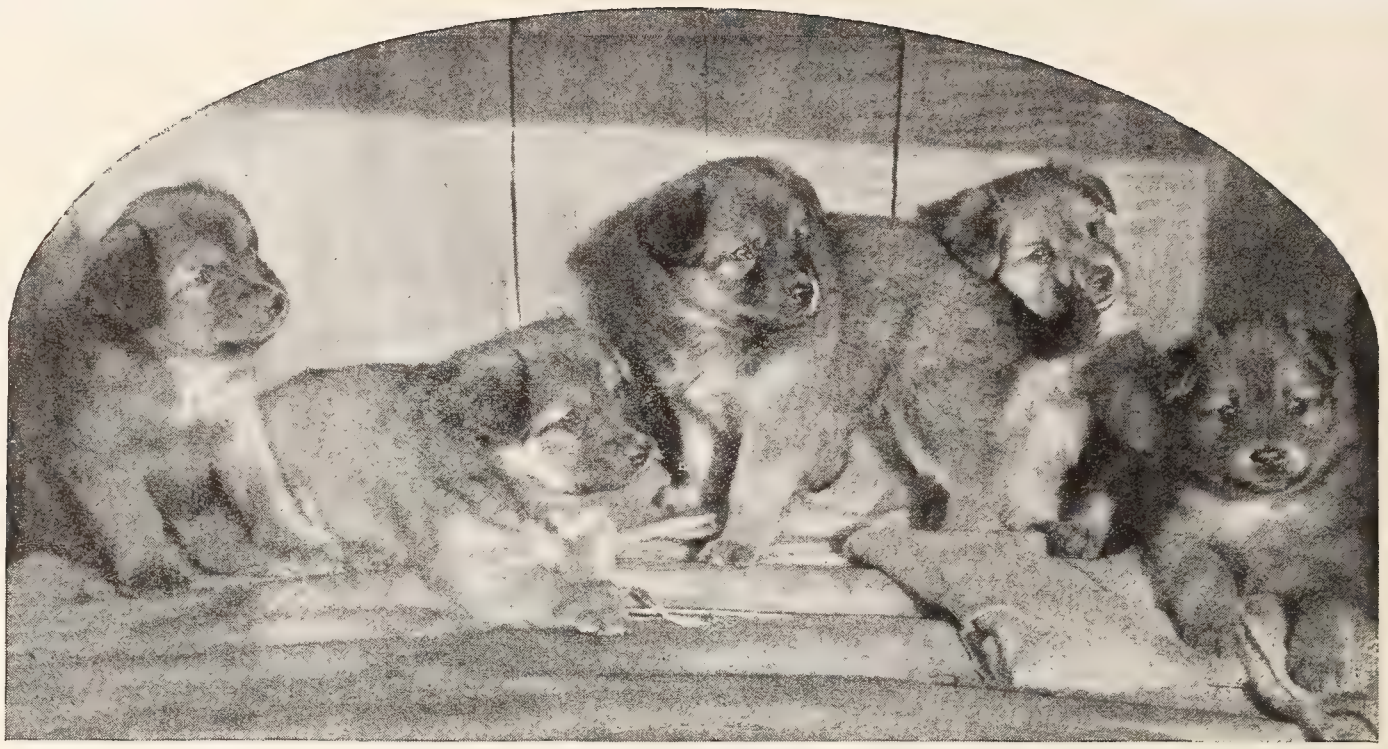
Renew "Revelers" Program

The Revelers, currently broadcasting over WJZ only for Richardson & Robbins, Inc., have been renewed for further broadcasting by the sponsor. They are heard Monday, Wednesday and Friday from 6:35 to 6:45 P. M. The agency is Charles W. Hoyt.

Dr. Damrosch to Resume

Dr. Walter Damrosch will resume his NBC "Music Appreciation Hour" for the 10th consecutive season over the Blue and Red networks Oct. 15, from 2 to 3 P.M.

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VOL. 42. NO. 79 NEW YORK, SATURDAY, OCTOBER 2, 1937 TEN CENTS

Single Bills Get Downtown St. Louis Vote

Neighborhoods for Duals As Count Nears End

ST. LOUIS, Oct. 1.—Tabulation of about 40,000 of the more than 50,000 votes cast in the Fanchon & Marco film and star preference poll shows that first run patrons prefer single bills with stage shows and shorts and neighborhoods want double bills.

Clark Gable, Robert Taylor and William Powell were leading for actor preferences in that order, and Myrna Loy, Loretta Young and Claudette Colbert were at the top of the voting for actresses. Child stars were headed by Shirley Temple, Jane Withers and Freddie Bartholomew. Neighborhood audiences placed Mickey Rooney ahead of Bartholomew.

First run patrons prefer musical comedies, comedies and love romances with gangster and war pictures far behind. Neighborhoods favor musical comedies, comedies and detective mysteries with gangster and war pictures getting more than twice as many votes as in the downtown houses.

First run patrons prefer cartoons, news reels and sports in the shorts division. Neighborhood preferences run to cartoons, newsreels and sports in the order named.

Consolidated Files Appeal in Delaware

DOVER, Del., Oct. 1.—Consolidated Film Industries, Inc., has filed an appeal with the State Supreme Court here from the recent decision of Chancellor Josiah O. Wolcott in Chancery Court at Wilmington, declaring void and granting a permanent injunction against the proposed amendment to the company's certificate of incorporation: Norman Johnson, New York preferred stockholder, was complainant in the action.

Wolcott recently ruled against the proposed amendment whereby new preferred stock would be created and exchanged for old preferred, the holders of the latter to forfeit unpaid accumulated dividends.

Financial Testimony Ordered at Hearing

HOLLYWOOD, Oct. 1.—Studios today vainly battled the efforts of Regional Labor Board Attorney William J. Walsh to introduce gross revenue figures of each company and the approximate cost of production sched-

(Continued on page 4)

Para. Philadelphia Appeal Is Set Back

PHILADELPHIA, Oct. 1. —Paramount's appeal from the decision of the U. S. District Court here dismissing its injunctive action against local exhibitors participating in a "buyers' strike" against the company may not be heard by the U. S. Circuit Court of Appeals until midweek, according to indications today.

The appeal was set for hearing today, but the condition of the court calendar indicates that the case may not be reached for several days. The lower court dismissed the case without prejudice on the grounds of lack of jurisdiction. Paramount is seeking a permanent injunction restraining the exhibitors from concerted action in their protest activities against the company.

Briggs in Sale of 700 Pathe Shares

By BERTRAM F. LINZ

WASHINGTON, Oct. 1.—Disposition by J. Henry Briggs, New York, of 700 shares of Pathe common stock in August, leaving him with but 100 shares at the close of the month, was shown today by the S. E. C. in its semi-monthly report on transactions of corporation officers, directors and principal stockholders in the securities of their companies.

All of the August transactions reported in the first summary for that month were comparatively small.

Acquisition by Jack Cohn, New York, of 12 shares of Columbia Pictures common and 773 common voting trust certificates, giving him at the close of the period 529 shares of common and 39,707 certificates, and acquisition by Norman C. Nicholson,

(Continued on page 3)

Revival of 17½mm. Film Use Aimed at

HOLLYWOOD, Oct. 1.—Revival of the 17½ millimeter film is aimed at by Harry Schenck, who controls the rights of various sound and projection patents on film of that measure. He plans to form a company for the production, distribution and exhibition of educational pictures.

Schenck, who has acquired the control in America of the English and French patents, for the last year has been planning the creation of one or more companies to handle educational films and projectors for schools and colleges. The institutions, under the plan, could produce their own educational films. develop, print, and ex-

(Continued on page 4)

Prowling

Si Seadler was at a loss yesterday, but a loss of short shrift. There he was, in cahoots with Cal Swanson, and both of them set to entertain Howard Strickling, world traveler just returned from three months abroad with Louis B. Mayer and world weary.

Suddenly and with little warning, Strickling upped late yesterday afternoon and hopped for the coast in a plane with Mayer. Where to go and whom to entertain, became the question. Cal remembered Universal was host for Dannielle Dairreux at the Pierre late in the afternoon. It was enough, not only for him but for Seadler.

Sedran and 122 at 'U' Out in Economy Wave

Sam Sedran, for 22 years with Universal and long its purchasing agent, is out in the retrenchment policy which yesterday resulted in the discharge of 122 employes at the company's home office. Under consideration is a reduction of 144 in the domestic exchange system.

Many employes were reported to have signed with the C. I. O. yesterday, with indications last night pointing toward an affiliation of the union recently organized at "U" with the Lewis organization.

Today, J. Cheever Cowdin, chairman of the board, flies to the studio for a short stay. Willard McKay, general counsel, accompanies him.

Cohn Says Columbia Needs Stage Plays

Columbia is serious about its plans to produce Broadway shows and has options on a number of plays, Jack Cohn, vice-president, said yesterday before sailing on the *Normandie* for England, Paris and Prague. D. A. Doran is in charge of the department, Cohn added.

Asked about the agreement by film

(Continued on page 3)

Warner Enthusiastic On Company's Status

Warners were never in a better position to give the public what it wants and exhibitors also, Jack L. Warner, vice-president in charge of production for Warners, stated yesterday before he sailed on the *Normandie* to spend six weeks in Paris, Budapest, Vienna and London.

"My trip will be in the form of a

(Continued on page 3)

Lichtman to England for Metro-British

Will Leave Here in Two Weeks, Says Mayer

NEWARK, Oct. 1.—Al Lichtman will leave for England in two weeks to further M-G-M's British production plans, Louis B. Mayer, head of production for the company, stated late this afternoon as he boarded an American Airlines plane for Hollywood. Accompanying Mayer were Howard Strickling and Irving Sherman, the former publicity head at the studios, the latter not being identified with the company.

Asked if any definite plans had been completed for sending over additional stars, Mayer said it was his intention to first develop an organization as soon as possible in England. The M-G-M production head stated he could not tell at this time how many pictures would be made a year at the British studios, pointing out that the number may be one to 50.

"When we first started production in California, we had a schedule of 15. Now Mr. Schenck wants 50, so we have to give him 50."

Mayer said he knew nothing of reports that he would confer with David O. Selznick, his son-in-law, on "Gone with the Wind."

"Where do those reports come

(Continued on page 3)

RKO Signs the Marx Brothers for Three

HOLLYWOOD, Oct. 1.—RKO has signed the Marx brothers for three films, according to S. J. Briskin, vice-president in charge of production.

"Room Service," Broadway stage play, will be the first. Edward Kaufman will produce, with camera work scheduled to start shortly after the first of the year.

So. Cal. Exhibitors File Paramount Suit

LOS ANGELES, Oct. 1.—In the midst of the probe by Special Assistant Federal Attorneys General on the anti-trust allegation of independent exhibitors, a mass committee representing 25 theatres in southern California and 18 individual owners tomorrow will file in Superior Court a

(Continued on page 4)

Radio—P. 4

MOTION PICTURE DAILY

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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Flash Previews

"Stand-In"—The well known Clarence Budington Kelland *Saturday Evening Post* story of life in Hollywood, transferred to the screen with skill, artistry and taste. Leslie Hoard turns in one of his best performances.

"Annapolis Salute"—Being a tale of the lives and loves of two middies during their sojourn on the banks of the Severn. Interesting.

"Youth on Parole"—A plea for a helping hand to assist those who have done a stretch behind bars—in this case undeservedly.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

U. A. Closes 3 Deals

United Artists has closed product deals with three important circuits. They are the Comerford circuit of 103 theatres, the Griffiths group, and RKO. Harry Gold closed with John Nolan for the Comerford circuit, with R. E. and H. J. Griffiths and Horace Falls for the Griffiths circuit and with John J. O'Connor and Fred Meyers for the RKO string of houses.

Purely Personal

LEW LEHR is staging a three-day fishing and card party at his Cape May home, starting today. His guests will be TRUMAN TALLEY, LOWELL THOMAS, ED THORGERSEN and editors and chief cameramen of Movietone News. LEHR has a 50-foot boat on which the party expects to angle for bluefish.

•

DANIELLE DARRIEUX, Universal's new imported French star, was the guest of honor at a cocktail party yesterday afternoon in the Neptune Room of the Hotel Pierre. She will leave for the coast next Wednesday.

•

TED SHAW, assistant to WILLIAM C. GEHRING, 20th Century-Fox Central Division manager, will leave Monday on a visit to the midwest branches.

•

KEN THOMSON, executive secretary of the Screen Actors Guild, leaves New York today en route back to the coast on his vacation motor tour.

•

CLARENCE A. HILL, assistant to WILLIAM SUSSMAN, will be back next week from the 20th Century-Fox exchanges in Cleveland and Cincinnati.

•

HARRY CHARNAS said yesterday there is nothing definite to the reports the Criterion will drop films for vaudeville and stage bands.

•

JOSEPH I. BREEN, Production Code Administrator, arrived in New York yesterday from Hollywood on an extended vacation.

•

RAMON NOVARRO, Republic star, will remain in town until H. J. YATES returns from the coast the middle of the month.

•

AILEEN BRENON, who handles fan magazines for Paramount, leaves today for a two-week vacation in Wisconsin.

•

CHARLES BOYER and PAT PATERSON, who sailed yesterday on the *Normandie*, will return Christmas.

•

A. A. SCHUBERT of RKO left yesterday for New Haven and from there will go to Salt Lake City, Denver and Cleveland on an inspection tour of those exchanges. He plans to be back in a week.

•

HARRY COHN, GEORGE WHITE and NATE SPINGOLD arrived on the coast yesterday via American Airlines.

•

WALTER WANGER has delayed his departure for New York and now plans to leave by plane Monday.

•

AD SCHULBERG will leave Monday for the coast, remain there six weeks and then return to England.

•

MACK GORDON, GEORGE RAFT and MACK GREY left Hollywood yesterday for New York by train.

•

EDWARD A. GOLDEN returned yesterday from a week's visit to N. L. NATHANSON at Toronto.

•

CHARLES KRANZ, distributor of Imperial Pictures, is in town.

•

HARRY REVEL is due to arrive from Hollywood by plane today.

•

MONTE PROSER got in from the coast yesterday by plane.

•

HARRY M. WARNER is due from the coast on Nov. 5.

•

LOUIS K. SIDNEY left for the coast yesterday.

•

ROY DISNEY plans to leave for the coast next week.

•

FELIX JENKINS arrived on the coast yesterday by plane.

•

JACK SCHLAIFER was slated to go to Chicago last night.

Passes a Coin

Ramon Novarro hurried to Jack L. Warner's stateroom on the *Normandie* just before the ship sailed yesterday. He handed a gold coin to Mrs. Warner and asked her, as a favor to him, to give it to the first poor person she meets after she lands in Europe.

Novarro asked that no pictures be taken of him handing Mrs. Warner the coin and also that no publicity be given the incident.

New Yorkers Attend Phila. Tournament

PHILADELPHIA Oct. 1.—New York was well represented at the Variety Club of Philadelphia-*Philadelphia Exhibitor* golf tourney at Whitemarsh Country Club today.

Among those who teed off early in the day were Wally Howes, Trans-Lux; Ed Kuykendall, M.P.T.O.A. president; H. J. Hovey and E. M. Hartley, RCA Mfg.; Ted Sullivan, Quigley Publications; Ed Finney, Grand National; Ben Grimm, RKO; Ray Gallagher, Quigley Publications; Harold Rodner, Warners; Pete Sheridan, Erpi.

A group of Washingtonians, including George Crouch, Harry Bachman, and others, was present.

About 100 golfers attended the tournament.

To Determine Dallas Case Action Monday

Attorneys for New York defendants in the Government's Dallas anti-trust suit are scheduled to meet on Monday to decide whether or not to appeal from the U. S. District Court decision barring the use of the admission regulation contracts which were made with Hoblitzelle theatres.

Inquiries yesterday revealed that the defendants are about evenly divided in regard to the need for an appeal.

"Wife, Doctor" Strong

"Wife, Doctor and Nurse" has earned 58 holdovers in the first two weeks, close to the record set by "Thin Ice," according to figures compiled by John D. Clark's office at 20th Century-Fox.

Fleischer Pickets Resume Their March

The strike of commercial artists at the Fleischer Studio broke out again yesterday with new violence and its old-time enthusiasm at approximately the same moment at which pens were poised for the signing of a settlement contract.

Spokesmen for the Commercial Artists & Designers Union attributed the breakdown of the peace negotiations to the refusal of Fleischer representatives to include the studio's animators in the contract in accordance with an agreement which, they said, had been reached earlier. Phillips & Nizer, attorneys for Fleischer, denied that such an agreement had been made and said that the studio's position was the same as it had always been in regard to separate representation for the animators.

Nine of the union's pickets on duty at the building in which the Fleischer studio is located were arrested following an altercation with police yesterday afternoon. Arraigned before Magistrate Oliver in West Side court, they were released in the custody of their attorney for hearing next Wednesday. The union charged that the nine pickets were beaten by the police, several of them severely. The altercation started after police directed the picketers to reduce their lines to 10.

The union picketed the Paramount on Thursday night during the showing of a Popeye cartoon.

Efforts to conciliate the new differences between the studio and union were begun late yesterday in the office of Lou Diamond, Paramount short subjects manager. Both sides indicated a willingness to resume settlement negotiations, but both continued adamant on the subject of animators' representation which frustrated the earlier settlement.

Hart Suit Shifted To a Federal Court

The new suit by William S. Hart and Mary Hart against United Artists for $185,000 which was started in the N. Y. Supreme Court was shifted to the U. S. District Court yesterday.

Hart's suit is based upon an alleged wrongful block booking by United Artists of his 1925 picture, "Tumbleweeds," with a dog picture "Wild Justice." Hart's picture is said to have cost $302,000 to produce and grossed $300,000, while "Wild Justice" cost $15,000 and grossed $100,000.

In his first suit Hart asked for $500,000 damages and was awarded $85,000 by N. Y. Supreme Court Justice Philip J. McCook and a jury. This verdict was reversed by the Appellate Division last June. In the new complaint, U. A. is asked to return the $185,000 which it allegedly retained from the gross receipts as the distributor's share for releasing the picture.

Mulvey, Greenthal West

James Mulvey, eastern representative for Samuel Goldwyn, and Monroe Greenthal, publicity and advertising head for U. A., left for the coast by plane to look at eight pictures and prepare for campaigns on them. Both plan to return next Wednesday. On the same plane were Douglas Fairbanks, Jr., and Frances Farmer.

Lichtman to England for Metro-British

(Continued from page 1)

from?" he wanted to know. "There's nothing to them."

Mayer said M-G-M would not produce in any other foreign country and there were no plans to make foreign versions on the coast.

Mayer denied M-G-M was interested in financing Alexander Korda. "That is something Ben Goetz is interested in, not we," he said.

M-G-M eventually plans to produce operas in England, but nothing definite has been set yet.

Mayer scotched reports that M-G-M is negotiating with Jessie Matthews by stating he was not interested. Speaking of Hedy Lamarr, whom he signed on the *Normandie*, Mayer said he hoped to build her up to stardom.

He smiled when the Hal Roach-Vittorio Mussolini situation was brought up, refusing to comment.

Asked about the I.A.T.S.E. situation on the coast, Mayer said he knew nothing about it.

At the airport to see him off were Nicholas M. Schenck and J. Robert Rubin.

Protests Quota Proposals

LONDON, Sept. 24.—Norman Loudon, chairman and managing director of Sound City, Ltd., in a speech at the annual meeting of the company, which controls the Sound City studio at Shepperton, attacked the legislation plans outlined in the Government's White Paper on films.

Loudon criticized the "reciprocity" proposal as encouraging extravagance. Instead of applying only to films costing £3 a foot, it should be extended to producers working on economical and efficient lines, he said, without any price standard being set.

Loudon objected to the reduction of the exhibitors' quota in relation to the distributors' quota. He also objected to the institution of a minimum cost principle qualified by the right to submit cheaper films to a viewing test. In practice, he argued, this means that a distributor cannot specialize in British films costing £5,000 each, as such subjects would have to "satisfy the whim of a panel of viewers."

Franconi Gets Post With Castle Films

Leon E. Franconi, pioneer newsreel editor, has been placed in charge of foreign topical film production for Castle Films because as an executive he made himself "easy to see."

Eugene Castle, head of the 16mm. producing company, related yesterday that the ease with which he obtained audiences with Franconi when the latter headed the Pathe reel and Castle was a free lance cameraman in San Francisco, along about 1914, had never been forgotten. Upon renewing his acquaintance with Franconi here recently, the early impression was sufficient recommendation for Franconi for the waiting European post, Castle said. The newsreel pioneer leaves for Europe next week to take up his new duties.

Mr. and Mrs. Is the Name



Jack L. and Mrs. Warner as they sailed on the Normandie *yesterday. Photo by Cosmo-Sileo.*



Jack and Mrs. Cohn, also passengers on the same ship. Photo by Metropolitan Photo Service.

Warner Enthusiastic On Company's Status

(Continued from page 1)

vacation, but while I am in London I will discuss British production plans with Irving Asher," he added. Warner had nothing to say about the Dramatists' Guild and the Columbia situation, referring all questions to Jacob Wilk, head of the play department for Warners. He said his company is putting on "Footsteps in the Dark" in London with an English company and the show will come to New York.

Among those seeing him off were Jules E. Brulatour, Hope Hampton, Dorothy Mackaill, Harry and Mrs. Charnas and many personal friends.

"Tovarich" will open at the Hollywood on a two-a-day policy following "The Life of Emile Zola," Warner stated.

H. M. Warner Is Host

HOLLYWOOD, Oct. 1.—H. M. Warner was host today to a group of Congressmen at a lunch in the studio. He was introduced by George Jessel.

Songs were sung by Dick Powell, Rosemary Lane and Johnny Davis. Others present were: Bette Davis, Pat O'Brien, Olivia de Havilland, George Brent, Allen Jenkins, Frank McHugh, Wayne Morris, the Mauch Twins, Anita Louise, Humphrey Bogart and Claude Rains.

Comptroller Chase, who has been with the company for 25 years, was introduced. Warners' speech was broadcast.

"100 Men" at $50,000

The second week of "100 Men and a Girl" tallied approximately $50,000 at the Roxy.

Cohn Says Columbia Needs Stage Plays

(Continued from page 1)

companies not to use the dramatists contract, Cohn stated: "We don't care about the agreement. We're not going to sit by idly. We can't wait for the author problem to be straightened out. We've got to go ahead with our own plans."

Cohn declared that Columbia must have plays to feed the screens all over the country. "It isn't like operating a small theatre on Broadway. We've got to resort to every means possible to get new plays and talent."

Comedies are preferred by Columbia. Cohn asserted that people want to laugh after they go home from a day's work. "And everyone in Columbia is striving strenuously to make Columbia the House of Joy."

While in England, Cohn will look over a few plays. There is also a possibility that the company will produce in that country. Cohn added he hopes to make a connection in England for the purpose. He praised British writers and said he hoped to find usable material in some of their works.

Gilbert Miller Sails

Gilbert Miller sailed yesterday on the *Normandie* and said he will not produce any more plays in association with Warners. An agreement for three plays recently expired, Miller added, and further than that "our relationship is still friendly."

Kaufman Joins M-G-M

Wolfe Kaufman, assistant to Abel Green on *Variety*, resigned yesterday to join the M-G-M writing staff on the coast. He will leave by plane today to assume his new duties.

Briggs in Sale of 700 Pathe Shares

(Continued from page 1)

New York, of 250 shares of Educational Pictures common and 557 warrants for common, which comprised his total holdings in those issues at the end of August, was reported.

Former-month reports on International Cinema, held for correction, disclosed that H. T. James, Los Angeles, in July, 1936, relinquished 40,000 shares of common, held through Regan, Day, Inc., to the film company and in May of this year sold the remaining 200,000 shares which he held.

Transactions in Loew's, Inc., included disposition by David Bernstein, New York, of 600 shares of common, leaving him with 8,680 shares, and disposition by J. Robert Rubin, New York, of 25 shares, leaving him with 16,958 shares.

Chase National Bank, New York, reported further progress in disposing of the 20th Century-Fox stocks it is holding under escrow agreement, selling 379 shares of common and 758 shares of preferred during the month. At the close of August, the bank's holdings consisted of 345,732 shares of common and 691,664 shares of preferred.

Quits Bank Night Post

BOSTON, Oct. 1.—Edith Alper, office manager for Bank Night, and Hannah Brand, booker for Specialty Pictures, both Roy Heffner enterprises, have resigned. Mrs. Roy Heffner has taken over Miss Alper's work. Louise Buckly has replaced Miss Brand.

Rogers Goes to Coast

Charles R. Rogers left for the coast yesterday on the 20th Century after completing conferences with J. Cheever Cowdin and R. H. Cochrane. He said he intended to rush preparations for Danielle Darrieux's first film. She will follow on Tuesday.

Wall Street

Losses Dominate Board

	Open	High	Low	Close	Net Change
Col.	20	20	19¼	19¼	—¾
Cons.	2⅛	2⅛	2	2	— ⅛
Cons., pfd.	9¼	9¼	9	9	+ ¼
E. K.	173¼	175	173¼	175	.....
E. K., pfd.	158	158	158	158	.....
G. T. E.	19¼	19¼	18¾	19	— ¼
Loew's	72¼	72¼	70	71¾	— ½
Loew's, pfd.	106¼	106¼	106¼	106¼	+ ½
Para.	17⅞	18	17⅜	17¾	— ¼
Para 2	16½	16½	16	16	— ⅜
Pathe	8¼	8¼	8	8	.....
RKO	6⅛	6¼	6⅛	6¼	+ ⅛
20th Fox	29	29½	28½	29½	— ⅝
Warner	10¾	10⅞	10½	10⅝	— ⅛

Little Curb Change

	Open	High	Low	Close	Net Change
G. N.	2	2	2	2	— ⅛
Sentry	⅜	⅜	⅜	⅜	.....
Sonotone	1⅞	1⅞	1⅞	1⅞	.....
Tech.	25¼	25¾	25	25⅝	+ ½
Trans-Lux	3⅛	3⅛	3⅛	3⅛	.....
Univ.	2¾	2¾	2½	2½	— ½

Bonds Move Lightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	96	96	96	+ ¼
Loew's	99⅜	99¼	99⅜	+ ⅛
Paramount B'way 3s '55	67¼	67¼	67¼	.....
Paramount Pict. 6s '55	85	84½	84½	—1
Warner Bros. 6s '39 wd	87½	87	87	— ⅝

(Quotations at close of Oct. 1)

Radio Personals

FRANK PARKER will return to the Chesterfield program, succeeding Lawrence Tibbett . . . "The Three Marshalls" have been booked for appearances at the Arcadia in Philadelphia, starting Oct. 15 . . . Al Scott of the NBC press department has been transferred to the sound effects division . . . Kay Parsons will appear on the Hearn program over WOR Monday . . . Louise Massey and her "Westerners" are booked for a shot on the Al Pierce Ford show Tuesday . . . Buddy Manners has been signed as vocalist for the WHN Aaronson band . . .

KLZ Starting Early Morning Farm Series

DENVER, Oct. 1.—With a new program especially for farmers and ranchers of the area, KLZ is changing its opening time from 6:30 A. M. to 6 A. M., Mondays through Saturdays. Howard Chamberlain, new production manager at KLZ, is handling the programs, assisted by Bob Buchanan.

Lasting 45 minutes the broadcasts will include weather reports; livestock estimates and reports by remote control from Denver Stockyards; news flashes; informative data featuring expert solution to the various farming and ranching problems; and entertainment and music furnished by Captain Ozie and his Colorado Rangers.

New Station Sought At Huntington Park

WASHINGTON, Oct. 1.—Plans for a new station at Huntington Park, Cal., have been submitted to the F. C. C. by the Mollin Investment Co.

The company asks a construction permit for a daytime station to operate on the 1,160-kilocycle frequency with 100 watts power.

The commission also has been asked to approve an application of KGFW, Kearney, Neb., for an increase of day power from 100 to 250 watts.

Swift Takes One Program

Swift & Co. will sponsor an institutional one-shot program over the NBC-Red network this morning from 8 to 8:15 A.M., with a repeat for the west coast at 10 A.M. The program presumably is intended only for Swift dealers and employes. Company executives will be heard in addresses. J. Walter Thompson, Chicago division, placed the order.

Dewey on Air 5 Sundays

Thomas E. Dewey, candidate for District Attorney in the coming municipal elections, will be heard Sundays from 6:35 to 6:45 P.M. over WJZ for five weeks, beginning this Sunday. The Dewey Ass'n is sponsoring, through Marshalk & Pratt.

William Rue Leaves NBC

William Rue, for the past five years a member of the sales promotion division of NBC, has resigned. Rue's plans for the future are not known at the moment.

Paley CBS Shares Over 10% of Total

WASHINGTON, Oct. 1.—Holdings of Columbia securities by officers and directors of C.B.S. when its registration with S.E.C. became effective Aug. 1 were reported today.

The commission announced that William S. Paley, officer, director and beneficial owner of more than 10 per cent of both Class A and Class B securities, held 20,530 shares directly and through a holding company 87,980 shares of the former and 340,726 shares of the latter; Paul W. Kesten, New York, officer and director, held 544 shares of Class A; Jerome H. Louchheim, Philadelphia, director, 19,610 shares of Class A; Arthur S. Padgett, New York, officer, 20 shares of Class A; Jacob Paley, Los Angeles, director, 24,958 shares of Class A and 33,362 Class B voting trust certificates; Mefford R. Runyon, New York, officer and director, 1,346 shares of Class A, and James M. Seward, New York, officer. 200 shares of Class B.

McNinch Sworn in as Chairman of the FCC

WASHINGTON, Oct. 1.—Frank R. McNinch, former chairman of the Federal Power Commission, today took the oath of office as a member of the F.C.C., appointed by President Roosevelt with instructions to "clean up" the F.C.C. before Congress reconvenes in January.

The new F.C.C. chairman spent most of the day clearing his desk at the power commission, and will swing into his new job tomorrow, facing a task of considerable magnitude.

In his new position, McNinch will be required to eliminate a number of abuses alleged to have crept into the F.C.C. in the past few years which last session brought the commission to the verge of a Congressional investigation, not only of its practices but of the broadcasting industry as a whole.

Martinson Renews on WQXR

The first sponsor to use WQXR daily for a full year, Martinson's Coffee, this week has renewed its contract for daily spot announcements, placed through Albert Frank-Guenther Law agency.

New business on WQXR includes the Pinoleum Co., one-minute transcriptions for 26 weeks, through Pedlar & Ryan, and the Caruso Restaurants with daily spot announcements for 52 weeks, placed direct. The Buckingham Hotel has renewed its contract for daily spot announcements for eight weeks.

Falstaff Takes New Series

Falstaff Brewing Corp. will sponsor a new series over a split NBC-Red network, starting Oct. 18 for 52 weeks. "Public Hero No. 1" is its title, and it will be heard only in the central state areas. The contract is through the Gardner Advertising agency of St. Louis.

Renew on "Steinie Bottle"

The "Steinie Bottle Boys" have been renewed for five weeks, effective Oct. 10. They are heard Tuesdays and Saturdays from 7:30 to 7:45 P. M. over WEAF only. The Steinie Bottle Co. sponsors through the U. S. Advertising Co.

Music Ideas Odd

Bernie Cummings, the bandleader, heard over Mutual from the Biltmore, recently advertised in the *Times* for a musical idea, a la "rippling rhythm." So far the responses have been "ribald rhythm," "murderous melodies" "scrambled symphonies" and others of that ilk.

So. Cal. Exhibitors File Paramount Suit

(Continued from page 1)

suit seeking $45,000 damages from Paramount Pictures, Inc., and Paramount Dist. Co., Inc., and 10 John Does alleging conspiracy to harass, embarrass and damage independent exhibitors and for failure of the defendants to supply the plaintiffs with 11 pictures featuring noted stars for which the plaintiffs contracted.

The complaint alleges that Paramount, in company with seven other firms, together known as "The Big Eight," produce more than 75 per cent of all feature pictures and enjoy a monopoly on production and distribution, conspiring together for the benefit of theatres owned by members of the defendant organizations.

The pictures named in the complaint are: "Souls at Sea," "Artists and Models," "High, Wide and Handsome," "Angel," "Spawn of the North," "Count of Luxemburg," "The Barrier," an unnamed Dietrich starrer, a Colbert starrer, a Harold Lloyd starrer and a Gary Cooper starrer.

Alleged also was that after failure to deliver the pictures, the defendants offered them at higher prices than provided for in the original contracts.

Financial Testimony Ordered at Hearing

(Continued from page 1)

ules for the year at the second day of the hearing on the Screen Writers Guild petition for an election to determine the collective bargaining agency for film writers.

Despite strenuous objections of the respondent companies' attorneys and that of Neil S. McCarthy, Screen Playwrights, Inc., attorney, William R. Ringer, special trial examiner, ruled material and relevant Walsh's introduction of the financial figures and this, plus the paving of way by Walsh for the presentation of testimony by film supply manufacturers' representatives on deals with studios, featured the second day's hearing.

Fireworks over the introduction of the financial figures developed in the afternoon session with the calling the first witness — Nicholas Nayfack, M-G-M executive. After describing the physical properties of M-G-M and submitting a map, Nayfack was queried by Walsh on the studio corporation's financial setup. After objections by respondent counsel were overruled, Nayfack answered that Loew's, Inc., supplied cash upon submission of the production program. He declared, after prompting by Milton Schwartz, of Loeb, Walker and Loeb, M-G-M attorneys, who suggested that he not guess, that he did not know.

In the lengthy debate which followed Walsh's injection of finance into the testimony, Alfred Wright, representing 20th Century-Fox, declared that money matters were a trade secret. Leonard Lanofsky, attorney for the Guild, pointed out that in recent Wagner Act case decisions by the Supreme Court, gross revenue was taken into consideration. On direct questioning, Nayfack said M-G-M executives are not sure what individual pictures grossed and Walsh indicated that he would call other officers to obtain financial information.

Introduction of the S.E.C. application and report of Loew's, Inc., to show the relationship of the company to the M-G-M production firm was held up pending a ruling by Ringer.

Hearing adjourned until Monday morning.

Attorneys were instructed to fill out questionnaires on physical property and the amount of materials purchased for various firms and present them on Monday.

Revival of 17½mm. Film Use Aimed at

(Continued from page 1)

hibit them, under the guidance of a central bureau, which would also produce pictures on various subjects for rental or outright print sale.

Schenck, who is general manager of the Hollywood Studios, said that for approximately $2,000 a school could procure the necessary units for production, developing, printing, sound and exhibition.

Additional expense, such as raw film, would be less than that for 16 mm., he says, due to the fact that 35 mm. stock could be split, obtaining larger pictures per foot than 16 mm. The patents are based on a single sprocket wheel.

Paramount is making short subjects for schools. The third, "Men and Oil," patterned from the scenes of discovery of oil in Western Pennsylvania and the subsequent development of the field, was finished last week.

Viewed in Schools

The first two, one from "Maid of Salem" and the other from "The Plainsmen," were distributed by the Bell & Howell educational exchanges spotted in 52 key cities. School systems in California already have seen the subjects. Herbert Moulton, head of Paramount's short subjects department here, and Ralph Jester produced them.

Another company interested in the visual educational field is the newly formed Harry Sherman Visual Education Pictures, Inc., which Harry Sherman, J. D. Trop and Sam Berkowitz formed. No incorporation papers have been filed yet, according to Trop, and the company is merely investigating the possibilities of furnishing schools with 16 mm. films.

China War Shortens Hutchinson Sea Trip

Walter J. Hutchinson, foreign manager of 20th Century-Fox, now in Australia on what was to have been a 'round-world trip, has curtailed his voyage because of the unsettled conditions in the Orient and will return from Sydney immediately. He is expected back at his office early in November.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 80 NEW YORK, MONDAY, OCTOBER 4, 1937 TEN CENTS

FCC Suggests U. S. Control Of Ad. Rates

Broadcasting a Utility, Says McNinch

By BERTRAM F. LINZ

WASHINGTON, Oct. 3.—Federal control of broadcasting station advertising rates has been suggested as a possibility by Frank R. McNinch, new chairman of the F.C.C.

Declaring that it is not necessary that a utility be a common carrier in order to be subject to Federal control, McNinch indicated a determination to study the subject and possibly make recommendations to Congress next January.

Holding his first press conference as head of the F.C.C., McNinch said: "I regard radio as a public utility subject to regulation, but regulation does not mean strangulation, but it does mean regulation by the commission and not regulation by anybody."

The chairman's observations indicated clearly that the commission will investigate future sales of stations to determine whether there is trafficking in licenses as distinguished from physical properties. Declaring that the rule of *caveat emptor* applies particularly to broadcasting, he asserted that a station should not be able to

(*Continued on page 8*)

Music Publishers at Code Meeting Today

By BERTRAM F. LINZ

WASHINGTON, Oct. 3.—Only a moderate attendance is expected tomorrow at the conference called by the Federal Trade Commission to consider a code of ethics for the music publishing business.

While a number of the larger publishers will have representatives at

(*Continued on page 8*)

M-G-M's Air Plans Come Up This Week

Plans for the new M-G-M air show which is to be sponsored by General Foods for advertising Maxwell House Coffee will be formulated this week on the coast when Louis K. Sidney, who will be general director of the program, arrives in Hollywood to confer with Billy Bacher, in charge of the show on the coast,

(*Continued on page 8*)

More Radio—P. 8

Hays Reviews "Art" Films Which Proved "Box-Office"

The success of Hollywood's current production formula for blending "artistic and social significance" with "box office" is attested by "the impressive audiences which already have greeted some of the new pictures of the season," Will H. Hays, M.P.P.D.A. president, observes in a newly completed appraisal of released and announced product.

Hays sees the new season's picture crop not only adhering to their primary function of entertainment, but including as well that which may "inform and instruct, move and uplift."

"Distinguished films of a character heretofore considered 'class' entertainment," he says, "are helping vastly to raise the standard of so-called 'mass' entertainment." While "the industry is beginning to reap what has been sowed by years of educational effort, by the production of pathfinding pictures and by constantly adding to the variety of entertainment themes, a sense of the highest showmanship marks many of the outstanding films of the new season," Hays declares.

This is being demonstrated, he finds, not only by released pictures which embrace both "artistic maturity and universal entertainment appeal" but by many others now in

(*Continued on page 3*)

Indiana, "A House In Pool; Opens Soon

INDIANAPOLIS, Oct. 3.—The Indiana will open Oct. 5 as the "A" theatre in the recently-effected pool between Monarch Theatres and the Fourth Ave. Amusement Co. The Circle and the Apollo will become second houses in the deal.

The pooled interests now have Paramount, RKO, 20th Century-Fox, Warners and First National to draw upon. Loew's has M-G-M, United Artists and Columbia.

Increase Ad Rates For Omaha Theatres

OMAHA, Oct. 3.—Local theatres already have received the news of a stiff increase in advertising rates by the *Omaha World-Herald,* which recently took control of the local newspaper field by buying out the *Bee-News.*

All existing contracts have been cancelled by the *World-Herald* and the 20-cent an inch rebate formerly accorded if advertising was split on a 50-50 basis between the two papers has been suspended. Effective Nov. 1 the rate will be $5.05 an inch, with a rebate of 10 cents an inch if 150 inches

(*Continued on page 3*)

Appeal Wednesday

Philadelphia, Oct. 3.—Paramount's appeal from the decision of the U. S. District Court here dismissing its injunctive action against local exhibitors participating in a "buyers' strike" against the company will be heard on Oct. 6, it was decided here Saturday.

Says English Quota Measure To Be Altered

By BRUCE ALLAN

LONDON, Sept. 26.—Lord Strabolgi, leading figure of the British Films Advancement Council, which will press for major protection for British films and for forced "reciprocity" with America in the Parliamentary debates on the new Films bill, was guest of honor at a Cinema Luncheon Club meeting at the Cafe Royal.

Saying the bill, to be introduced early in November, was one of the major items of the new session, Lord

(*Continued on page 3*)

Government to Probe British Censorship

LONDON, Sept. 26.—The Consultative Committee on films recently set up by the Home Office, with the object of considering revision of various acts of Parliament governing the industry, will also consider censorship practice, it is announced.

Special steps will be taken to ascertain the views of local authorities and welfare societies in regard to the practical working of the system of film classification as "U" (universal) and "A" (adults only).

Parleys on Strike At Fleischer's End

Negotiations for a settlement of the Fleischer Studio strike of the Commercial Artists & Designers Union have been suspended indefinitely as a result of the collapse of the tentative agreement reached by the negotiators last week, it was stated yesterday by union spokesmen.

The union attributes the collapse of

(*Continued on page 2*)

Three Picture Cases Before SupremeCourt

Holds Initial Session of Fall Term Today

By BERTRAM F. LINZ

WASHINGTON, Oct. 3.—With more than 450 cases already docketed, the United States Supreme Court tomorrow will meet for the initial session of its fall term.

Out of the large number of causes upon which it has been asked to pass, however, only three of interest to the film industry have so far been filed.

The right of state authorities to bar the showing of a foreign picture after it has been approved for importation by the Federal Government is questioned by Eureka Prod., Inc., in an appeal from a decision of the Federal District Court for the southern district of New York in its suit against Gov. Herbert H. Lehman.

The company was refused a license, required under the New York law for the showing of films, to exhibit "Ecstasy," on the ground that it was obscene. It sought a restraining order to keep the state officials from interfering with the showing of the films and, when the District Court refused, appealed the case to Washington.

In its petition for review, Eureka Prod. contends that the New York

(*Continued on page 7*)

Supreme Court Has FCC Procedure Case

WASHINGTON, Oct. 3.—Two suits challenging the propriety of the procedure followed by the F.C.C. will come before the Supreme Court for consideration during its fall term, which opens tomorrow.

The cases were brought to the Supreme Court on appeal from the District of Columbia Court of Appeals by the Eastland Co. and the

(*Continued on page 3*)

Company Executives Converge on Coast

HOLLYWOOD, Oct. 3.—Louis B. Mayer, Howard Strickling, Irving Sherman, James Mulvey, Monroe Greenthal, Douglas Fairbanks, Jr., and Frances Farmer arrived yesterday from New York by plane. The first three just returned from a three-month tour of Europe and the Continent. Mulvey and Fairbanks are here to look at eight new pictures. They plan to leave by plane for New

(*Continued on page 2*)

MOTION PICTURE
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(Registered U. S. Patent Office)

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PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: Via Lovanio 1; Vittorio Malpassuti, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Insiders' Outlook

By RED KANN

THIS typewriter made quite clear on Wednesday its reactions to the deal effected in Italy by Hal Roach with Vittorio Mussolini. It argued not only on its own behalf, but it also undertook to define the responding vibrations of a number of thinking men in this industry, Jew and Gentile alike, to an arrangement by a prominent American producer with a son of the founder of Fascism and the current consort of the founder and chief trumpeteer of Naziism.

On Friday, Roach picked up the long distance telephone and called this office. What follows are the highlights of his conversation, recommended strongly for careful reading on two counts. First and very first, because Roach is entitled to his rebuttal. Secondly and almost firstly, because of what he has to say:

▼

"In the first place, I don't think you understand the circumstances and, in the second place, I think it's only fair that, if you are going to take a crack at a guy, to talk to him first. I never made a move in Europe on this matter at any time without the advice and cooperation of some of the most prominent Jews there who told me I was doing the finest thing ever done in their estimation — tying up with Mussolini's son and taking the boy back to Hollywood. . . .

▼

"Particularly did I do this on the advice of one of the most prominent Jews abroad [name furnished, on request, off the record and obviously, therefore, not to be divulged] who thought it would do more good for the situation concerning Jews over there than anything that possibly could be done. I am not a politician and I don't know anything about those matters. But after all, Walter Wanger wanted to do this. When the Italian ambassador came to Hollywood, Louis B. Mayer gave him a party, inviting all the important people in Hollywood. . . .

▼

"As far as the film industry is concerned, we expect to make important pictures—twenty a year—for European distribution only. We have no intention of selling any to America unless we have something very big. After all, if a lot of people would get a little closer to this situation and understand that there are hundreds of thousands of Jewish refugees now in Italy under the protection of that government, they would stop taking cracks at a guy who is in a position to talk to the guy who is a friend of the worst enemy a Jew ever had.

▼

"I thought I was in a position to do a lot of good and I still think so. I think I've got something worth $10,000,000 in propaganda value. You don't know but that I might have dinner with Mussolini when I go back to Italy. Maybe I can suggest to him that Hitler is not going quite right about things and maybe Mussolini will write Hitler a note and tell him so. . . .

▼

"After all, every big company is doing business in Italy. Why shouldn't I? Maybe we don't like their form of government, but then maybe they don't like ours. Our company is one hundred per cent financed by Italian banks and has nothing whatever to do with the government there. The reason Mussolini permitted his son to come to the United States is that a very prominent Jew told him it would be one of the best things that he could do and would give him one of the best breaks he ever had. I know more can be done by this arrangement than with $10,000,000 worth of propaganda. . . .

▼

"After all, the papers were full of the idea that I was going over to Italy for this purpose and nobody stopped me. If I can go into business there without investing a dime and make money, why shouldn't I? Wouldn't anyone? Wouldn't you? I think I have a right to. Italy makes only forty pictures a year and we expect to have a thoroughly organized company to make some of them successfully."

▼

This is Roach's approach and now Roach has had his say. . . .

Parleys on Strike At Fleischer's End

(*Continued from page* 1)

negotiations to the failure of the studio's representatives to include in the written agreement a provision designating C.A.D.U. as the exclusive bargaining agent for all of the studio's employes, a provision the union officials said was agreed upon in their negotiations with Lou Diamond, Paramount short subjects manager, who served as a mediator in the peace efforts. Fleischer spokesmen asserted that the studio at no time had any thought of granting the union the right to represent its animators, although it was at all times willing to recognize the union as the representative of all other employes.

No arrangements have been made for a resumption of the settlement negotiations.

Republic Grants Pay Raise

CHICAGO, Oct. 3.—A strike at the Republic exchange here was averted on Saturday when Irving Mandel, manager, agreed to a wage increase demand by the film exchange union. Mandel agreed under protest as he wished to confer with George Browne, president of the IATSE, before making a settlement.

Company Executives Converge on Coast

(*Continued from page* 1)

York Tuesday. Fairbanks will report at RKO for "Having a Wonderful Time."

George J. Schefer, vice-president and general manager of U. A., arrived by train yesterday and is expected to remain longer than Mulvey and Greenthal.

Warner Club Elects

The following 40 members have been elected to the board of governors of the Warner Club: Stuart H. Aarons, Phil Abrahams, Louis Aldrich, Eli H. Arkin, Martin Bennett, Max B. Blackman, Walter Brandt, W. V. Brooks, Nat B. Browne, R. W. Budd, H. M. Doherty, Joe Feldman, F. L. Gates, E. E. Hinchy, J. T. Holmes, S. Immerman, F. J. Kiernan, W. R. Koppe, Jules Levey, T. J. Martin, Harry Mayer, W. S. McDonald, Bryan Moore, Dave Newman, George O'Keefe, Marie Paulsen, Al Reh, Elkan Reiner, Marion Roberts, Harold Rodner, Andy M. Roy, Arthur Sachson, R. Salomons, Sam Schneider, A. W. Schwalberg, Arthur Shaftel, Miss M. Victorson, Sidney Weiner, Ruth Weisberg, S. Wolowitz.

Hold New Haven Club Election

NEW HAVEN, Oct. 3.—The New Haven Warner Club has elected the following new officers for the coming year: Sidney Wiener, president; Carlisle G. Barrett, vice-president in charge of welfare; Benjamin J. Banford, in charge of entertainment; Samuel Kuperstein, in charge of membership; James F. Fraser, in charge of contributions and loans; James A. Bracken, treasurer; Barbara Brooks, secretary. All officers are employes of the theatre department this term. The annual fall dance has been arranged for Seven Gables Inn on Nov. 6th, with Benjamin Banford in charge.

G. B. Regional Sales Meeting in Chicago

CHICAGO, Oct. 3. — The second regional sales meeting of G. B. was held here yesterday with Clinton M. White, assistant to Arthur Lee, presiding. Plans for the new season were discussed and two pictures were screened, "Dr. Syn" and "Non-Stop New York."

White and Arthur Greenblatt, eastern sales head, arrived from New York by train Saturday morning, while Lee flew in the same day. Home office sales executives were scheduled to return east tonight.

Irving Gumberg has again taken over the managerial reins at the local G. B. exchange. For several months Arthur Greenblatt doubled in the local post and at the home office.

DeMille-Quinn Wed

HOLLYWOOD, Oct. 3. — Katherine DeMille and Anthony Quinn were married here Saturday night. Miss DeMille is the adopted daughter of Cecil B. DeMille.

Union Deals Concluded

NEW HAVEN, Oct. 3.—Projectionists' union officials report Warners and M. & P. contract terms agreed upon for the next three-year period. Loew's have come to terms with projectionists and stagehands in Bridgeport, Worcester and Waterbury, and with projectionists only in Hartford and Springfield, while New Haven and Meriden are still unsettled.

Young Twice a Father

HOLLYWOOD, Oct. 3.—Robert Young, film player, became the father of a second child on Saturday when a daughter was born to Mrs. Young.

Batcheller, Jr., Set

HOLLYWOOD, Oct. 3.—George Batcheller, Jr., has joined Republic where he is attached to Sol Siegel's unit.

Says English Quota Measure To Be Altered

(Continued from page 1)

Strabolgi stated that, as a departmental measure, it was likely to be altered as a result of debates on its various stages through Parliament. This was particularly likely in the Grand Committee, the composition of which reflected that of the House of Commons as a whole. It was not yet decided, he said the Board of Trade had informed him, whether the measure would be first introduced in the Commons or the Lords.

Lord Strabolgi prophesied "with confidence" that the White Paper proposals would be modified in the bill itself as regards the quota for shorts, which would be increased. He attacked the quality clause proposal of the C.E.A. on the grounds of the "terrible responsibility" it would throw on a viewing committee. He also advocated a £25,000 minimum cost, in place of the suggested £15,000 standard and urged the necessity of real reciprocity with the United States, and legislation to enforce it. (The B.F.A. Co. is understood to be committed to the "Ostrer" scheme of compelling U. S. companies to spend a percentage of their British receipts on the production of British films.)

J. F. X. Prendergast, chairman of the luncheon, said reciprocity had been a lovely dream. If Lord Strabolgi brought it about, he hoped it would not be over the bodies of exhibitors. Exhibitors, said Prendergast, wanted to get back to the commercial basis on which they were before the first Films Act.

A number of members of Parliament attended the luncheon as guests of exhibitors.

Supreme Court Has FCC Procedure Case

(Continued from page 1)

Congress Square Hotel Co., the latter operators of WCSH, Portland, Me.

The proceeding involves conflicting applications of the Eastland Co. and the Portland Broadcasting System before the broadcast division of the F.C.C. for a new station at Portland. The Congress Square company participated in the proceedings as an intervenor.

The construction permit was granted the Portland system and Eastland carried the case to the courts on the ground that two of the three members of the broadcast division had been replaced between the hearing of the case and the issuance of the order, raising the question whether the substitution of commissioners before a decision has been rendered is valid when the majority of the division which decided the case neither heard the evidence nor submitted a report.

A. T. O. to Meet Oct. 26

INDIANAPOLIS, Oct. 3.—The annual convention of the Associated Theatre Owners of Indiana will be held Oct. 26 in the Indianapolis Variety Club. Day business sessions will be followed by a banquet and floor show at night.

Hays Reviews "Art" Films Which Proved "Box-Office"

(Continued from page 1)

work or planned. In the first group he cites specifically "The Life of Emile Zola," "Dead End," "100 Men and a Girl," "Prisoner of Zenda" and "Stage Door." Coming productions which, he declares, will also be marked by "artistic maturity and popular appeal" capable of raising the "standard of the screen" are "Idiot's Delight," "Tovarich," "Madame Curie," "Three Comrades," "Gone with the Wind," "The Buccaneer," "The Hurricane," "Marie Antoinette," "Rebecca of Sunnybrook Farm," "You Can't Take It with You," "Ebb Tide" and "A Damsel in Distress."

Hays' appraisal of the new pictures also points to a blending of the instructional with the entertaining in announced productions which take their source material from dramatizations of American history, from literary classics and biography and from popular and classical music. He points out, as well, that comedy "promises to be a prominent part of the new entertainment fare," and cites Walt Disney's feature length "Snow White and the Seven Dwarfs" as a "unique screen achievement" in the realm of fantasy.

This indicated wide variety of new screen entertainment is supplemented by mystery, detective and outdoor films, and important short subjects, the Hays appraisal finds.

Kelly and Cohen

Arthur W. Kelly, U. A. foreign head, who is recuperating from a mastoid operation, the other day ordered a radio sent to his room in the Manhattan Hospital.

Just before Monroe Greenthal left for the coast, he said this was a sign that Kelly was recuperating very nicely, but as soon as Kelly orders Sammy Cohen to come up and see him, then he will know Kelly is in perfect shape.

Plan Charlotte House

CHARLOTTE, Oct. 3.—Contracts have been let for the construction of a new theatre here, the Tryon, which will be a unit of Theatrical Enterprises. The house will seat 600, and will be supervised by Ellis Blumenthal, president of the circuit.

Ohio ITO Meet Dec. 7

COLUMBUS, Oct. 3.—The I. T. O. of Ohio will hold its annual convention at the Neil House here on Dec. 7 and 8.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"52nd Street"

(Wanger-U. A.)

HOLLYWOOD, Oct. 3.—Walter Wanger's "52nd Street" is as diffuse, raucous, gay, sad, realistic, sentimental, artificial, practically contradictory, incredible and as objectively absorbing as the thoroughfare it documents both narratively and by the use of resident talent. The serious story of the street's somewhat inverse development from the social austerity of 1912 to the surcharged abandon of 1937 is threaded along as such things are in the sector without being permitted to impede a flow of mirth and music purveyed by performers who know the street as well as it knows them.

Wanger has in striking fact laid the bespangled and bedraggled 52nd Street right smack in the lap of the screen audience. What it will think of the spectacle may be no more than conjectured unless the recent reaction to pictures that have done the same with Hollywood holds good for its tinselled companion community. That seems likely. Whatever the case, Wanger's presentation neither glorifies nor condemns the place and the people it depicts. Not all the Neon tubing between 5th and 6th Aves. strung together could spell out the exploitable names. A few are Ian Hunter, Leo Carrillo, Zasu Pitts, Jack White, Sid Silvers, Georgie Tapps, Pat Paterson, Al Norman, Ella Logan, Dorothy Saulter, Al Shean, Maurice Rocco, Marla Shelton, Benny Baker, Dorothy Peterson, and the list runs on—but no Leon and Eddie.

The screenplay is by Grover Jones, additional dialogue by Sid Silvers, songs by Walter Bulock and Harold Spina and the dances by Danny Dare, all craftsmen who know their way about. Harold Young's direction keeps a necessarily periodic and jerky story admirably integrated.

Hunter plays a wealthy idler cut off by two spinster sisters for marrying an actress. Carrillo is a cook turned organ-grinder in the hope of making his son a musician. When their fortunes are swept away in 1929 Hunter and Carrillo open a "speak" which yields the profits on which is found a new and honest fortune after repeal. After complications characteristic of 52nd Street, Hunter's daughter and Carrillo's son marry. The telling, not the tale, is the picture.

Running time, 80 minutes. "G."

(Additional Reviews on Page 6.)

Purely Personal

ARTHUR GREENBLATT, G. B. eastern division manager, left Chicago yesterday for visits to the company's Indianapolis, Cincinnati and Cleveland exchanges.

•

ARTHUR A. LEE, G. B. vice-president, returned yesterday from the company's regional sales meeting in Chicago.

•

JIM O'LOGHLIN, leader of the S. R. Kent Drive, is due back today from Toronto.

Increase Ad Rates For Omaha Theatres

(Continued from page 1)

a week are used and an additional 10 cents if 250 inches are used.

Since contracts will not be signed in the future, the theatres fear a still higher rate when the *World-Herald's* new accredited circulation is released.

The old combination net rate for the two papers was $5.45 an inch, but theatres figure that they've lost approximately 35,000 total advertising circulation and practically the entire publicity circulation in the deal.

No apparent move has been made by the *World-Herald* to change its old ultra conservative publicity policy, but there is a trend to more pretentious amusement pages.

Lincoln Ad Row Settled

LINCOLN, Neb., Oct. 3.—An advertising rate dispute between the Lincoln Theatres Corp. and Westland Theatres Corp. on one side and the newspapers, *Journal* and *Star,* has been ironed out after nearly eight weeks of nose-tilting on both sides. Support of the sheets goes back to the theatres after giving the dance spots a heavy play during the difference.

The old rate of $3.70 was raised to $4 by the papers. Theatres then withdrew more than half of their usual money. Under the agreement it will be $3.80 an inch, but if more than 50 inches are used weekly it will be $3.

Wall Street

Light Board Changes

	Open	High	Low	Close	Net Change
Col.	19¼	19¼	19¼	19¼	.....
Cons.	2¼	2¼	2¼	2¼	+ ¼
E. K.	175	175	175	175	.....
E. K., pfd.	158¼	161	158¼	161	+3
G. T. E.	18½	18½	18½	18½	— ½
Loew's	71¼	71½	71	71	— ¾
Para.	17⅝	18	17⅝	18	+ ¼
Para. 2 pfd.	16	16⅛	16	16⅛	+ ⅛
RKO	6¼	6⅜	6¼	6¼	.....
20th Fox	30	30	29⅝	29⅞	+ ⅝
Warner	10¾	10⅞	10⅝	10⅝	.....

Curb Rises Fractionally

	Open	High	Low	Close	Net Change
Sentry	⅜	⅜	⅜	⅜	.....
Sonotone	2	2	2	2	+ ⅛
Technicolor	25⅞	25⅞	25¾	25¾	+ ⅛
Universal	2½	2½	2½	2½	.....

Little Bond Movement

	High	Low	Close	Net Change
Loew's	99⅛	99	99	— ⅛
Warner Bros. 6s '39 wd.	87¼	87	87¼	+ ¼

(Quotations at close of Oct. 2.)

MOTION PICTURE
DAILY

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Insiders' Outlook

By RED KANN

THIS typewriter made quite clear on Wednesday its reactions to the deal effected in Italy by Hal Roach with Vittorio Mussolini. It argued not only on its own behalf, but it also undertook to define the responding vibrations of a number of thinking men in this industry, Jew and Gentile alike, to an arrangement by a prominent American producer with a son of the founder of Fascism and the current consort of the founder and chief trumpeteer of Naziism.

On Friday, Roach picked up the long distance telephone and called this office. What follows are the highlights of his conversation, recommended strongly for careful reading on two counts. First and very first, because Roach is entitled to his rebuttal. Secondly and almost firstly, because of what he has to say:

▼

"In the first place, I don't think you understand the circumstances and, in the second place, I think it's only fair that, if you are going to take a crack at a guy, to talk to him first. I never made a move in Europe on this matter at any time without the advice and cooperation of some of the most prominent Jews there who told me I was doing the finest thing ever done in their estimation — tying up with Mussolini's son and taking the boy back to Hollywood. . . .

▼

"Particularly did I do this on the advice of one of the most prominent Jews abroad [name furnished, on request, off the record and obviously, therefore, not to be divulged] who thought it would do more good for the situation concerning Jews over there than anything that possibly could be done. I am not a politician and I don't know anything about those matters. But after all, Walter Wanger wanted to do this. When the Italian ambassador came to Hollywood, Louis B. Mayer gave him a party, inviting all the important people in Hollywood. . . .

▼

"As far as the film industry is concerned, we expect to make important pictures—twenty a year—for European distribution only. We have no intention of selling any to America unless we have something very big. After all, if a lot of people would get a little closer to this situation and understand that there are hundreds of thousands of Jewish refugees now in Italy under the protection of that government, they would stop taking cracks at a guy who is in a position to talk to the guy who is a friend of the worst enemy a Jew ever had.

▼

"I thought I was in a position to do a lot of good and I still think so. I think I've got something worth $10,000,000 in propaganda value. You don't know but that I might have dinner with Mussolini when I go back to Italy. Maybe I can suggest to him that Hitler is not going quite right about things and maybe Mussolini will write Hitler a note and tell him so. . . .

▼

"After all, every big company is doing business in Italy. Why shouldn't I? Maybe we don't like their form of government, but then maybe they don't like ours. Our company is one hundred per cent financed by Italian banks and has nothing whatever to do with the government there. The reason Mussolini permitted his son to come to the United States is that a very prominent Jew told him it would be one of the best things that he could do and would give him one of the best breaks he ever had. I know more can be done by this arrangement than with $10,000,000 worth of propaganda. . . .

▼

"After all, the papers were full of the idea that I was going over to Italy for this purpose and nobody stopped me. If I can go into business there without investing a dime and make money, why shouldn't I? Wouldn't anyone? Wouldn't you? I think I have a right to. Italy makes only forty pictures a year and we expect to have a thoroughly organized company to make some of them successfully."

▼

This is Roach's approach and now Roach has had his say. . . .

Parleys on Strike At Fleischer's End

(*Continued from page* 1)

negotiations to the failure of the studio's representatives to include in the written agreement a provision designating C.A.D.U. as the exclusive bargaining agent for all of the studio's employes, a provision the union officials said was agreed upon in their negotiations with Lou Diamond, Paramount short subjects manager, who served as a mediator in the peace efforts. Fleischer spokesmen asserted that the studio at no time had any thought of granting the union the right to represent its animators, although it was at all times willing to recognize the union as the representative of all other employes.

No arrangements have been made for a resumption of the settlement negotiations.

Republic Grants Pay Raise

CHICAGO, Oct. 3.—A strike at the Republic exchange here was averted on Saturday when Irving Mandel, manager, agreed to a wage increase demand by the film exchange union. Mandel agreed under protest as he wished to confer with George Browne, president of the IATSE, before making a settlement.

Company Executives Converge on Coast

(*Continued from page* 1)

York Tuesday. Fairbanks will report at RKO for "Having a Wonderful Time."

George J. Schefer, vice-president and general manager of U. A., arrived by train yesterday and is expected to remain longer than Mulvey and Greenthal.

Warner Club Elects

The following 40 members have been elected to the board of governors of the Warner Club: Stuart H. Aarons, Phil Abrahams, Louis Aldrich, Eli H. Arkin, Martin Bennett, Max B. Blackman, Walter Brandt, W. V. Brooks, Nat B. Browne, R. W. Budd, H. M. Doherty, Joe Feldman, F. L. Gates, E. E. Hinchy, J. T. Holmes, S. Immerman, F. J. Kiernan, W. R. Koppe, Jules Levey, T. J. Martin, Harry Mayer, W. S. McDonald, Bryan Moore, Dave Newman, George O'Keefe, Marie Paulsen, Al Reh, Elkan Reiner, Marion Roberts, Harold Rodner, Andy M. Roy, Arthur Sachson, R. Salomons, Sam Schneider, A. W. Schwalberg, Arthur Shaftel, Miss M. Victorson, Sidney Weiner, Ruth Weisberg, S. Wolowitz.

Hold New Haven Club Election

NEW HAVEN, Oct. 3.—The New Haven Warner Club has elected the following new officers for the coming year: Sidney Wiener, president; Carlisle G. Barrett, vice-president in charge of welfare; Benjamin J. Banford, in charge of entertainment; Samuel Kuperstein, in charge of membership; James F. Fraser, in charge of contributions and loans; James A. Bracken, treasurer; Barbara Brooks, secretary. All officers are employes of the theatre department this term. The annual fall dance has been arranged for Seven Gables Inn on Nov. 6th, with Benjamin Banford in charge.

G. B. Regional Sales Meeting in Chicago

CHICAGO, Oct. 3. — The second regional sales meeting of G. B. was held here yesterday with Clinton M. White, assistant to Arthur Lee, presiding. Plans for the new season were discussed and two pictures were screened, "Dr. Syn" and "Non-Stop New York."

White and Arthur Greenblatt, eastern sales head, arrived from New York by train Saturday morning, while Lee flew in the same day. Home office sales executives were scheduled to return east tonight.

Irving Gumberg has again taken over the managerial reins at the local G. B. exchange. For several months Arthur Greenblatt doubled in the local post and at the home office.

DeMille-Quinn Wed

HOLLYWOOD, Oct. 3. — Katherine DeMille and Anthony Quinn were married here Saturday night. Miss DeMille is the adopted daughter of Cecil B. DeMille.

Union Deals Concluded

NEW HAVEN, Oct. 3.—Projectionists' union officials report Warners and M. & P. contract terms agreed upon for the next three-year period. Loew's have come to terms with projectionists and stagehands in Bridgeport, Worcester and Waterbury, and with projectionists only in Hartford and Springfield, while New Haven and Meriden are still unsettled.

Young Twice a Father

HOLLYWOOD, Oct. 3.—Robert Young, film player, became the father of a second child on Saturday when a daughter was born to Mrs. Young.

Batcheller, Jr., Set

HOLLYWOOD, Oct. 3.—George Batcheller, Jr., has joined Republic where he is attached to Sol Siegel's unit.

Says English Quota Measure To Be Altered

(Continued from page 1)

Strabolgi stated that, as a departmental measure, it was likely to be altered as a result of debates on its various stages through Parliament. This was particularly likely in the Grand Committee, the composition of which reflected that of the House of Commons as a whole. It was not yet decided, he said the Board of Trade had informed him, whether the measure would be first introduced in the Commons or the Lords.

Lord Strabolgi prophesied "with confidence" that the White Paper proposals would be modified in the bill itself as regards the quota for shorts, which would be increased. He attacked the quality clause proposal of the C.E.A. on the grounds of the "terrible responsibility" it would throw on a viewing committee. He also advocated a £25,000 minimum cost, in place of the suggested £15,000 standard and urged the necessity of real reciprocity with the United States, and legislation to enforce it. (The B.F.A. Co. is understood to be committed to the "Ostrer" scheme of compelling U. S. companies to spend a percentage of their British receipts on the production of British films.)

J. F. X. Prendergast, chairman of the luncheon, said reciprocity had been a lovely dream. If Lord Strabolgi brought it about, he hoped it would not be over the bodies of exhibitors. Exhibitors, said Prendergast, wanted to get back to the commercial basis on which they were before the first Films Act.

A number of members of Parliament attended the luncheon as guests of exhibitors.

Supreme Court Has FCC Procedure Case

(Continued from page 1)

Congress Square Hotel Co., the latter operators of WCSH, Portland, Me.

The proceeding involves conflicting applications of the Eastland Co. and the Portland Broadcasting System before the broadcast division of the F.C.C. for a new station at Portland. The Congress Square company participated in the proceedings as an intervenor.

The construction permit was granted the Portland system and Eastland carried the case to the courts on the ground that two of the three members of the broadcast division had been replaced between the hearing of the case and the issuance of the order, raising the question whether the substitution of commissioners before a decision has been rendered is valid when the majority of the division which decided the case neither heard the evidence nor submitted a report.

A. T. O. to Meet Oct. 26

INDIANAPOLIS, Oct. 3.—The annual convention of the Associated Theatre Owners of Indiana will be held Oct. 26 in the Indianapolis Variety Club. Day business sessions will be followed by a banquet and floor show at night.

Hays Reviews "Art" Films Which Proved "Box-Office"

(Continued from page 1)

work or planned. In the first group he cites specifically "The Life of Emile Zola," "Dead End," "100 Men and a Girl," "Prisoner of Zenda" and "Stage Door." Coming productions which, he declares, will also be marked by "artistic maturity and popular appeal" capable of raising the "standard of the screen" are "Idiot's Delight," "Tovarich," "Madame Curie," "Three Comrades," "Gone with the Wind," "The Buccaneer," "The Hurricane," "Marie Antoinette," "Rebecca of Sunnybrook Farm," "You Can't Take It with You," "Ebb Tide" and "A Damsel in Distress."

Hays' appraisal of the new pictures also points to a blending of the instructional with the entertaining in announced productions which take their source material from dramatizations of American history, from literary classics and biography and from popular and classical music. He points out, as well, that comedy "promises to be a prominent part of the new entertainment fare," and cites Walt Disney's feature length "Snow White and the Seven Dwarfs" as a "unique screen achievement" in the realm of fantasy.

This indicated wide variety of new screen entertainment is supplemented by mystery, detective and outdoor films, and important short subjects, the Hays appraisal finds.

Kelly and Cohen

Arthur W. Kelly, U. A. foreign head, who is recuperating from a mastoid operation, the other day ordered a radio sent to his room in the Manhattan Hospital.

Just before Monroe Greenthal left for the coast, he said this was a sign that Kelly was recuperating very nicely, but as soon as Kelly orders Sammy Cohen to come up and see him, then he will know Kelly is in perfect shape.

Plan Charlotte House

CHARLOTTE, Oct. 3.—Contracts have been let for the construction of a new theatre here, the Tryon, which will be a unit of Theatrical Enterprises. The house will seat 600, and will be supervised by Ellis Blumenthal, president of the circuit.

Ohio ITO Meet Dec. 7

COLUMBUS, Oct. 3.—The I. T. O. of Ohio will hold its annual convention at the Neil House here on Dec. 7 and 8.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"52nd Street"

(Wanger-U. A.)

HOLLYWOOD, Oct. 3.—Walter Wanger's "52nd Street" is as diffuse, raucous, gay, sad, realistic, sentimental, artificial, practically contradictory, incredible and as objectively absorbing as the thoroughfare it documents both narratively and by the use of resident talent. The serious story of the street's somewhat inverse development from the social austerity of 1912 to the surcharged abandon of 1937 is threaded along as such things are in the sector without being permitted to impede a flow of mirth and music purveyed by performers who know the street as well as it knows them.

Wanger has in striking fact laid the bespangled and bedraggled 52nd Street right smack in the lap of the screen audience. What it will think of the spectacle may be no more than conjectured unless the recent reaction to pictures that have done the same with Hollywood holds good for its tinselled companion community. That seems likely. Whatever the case, Wanger's presentation neither glorifies nor condemns the place and the people it depicts. Not all the Neon tubing between 5th and 6th Aves. strung together could spell out the exploitable names. A few are Ian Hunter, Leo Carrillo, Zasu Pitts, Jack White, Sid Silvers, Georgie Tapps, Pat Paterson, Al Norman, Ella Logan, Dorothy Saulter, Al Shean, Maurice Rocco, Marla Shelton, Benny Baker, Dorothy Peterson, and the list runs on—but no Leon and Eddie.

The screenplay is by Grover Jones, additional dialogue by Sid Silvers, songs by Walter Bulock and Harold Spina and the dances by Danny Dare, all craftsmen who know their way about. Harold Young's direction keeps a necessarily periodic and jerky story admirably integrated.

Hunter plays a wealthy idler cut off by two spinster sisters for marrying an actress. Carrillo is a cook turned organ-grinder in the hope of making his son a musician. When their fortunes are swept away in 1929 Hunter and Carrillo open a "speak" which yields the profits on which is found a new and honest fortune after repeal. After complications characteristic of 52nd Street, Hunter's daughter and Carrillo's son marry. The telling, not the tale, is the picture.

Running time, 80 minutes. "G."

(Additional Reviews on Page 6.)

Purely Personal

ARTHUR GREENBLATT, G. B. eastern division manager, left Chicago yesterday for visits to the company's Indianapolis, Cincinnati and Cleveland exchanges.

•

ARTHUR A. LEE, G. B. vice-president, returned yesterday from the company's regional sales meeting in Chicago.

•

JIM O'LOGHLIN, leader of the S. R. Kent Drive, is due back today from Toronto.

Increase Ad Rates For Omaha Theatres

(Continued from page 1)

a week are used and an additional 10 cents if 250 inches are used.

Since contracts will not be signed in the future, the theatres fear a still higher rate when the *World-Herald's* new accredited circulation is released.

The old combination net rate for the two papers was $5.45 an inch, but theatres figure that they've lost approximately 35,000 total advertising circulation and practically the entire publicity circulation in the deal.

No apparent move has been made by the *World-Herald* to change its old ultra conservative publicity policy, but there is a trend to more pretentious amusement pages.

Lincoln Ad Row Settled

LINCOLN, Neb., Oct. 3.—An advertising rate dispute between the Lincoln Theatres Corp. and Westland Theatres Corp. on one side and the newspapers, *Journal* and *Star*, has been ironed out after nearly eight weeks of nose-tilting on both sides. Support of the sheets goes back to the theatres after giving the dance spots a heavy play during the difference.

The old rate of $3.70 was raised to $4 by the papers. Theatres then withdrew more than half of their usual money. Under the agreement it will be $3.80 an inch, but if more than 50 inches are used weekly it will be $3.

Wall Street

Light Board Changes

	Open	High	Low	Close	Net Change
Col.	19¼	19¼	19¼	19¼	.....
Cons.	2¼	2¼	2¼	2¼	+ ¼
E. K.	175	175	175	175	.....
E. K., pfd.	158¼	161	158¼	161	+3
G. T. E.	18½	18½	18½	18½	— ½
Loew's	71¼	71½	71	71	— ¾
Para.	17⅝	18	17⅝	18	+ ¼
Para. 2 pfd.	16	16⅛	16	16⅛	+ ⅛
RKO	6¼	6⅜	6¼	6¼	.....
20th Fox.	30	30	29⅝	29⅞	+ ⅝
Warner	10¾	10⅞	10⅝	10⅝	.....

Curb Rises Fractionally

	Open	High	Low	Close	Net Change
Sentry	⅜	⅜	⅜	⅜	.....
Sonotone	2	2	2	2	+ ⅛
Technicolor	25⅞	25⅞	25¾	25¾	+ ⅛
Universal	2½	2½	2½	2½	.....

Little Bond Movement

	High	Low	Close	Net Change
Loew's	99⅛	99	99	— ⅜
Warner Bros. 6s '39 wd.	87¼	87	87¼	+ ¼

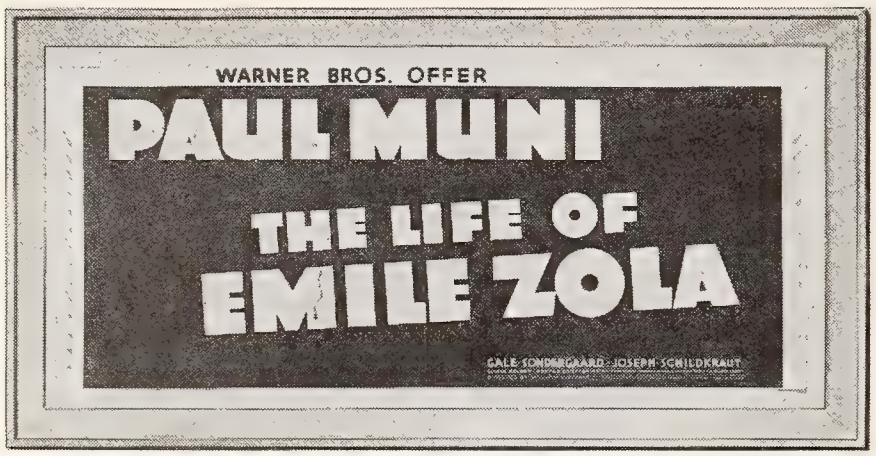
(Quotations at close of Oct. 2.)

FLASH

RECORDS BROKEN!...DOORS BROKEN!...

2 *First popular* 1

PHILLY ENTIRELY POSTED with city's greatest 24-sheet drive and followed by giant newspaper ads!





CASHIER'S COMPLETELY SWAMPED by steady flow of cash during entire first day!



***$5,182.72 to be exact**

.....SMASH!...

YD, PHILA....FIVE GRAND*...FIRST DAY!

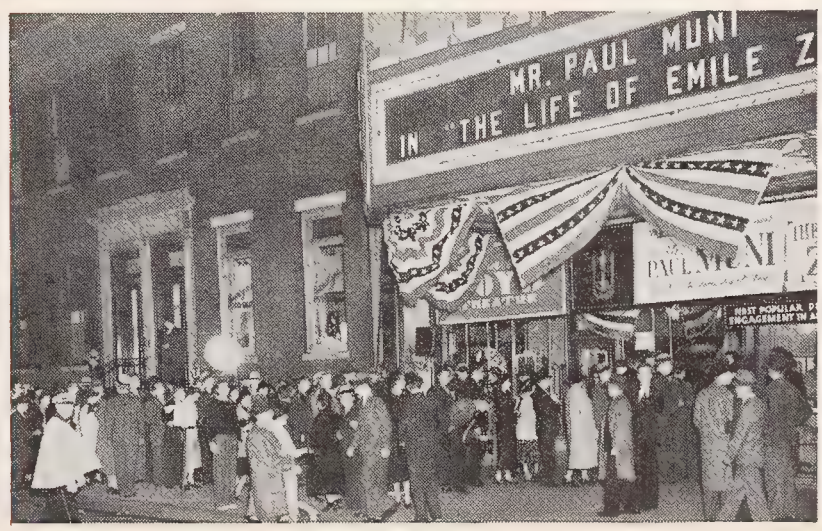
rice

engagement!

BOYD'S FIRST LOBBY HOLD-UP IN 3 YEARS
tops anything in theatre's history with capacity crowd covering every available square inch of floor space!



BLOCK-LONG LINES tie up traffic for hours completely ignoring SRO in vain attempt to gain admission!



WARNER BROS. Proudly Present

Mr. PAUL MUNI in
The Life of EMILE ZOLA

with **GALE SONDERGAARD • JOSEPH SCHILDKRAUT**

Gloria Holden • Donald Crisp • Erin O'Brien-Moore • Louis Calhern • Morris Carnovsky • Directed by WM. DIETERLE

Screen Play by Norman Reilly Raine, Heinz Herald and Geza Herczeg

"Said No" Is Sole Draw at Los Angeles

Los Angeles, Oct. 3.—The only attraction of the week to get into the profit column was "The Girl Said No" at the 4 Star. The $3,573 take in this 900-seat house was just $323 over normal.

"100 Men and a Girl," on a dual with "The Man in Blue," took $7,100 in its third week at the Hillstreet and $7,400, also in a third week, at the Pantages. "Wee Willie Winkie" and "My Dear Miss Aldrich" were weak at both the Chinese and Loew's State.

Total first run business was $95,136. Average is $107,950.

Estimated takings for the week ending Sept. 29:

"THE LIFE OF EMILE ZOLA" (W. B.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 3rd week. **Gross:** $13,850. (Average, $17,000)

"WEE WILLIE WINKIE" (20th-Fox)
"MY DEAR MISS ALDRICH" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $8,867. (Average, $12,500)

"THE GIRL SAID NO" (G. N.)
4 STAR—(900), 40c-55c, 7 days. Gross: $3,573. (Average, $3.250)

"YIDDLE WITH HIS FIDDLE" (Sphinx)
GRAND INTERNATIONAL—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,700. (Average, $1,200)

"100 MEN AND A GIRL" (Univ.)
"THE MAN IN BLUE" (Univ.)
HILLSTREET—(2,700), 30c-65c, 6 days, 3rd week. **Gross:** $7,100. (Average, $8,000)

"WEE WILLIE WINKIE" (20th-Fox)
"MY DEAR MISS ALDRICH" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $12,873. (Average, $14,000)

"100 MEN AND A GIRL" (Univ.)
"THE MAN IN BLUE" (Univ.)
PANTAGES—(3,000), 30c-65c, 6 days, 3rd week. **Gross:** $7,400. (Average, $8,000)

"SOMETHING TO SING ABOUT" (G. M.
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: Evelyn Daw in person, Rube Wolf and his orchestra. **Gross:** $15,200. (Average, $18,000)

"DEAD END" (U. A.)
"FOOTLOOSE HEIRESS" (W. B.)
WARNER BROS.—(Hollywood), 30c-65c, 7 days, 2nd week. **Gross:** $9,400. (Average, $14,000)

"DEAD END" (U. A.)
"FOOTLOOSE HEIRESS" (W. B.)
WARNER BROS.—(Downtown)—(3,400), 30c-65c, 7 days. **Gross:** $11,500. (Average, $12,000)

Cooper in "Bluebeard"

Hollywood, Oct. 3.—In what appears to be an unusual tangling of a player's commitments, Paramount has definitely cast Gary Cooper opposite Claudette Colbert in "Bluebeard's Eighth Wife," which Ernst Lubitsch will produce and direct.

This picture will be either the one picture loanout deal made for Cooper by Paramount with Samuel Goldwyn, to whom the star is under contract, or the one-picture deal that Emanuel Cohen of Major Pictures had with the star. Cohen planned "What Ho!" for Cooper, but the script apparently is not in shape for him to do it. Cooper is being sought for "Marching Herds," large scale western which Lucien Hubbard will produce for Paramount. Fred MacMurray and Randolph Scott also are being talked to concerning the western.

Pugilistic Short

Pictorial Films will make a short dation and the *Daily News* and will do the shooting at the Golden Gloves training camp on Staten Island.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Stand In"

(Wanger-U. A.)

Hollywood, Oct. 3.—Again the motion picture explores the motion picture and finds it comic, dramatic, ludicrous, pathetic, frivolous and tragically earnest in swiftly rotated succession. This time the exploration is from the Wall St. quarter and the principal character is a banker sent to salvage or sell a Hollywood studio.

Leslie Howard plays this lugubrious, astigmatic human comptometer with cogwheels of gold as no such emissary of efficiency was ever played before and to an audience response reminiscent of no performance since Gary Cooper's "Mr. Deeds." Joan Blondell approaches his level as the stand in who becomes his stenographer and sweetheart. Humphrey Bogart surprises favorably in a portrayal of the right side of the moral code. Alan Mowbray is amusing in a closely clipped role of a temperamental director. Marie Shelton, C. Henry Gordon, Jack Carson, J. C. Nugent and Tully Marshall contribute variable support.

On the basis of the public appreciation accorded other recent pictures depicting Hollywood and its ways it may be expected that "Stand In" will turn in snug box-office balances. Tay Garnett directed the picture from a screenplay by Gene Towne and Graham Baker based on a Clarence Budington Kelland story.

Howard arrives in Hollywood to investigate the affairs of Colossal Pictures for New York bankers who are about to sell it. His reception and subsequent treatment give Hollywood institutions and ethics an airing that might not be altogether relished if the emphasis were not laid heavily upon the comedy aspect. Ultimately he learns that the studio's ace director and top star have conspired with the prospective buyer to depreciate the property and involve the star in a scandal by way of invalidating a contract under which she holds cutting and editing authority over the picture which must be revised to save the company. His bankers sell the studio out from under him, but he engineers a sit-in occupancy of the plant by its 3,000 employees and saves the business for them and the stockholders. This latter procedure is heavily cushioned with comedy and interspersed with carefully worded utterances for what might be interpreted by those so inclined as the purpose of suggesting emphatically, if inversely, that it can't happen here.

Running time, 90 minutes. "A."

"Breakfast for Two"

(RKO)

Hollywood, Oct. 3.—A somewhat sophisticated, good-humored type of story, its chief ingredient being comedy, "Breakfast for Two" offers an hour's entertainment which should be found pleasing by most audiences. Against a background of sumptuous indoor sets, the yarn revolves about the effort, finally successful, of a girl to rejuvenate the remnant of a once proud family.

The result occasionally descends virtually to the level of slapstick, at other times produces comedy of a much higher order. It is somewhat questionable whether Herbert Marshall is exactly the right man for the lead but he does his best with the role. Barbara Stanwyck is good, and able assistance is rendered by Glenda Farrell, as the would-be actress being aided by Marshall; Eric Blore as the perfect valet, and Donald Meek as the considerably disturbed justice of the peace.

Alfred Santell did a satisfactory directing job from a story by David Garth and a screenplay by Charles Kaufman, Paul Yarwitz and Viola Brothers Shore. The dialogue has its moments but lacks essential sparkle for this type of thing in a great many instances.

A stranger, Miss Stanwyck, brings Marshall home to his mansion after a lively evening which leaves the scion of a once great shipowning family under the weather. She, a wealthy girl from Texas, attempts to restore his backbone, takes over the company, fights endlessly with him, until he sees the light, gets him into harness and steals Marshall from under Miss Farrell's nose at the same time.

Running time, 65 minutes. "G."

(Additional Reviews on Page 8.)

Plan Wilmington House

Wilmington, Oct. 3.—Plans for a new first run downtown theatre to cost about $100,000, have been submitted to contractors for bids.

The house will be built by the Old Time Petroleum Co., reportedly for lease to Warners.

Mole, Rackett to SMPE

Hollywood, Oct. 3.—Peter Mole, of Mole-Richardson and Gerald Rackett of Technicolor will attend the fall convention of the S. M. P. E. in New York next month. Rackett, executive vice-president of the organization, is scheduled to leave here Oct. 5 and Mole will go Oct. 7.

"Big City" on Dual Frisco's Top, $16,000

San Francisco, Oct. 3.—"Big City," on a dual with "Talent Scout" at the Paramount, was about the only first run to make an impression during the week. It reached $16,000, up by $3,000.

"The Life of Emile Zola," on a two-a-day basis, pulled $10,000 at the St. Francis. "Wife, Doctor and Nurse" and "Footloose Heiress" garnered $15,000 at the Warfield, but elsewhere business was bad.

Total first run business was $92,500. Average is $93,000.

Estimated takings:

Week Ending Sept. 21:

"FLIGHT FROM GLORY" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage show. **Gross:** $14,500. (Average, $16,000)

Week Ending Sept. 22:

"VARSITY SHOW" (W. B.)
"WILD AND WOOLLY" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,500)

"LOST HORIZON" (Col.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 4th week. **Gross:** $7,000. (Average, $8,000)

"BIG CITY" (M-G-M)
"TALENT SCOUT" (W. B.)
PARAMOUNT—(2,750), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $13,000)

"LIFE OF EMILE ZOLA" (W. B.)
ST. FRANCIS—(1,400), 55c-87c-$1.10-$1.65, 7 days. **Gross:** $10,000.

Week Ending Sept. 23:

"WIFE, DOCTOR & NURSE" (20th Fox)
"FOOTLOOSE HEIRESS" (W. B.)
WARFIELD — (2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $14,000)

Week Ending Sept. 24:

"THIRTEEN" (Amkino)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,500. (Average, $1,000)

"STELLA DALLAS" (U. A.)
EMBASSY—(1,400), 15c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $6,000. (Average, $6,000)

"STELLA DALLAS" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $6,500. (Average, $7,500)

Jury Hits Bank Night

Tampa, Oct. 3.—The Hillsborough County Grand Jury, in its latest presentments, took a rap at Bank Night. The report said that "Bank Night is, through the congregation of crowds surrounding theatres, a menace to the public safety and an expense to the city police department and are further a form of amusement which justly should pay an extremely high license if not be prohibited. We recommend that the city and county officials take immediate steps to correct this situation."

Rubens in Radio

Chicago, Oct. 3.—Jules J. Rubens of the Great States circuit is eyeing the radio broadcasting field. He has filed an application with the F.C.C. in Washington to operate a 1,040 kilocycle station with 250 watt daytime power at Aurora, Ill.

Franconi to Monogram

John L. Franconi has acquired a half interest with Ed Blumenthal in the Monogram franchise for the Dallas territory. Franconi has been southwest district manager for G. B. J. Reg Wilson has been transferred from Boston to succeed Franconi.

Three Picture Cases Before SupremeCourt

(*Continued from page* 1)

statute requiring that all films be licensed is invalid in that it interferes with the right of the Federal Government to regulate commerce with foreign nations, and that the refusal of the court to grant the restraining order is a burden on foreign commerce and an infringement upon the Federal Government's exclusive right to censor foreign films.

Licensing rights of the socalled "Radio Trust" under the patent pooling arrangement engineered by Radio Corp. of America, Western Electric Co., Electrical Research Products and American Telephone and Telegraph Co. are questioned by General Talking Pictures Corp., an appeal from a decision of the Second Circuit (New York) Court of Appeals favoring those companies in a patent infringement suit.

Purchased Amplifiers

The petitioner over a considerable period of time purchased large numbers of vacuum tube amplifiers from the American Transformer Co., a licensee, to which were attached license notices limiting their use to amateur and broadcast radio reception. The amplifiers were used in the production of talking picture projection equipment. The radio companies brought suit charging infringement because the use to which the amplifiers were put was outside the "licensed" use. The petitioner appealed from a decision that a patentee may extend his monopoly beyond a sale by a licensee, and asked the Supreme Court to determine whether a patent owner may restrict the use made of a device manufactured under the patent after the device has passed into the hands of a purchaser.

The anti-monopoly suit of the Indianapolis Amusement Co. against Metro-Goldwyn-Mayer Dist. Corp., Universal Film Exchanges, United Artists, 20th Century-Fox, Vitagraph and Educational Film Exchanges, is pending before the court in an appeal of the Indianapolis company from a decision of the Seventh Circuit (Indiana) Court of Appeals.

Equity Suit Outgrowth

The appeal grows out of an equity suit brought by the respondents to secure the production of books and records, the companies alleging that they were defendants in an action brought by the petitioner, who alleged that it operated a large film house in Indianapolis for years and that the respondents, by an unlawful conspiracy in restraint of interstate commerce, had damaged it by forcing it to pay higher prices for films, and by forcing it to take inferior films, thus causing the company to fail and go into liquidation.

The respondents allege that the greater part of their defense of that action will consist in proving that the petitioner's losses were not the result of their acts but were from some other cause, and for that defense it was necessary for them to obtain information from the petitioner's records as to daily receipts and expenditures, price of admission, names and dates of films shown, and which films were of inferior quality, etc. The lower court refused the petitioner's motion to dismiss the case, and the company appealed.

Looking 'Em Over

"Annapolis Salute"

(RKO)

A human and entertaining story of midshipmen at Annapolis, their social activities and the traditions of the Academy, "Annapolis Salute" should be found entertaining for the general run of audiences. It is not elaborate, has little of glamour and the cast names will mean nothing at the box-office, but the film undoubtedly will please.

James Ellison has the lead, supported by Harry Carey, Marsha Hunt, Van Heflin, Ann Hovey and Arthur Lake. It is a Robert Sisk production, with Christy Cabanne, who wrote the story, also responsible for the direction. John Twist prepared the screenplay.

Ellison, whose father, Carey, is a petty officer, enrolls in the Academy, his future commission and navy career his only aim in life. He comes into almost immediate conflict with Heflin, who is wealthy and at Annapolis only at parental request, and whose only desire is to get out. Their divergent attitudes come into sharp focus when they meet Miss Hunt, sister of a classmate. Heflin's idea is to leave the academy and marry, while Ellison is torn between what he conceives as his duty and the girl.

Ellison gets into difficulty when a girl with whom he had been seen is injured in an accident while he, contrary to rules, was in Miss Hunt's room. Eventually, Heflin saves his career and the boy realizes he can have both his commission and the girl, since she promises to wait.

Running time, 65 minutes. "G."

"Public Cowboy No. 1"

(Republic)

Here is a cattle rustling story with many modern touches. The outlaws are right up to the minute with short wave radios, an airplane lookout and refrigerated trucks. They slaughter, skin and dress the beef right on the plains and cart it off to a packing center. The story is excitingly done with Gene Autry, Smiley Burnette, William Farnum and Ann Rutherford featured. Miss Rutherford is one of the prettiest "horse opera" leading women to be seen in a long while. She also does justice to her role as editor of a small town newspaper.

Autry is a deputy working under Farnum. After convoying a herd of cattle across rustler country, they discover later that the herd has been rustled and murder has been done. The setup has Autry puzzled for a moment, but later a few leads are found and he begins tracing the movement of a number of suspects. Farnum is shot and Autry and Burnette arrest a suspect who is beaten to death while in jail. The townspeople tire of the official action and hire the services of a detective agency. On the day of the new outfit's arrival Autry sets his trap and, while all the folks from the surrounding range are attending the welcoming ceremonies, his trap is sprung. The finish is a thrilling sequence of exceptionally well-filmed riding shots and clever direction. Autry and Burnette also sing a few numbers, the latter a comic piece about a "Defective Detective from Brooklyn."

Joseph Kane directed. Jack Marta photographed. The original story is by Bernard McConville.

Running time, 60 minutes. "G."

Legion Passes All Nine New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved all nine of the new films reviewed, four for general patronage and five for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Boss of Lonely Valley," "The Game That Kills," "Life Begins in College," "This Way, Please." Class A-2, Unobjectionable for Adults—"Ave Maria," "Carnival Queen," "Fight for Your Lady," "Madame X," "Das Schoene Fraulein Schragg."

Tri-States Theatre Owners at Memphis

MEMPHIS, Oct. 3.—Approximately 100 members and guests of the Tri-States T. O. A. arrived here today for the fall meeting of the organization, which will continue through tomorrow at the Hotel Chisca. The delegations represent Mississippi, Tennessee and Arkansas exhibitors.

Today's events are primarily of a social nature, except for several meetings of officers and committees whose reports will be heard at Monday's business sessions. Ed Kuykendall, M.P.T.O.A. president, is expected here tonight from Philadelphia and Washington to address the convention tomorrow. His visit here will be his second in the course of a coast-to-coast tour to obtain national exhibitor opinion on the need for trade practice regulations within the industry.

Shift Warner Action

A $10,000 suit was revealed in the U. S. District Court on Saturday by the removal from the N. Y. Supreme Court of the action by Select Theatres Corp. against Warners. The complaint alleges that the Shubert Theatres Corp. acquired the title to the story, "The Audition" and later assigned it to Select. The Warner picture, "Ready, Willing and Able" is claimed to be an infringement. The author of "The Audition" was not given in the complaint.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912 AND MARCH 3, 1933.

Of MOTION PICTURE DAILY, published daily except Sunday at New York, N. Y., for October 1, 1937.

State of New York }
County of New York } ss.:

Before me, a Notary Public in and for the State and county aforesaid, personally appeared Theodore J. Sullivan, who, having been duly sworn according to law, deposes and says that is the Business Manager of the MOTION PICTURE DAILY and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager are:

Publisher and Editor-in-Chief — Martin Quigley, 1270 6th Ave., New York, N. Y.

Editor—Maurice Kann, 1270 6th Ave., New York, N. Y.

Managing Editor—J. M. Jerauld, 1270 6th Ave., New York, N. Y.

Business Manager—Theodore J. Sullivan, 1270 6th Ave., New York, N. Y.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)

Quigley Publishing Company, Inc., 1270 6th Ave., New York, N. Y.

Martin Quigley, 1270 6th Ave., New York, N. Y.

Colvin Brown, 1270 6th Ave., New York, N. Y.

Gertrude S. Quigley, 1270 6th Ave., New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.)

None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company, but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is 5,684. (This information is required from daily publications only.)

THEODORE J. SULLIVAN,
Business Manager.

Sworn to and subscribed before me this 27th day of September, 1937.

(SEAL)

ANNA MILBERT,
(My commission expires March 30, 1938)

FCC Suggests U.S. Control Of Ad. Rates

(*Continued from page* 1)

charge a purchaser for either its right on the air or good will.

So far, he said, he has no views on newspaper ownership of stations, network ownership or government operation. The first two, however, are problems to be considered with a view to the determination of policies, either by the commission or by Congress upon recommendations from the commission. He has no present opinion upon the charging of fees for licenses or special taxes upon broadcasters.

McNinch promised that the operations of the commission would be absolutely open and that there would be no "covering up." "There will be no covering up of anything by me," he said, "I care not how high or low it goes."

M-G-M's Air Plans Come Up This Week

(*Continued from page* 1)

Nicholas M. Schenck, president of Loew's, told MOTION PICTURE DAILY. Sidney left for Hollywood Saturday by plane. He was to have been accompanied by Benny Thau, production executive at the M-G-M studio, who returned last week from Europe with Louis B. Mayer, but Thau will get away either today or tomorrow.

Schenck sees certain advantages in a radio tieup, provided the program is handled properly.

"We feel that as long as radio is here we might as well make the proper use of it," Schenck stated. "If we are going to go into it, we want to see that our stars are protected with the proper material."

The Loew head added that no decision had been reached as to who will be the first star on the program, nor how the program will be worked out. These matters, he held, were now being worked out in California. The show will start Nov. 4 and will go on from 9 P. M. to 10 P. M. every Thursday after that.

Schenck said the deal had a number of options and he looks forward to the program as a big event.

Accompanied by his wife, Schenck will depart for his annual visit to the studios about the middle of the month. He said he plans to remain on the coast three or four weeks. He declared there was no particular significance attached to the trip. J. Robert Rubin, general counsel of M-G-M and a vice-president of Loew's, will meet Schenck in California next month.

Elges Joins Rambeau Co.

Myron A. Elges, formerly with Transamerican Broadcasting & Television Corp., has been added to the New York sales staff of the William G. Rambeau Co., station representatives, and Clark Branion, former newspaperman, has been added to the company's sales staff in Detroit.

Dragonette Requests Listed

Jessica Dragonette on her last air appearance Oct. 6 will sing songs most frequently requested from her past operettas.

CBS September Sales Up 11.1% To a New High of $2,045,825

Time sales on the CBS network for September totaled $2,045,825, an increase of 11.1 per cent over the same month in 1936, previously the highest September in CBS history.

Cumulative billings for the first nine months of this year totaled $20,792,782, an increase of 33.7 per cent over the corresponding period last year, which was $15,550,070. The September figures last year were $1,838,932.

Three Webs to Air Series Regardless of Schedules

CBS, Mutual and NBC will cover the World Series games completely, regardless of time or sponsor schedules. The list of sponsors who will relinquish their broadcast time, with the networks paying the rebates, follow:

NBC's Red network is the hardest hit. Wednesday, Oct. 6, from 1:15 until 5 P. M., the approximate times of all games, the cancellations will be "Mrs. Wiggs of the Cabbage Patch," "John's Other Wife," and "Just Plain Bill," all sponsored by American Home Products; "How to Be Charming," sponsored by Charles H. Phillips Chemical Co.; "Pepper Young's Family," "Ma Perkins," "Vic and Sade," "The O'Neill's," "Guiding Light," "Story of Mary Marlin," and "Road of Life," all Procter & Gamble programs, and "Lorenzo Jones," a Charles H. Phillips Co. show. The same cancellation schedule follows for the following day, Thursday, with the addition of "Mystery Chef," sponsored by Regional Adv. Co. The Saturday Red network schedule for the game time is unaffected commercially, all programs being sustainers. Cancelled Sunday will be "Bicycle Party," sponsored by Cycles Trades.

The only Blue network commercial programs which will be affected are the Sunday shows, "Magic Key," for RCA; and "On Broadway," Diamond Crystal Salt Co. All other listings during the series time are sustainers.

The CBS cancellations follow: Oct. 6 through Oct. 12, "Gold Medal Feature Time," sponsored by General Mills, Inc., and "Jack and Loretta Clemens," for Colgate-Palmolive Peet. Additionally, "News Through a Woman's Eyes," for Pontiac Motor Co., and the Dr. Dafoe program for Lehn & Fink will be cancelled Oct 6, 8 and 11. Saturday and Sunday are open dates on the CBS schedule, with no sponsored programs between 1 and 5 P. M.

Mutual is now trying to re-arrange its schedule

Agrap Votes Support Of Labor; Stays As Is

The American Guild of Radio Announcers and Producers, in session the past weekend for the first time since its formation, reaffirmed its decision to support all bona fide labor organizations, but voted to keep its own entity. In some circles, it had been believed that AGRAP might go over to the Equity-controlled American Federation of Radio Artists. More than 200 attended the meeting at the Taft Hotel.

AGRAP will keep an eye on and watch the developments of other labor organizations through a committee of seven New York members. The committee will report periodically to all the AGRAP chapters.

Roger Bower of WOR was elected to succeed Karl Schullinger as national secretary and treasurer.

New Shows on the Air

"Varsity Show"

The "Varsity Show," which draws its talent from the student bodies of various colleges, returned to the networks Friday evening, with the lads and lassies of the University of Alabama whooping it up for their Alma Mater and the Pontiac Motor Co. Paul Dumont is the "em cee" this time, succeeding John Held, Jr.

The program remains a great promotion for Pontiac cars, but it falls somewhat short of being an excessively entertaining show. The usual boys' and girls' glee clubs, student band, talks by the various athletic coaches and a history of the school were offered. Most amusement, however, was derived from listening to the delicious southern drawls of the students who spoke during the evening.

Pontiac sponsors. Beginning next Friday the program will be presented at a new time, from 9 to 9:30 P. M. on the NBC-Blue. MacManus, John and Adams is the agency.

"Music from Hollywood"

The only thing new about the Friday evening Chesterfield program is its title. It is now known as "Music from Hollywood," with Hal Kemp's orchestra and Alice Faye providing the music and vocals.

The Kemp organization, one of the smoothest about, celebrated its 12th birthday by playing the first song it ever recorded as many years ago, "A Little Boy, a Little Girl, a Little Moon." The orchestration was the same as a dozen years ago, and, truth to tell, it was hard to detect the difference between the then and the present-day styles. BANNER.

ARTA Deals Closed With Two Stations

The American Radio Telegraphists' Ass'n late Friday night closed agreements with WHN, New York, and KYW, Philadelphia. In both instances the union won a 40-hour, five-day week, time and a half for overtime, and increases in salaries.

The agreements also call for a review of all projected dismissals and stipulate that the technicians are permitted seven holidays a year. The agreements also call for preferential hiring of A. R. T. A. members, making both stations closed shops in so far as the hiring of technical employes is concerned.

The A. R. T. A. is now negotiating with two Philadelphia stations, WFIL and WCAU. Contracts with these stations will be consummated within a short time, according to Mervyn Rathborne, president of the A. R. T. A.

The WHN agreement brings to a close a long-drawn fight between the station owners, Loew's, Inc., and the C. I. O.—affiliated A. R. T. A. This is believed to be the first instance wherein a film company in any of its activities has given recognition to a union affiliated with the C. I. O. Louis K. Sidney conducted the negotiations for the station.

Fred Dawson Joins WOW

OMAHA, Oct. 3.—Fred Dawson, who was hailed as the "miracle coach" when he directed the University of Nebraska to two football victories over Notre Dame in the "Four Horsemen" days, has joined the staff of WOW. He will have two 15-minute periods weekly, starting Oct. 7.

Sullivan in New Series

Paul Sullivan, WLW commentator, will inaugurate a new series of commentaries, "Behind the News" for *Liberty Magazine* over three of the WLW Line stations—WHN, New York; WXYZ, Detroit, and WLW, starting tomorrow, 9:30 to 10 P.M.

Music Publishers at Code Meeting Today

(*Continued from page* 1)

the meeting, the bulk of the small houses are expected to await publication of the first draft of the code before indicating their views, although a group of smaller independents is reported prepared to descend upon Washington in vigorous protest against Government regulation.

Possibilities of a protest against trade commission approval of the proposed code are seen in the relationship between some of the publishers and film producers. If opposition is launched on this ground, it may possibly be based on a charge that a code would not be in the public interest and might lead to monopoly—a charge which recently led the commission to deny a code to the petroleum distributing industry.

Opposition of the smaller publishers to the code will probably be based on the idea that the outlawing of certain practices would make it impossible for them to compete with the larger houses.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

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MPPA Urges Extended Ban On Song Plugs

Would Apply Patman Act To Music Industry

By BERTRAM F. LINZ

WASHINGTON, Oct. 4.—A flat ban on bribery, gifts or other inducements to song plugging where the effect is to lessen competition or create monopoly, and application to the music industry of the prohibitions of the Robinson-Patman Act against price discrimination today were asked of the Federal Trade Commission by the Music Publishers' Protective Ass'n.

These two problems were covered in a proposed code of fair trade submitted on behalf of the industry by Judge Joseph V. McKee, counsel for the M.P.P.A., with the unanimous approval of the nearly 75 music trade representatives present at a conference presided over by Judge George McCorkle, director of trade practice conferences.

With the exception of an attack on the music operations of film producers and the suggestion that provisions be

(*Continued on page 7*)

Studios Hold Pace With 39 Shooting

HOLLYWOOD, Oct. 4.—The number of features before the cameras dropped one to 39 from last week's total, as six were started and seven were finished. Twenty-two are in the final stages of preparation and 77 are being edited.

Starting were: Columbia, "Murder Is Welcome" and "The American Legion;" Monogram, "Federal Bullets;" Paramount, "The Yellow Nightingale;" RKO, "Taking the

(*Continued on page 4*)

Southern Group Hits Black-White Mixing

MEMPHIS, Oct. 4.—The indiscriminate intermingling of the black and white races in films intended for southern exhibition was vigorously criticized today at the 31st semi-annual convention of the M.P.T.O. of Arkansas, Mississippi and Tennessee being held at the Chisca Hotel here. The discussion was precipitated by W.

(*Continued on page 4*)

Radio—Pp. 8-9

Selznick to Talk Future Lineup Here

Asserts He Will Discuss Plans with "Everybody"

Distribution plans for David O. Selznick, after he completes two of four pictures for United Artists on his present committment, will be completed here in the next few weeks, the producer told MOTION PICTURE DAILY yesterday on his arrival from the coast.

"I have a few definite things in mind," Selznick stated, "and I will talk to everybody," he added. One of the executives he will confer with is George J. Schaefer, vice-president and general manager of U.A., who is due to return from Hollywood tomorrow.

Asked if he would talk to Nicholas M. Schenck, Selznick was non-committal except to say that he would discuss his plan with "everybody."

"I will get straightened out before I return to the coast in a month."

Accompanying the producer were

(*Continued on page 7*)

Guild Hearing Told Of Raw Stock Sales

LOS ANGELES, Oct. 4.—Figures showing transactions of millions of dollars in raw film stock were revealed today in the National Regional Labor Relations Board hearing of the Screen Writers' Guild petition for an election to determine the collective bargaining agency for film writers.

As an important step in the attempt of Special Board Attorney William J. Walsh to show the relation of the film industry to interstate commerce, representatives of various raw stock companies were called to the stand to re-

(*Continued on page 7*)

'Twas Busy Day

Hollywood, Oct. 4.—In a day bristling with second thoughts RKO announced "Danger Patrol" as the new title of "Highway to Hell," "Living on Love" as the new name for "Love in a Basement," "Perfect Alibi" as the final designation for "The Shadow Speaks," and Gwen Bayer (as in aspirin) as the new name of Becky Baer (as in fisticuffs).

No Decision Reached On a Dallas Appeal

Attorneys for defendant distributors were unable, following a conference yesterday, to agree on the necessity for appealing the recent Federal court decision at Dallas holding the contracts made with Hoblitzelle theatres which regulated subsequent run admission prices to be in violation of the anti-trust laws.

Attorneys explained, following the discussions, that many parts of the Federal court decision are confusing in their implications and do not permit of a definite interpretation. In view of this, a decision on an appeal will be held in abeyance until the Government's decree has been entered. This is expected within the next few days.

Frels Monopoly Suit Is Begun at Dallas

DALLAS, Oct. 4.—Ruben Frels' anti-trust suit against Jefferson Amusement Co. and major distributors was started here today in U. S. District Court. Most of the day was spent in selecting a jury after which attorneys outlined the case.

Frels charges that Jefferson Amusement acquired houses in towns where he operated and that thereafter he was unable to secure product from majors.

The distributing companies will seek to prove that product was available for Frels.

"100 Men" Tops Box-Office Grosses in Key City Spots

Ranking first or close to that spot, in many comparative estimates, "100 Men and a Girl" appeared to be the leading contender for box-office honors in the major theatres of the key cities during the past week. "Souls at Sea," "Thin Ice," "Dead End" and "Double or Nothing" did a fair share of business and "Lost Horizon," virtually concluding its key city runs, also was in the running.

"100 Men and a Girl" was top in Cleveland, taking $16,500 at Warners' Hippdrome and going to the Allen for a second week. "Dead End" and "Thin Ice" went over average in their spots.

"Walter Wanger's Vogues of 1938" took top honors in Detroit, capturing $26,500 at the Michigan, over par by $6,500, while "100 Men and a Girl" was close behind, running $5,600 over average with a $25,600 take at the

(*Continued on page 4*)

Early End of Strike Urged By Kuykendall

Statement Follows Talks In Philadelphia

An immediate settlement of the controversy between Paramount and Philadelphia exhibitors "for the good of the industry as a whole," was urged by Ed Kuykendall, M. P. T. O. A. president, in a statement issued yesterday following weekend conferences with Philadelphia exhibitor leaders.

Kuykendall's statement asserted that Lewen Pizor, president of the U. M. P. T. O., an affiliate of the M. P. T. O. A., and Pizor's associates "are willing to try to negotiate a fair settlement with the Paramount sales executives or through an impartial committee of arbitration or mediation."

Apprised of this statement yesterday by MOTION PICTURE DAILY, Austin Keough, vice-president and secretary of Paramount, said that the company "is and at all times has been ready and willing to discuss with any of its customers any grievances they have and to try to adjust them satisfactorily. Paramount, however, is not willing to deal with representatives of a 'band' or any combine formed to 'gang up' on it.

"Our attitude on this remains unchanged," Keough said. "We have

(*Continued on page 2*)

Para. Settlement Before Court Soon

The petition of the Paramount trustee for leave to settle for $2,150,000 cash the 1934 recovery action against former officers and directors of the company has been completed and will be filed with Federal Judge Alfred C. Coxe, probably on Thursday or Friday of this week unless unforeseen delays are encountered, it was learned yesterday.

The petition was prepared by Root,

(*Continued on page 7*)

Directors of MPPDA May Meet on Oct. 14

The quarterly meeting of the board of the M.P.P.D.A. has been set for Oct. 14, although the date is tentative and may be either advanced or set back several days, dependent upon the availability of board members at the time, it was said.

The report of the educational films committee, which is expected to reveal

(*Continued on page 7*)

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HELSINKI: Fredriksgatan 19C; Charlotte Laszlo. Representative.
LONDON: 4 Golden Square, W. 1; Bruce Allan, Representative. Cable address, Quigpubco, London.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: Via Lovanio 1; Vittorio Malpassuti, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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W.B. Advance Selzer; Taplinger Gets Post

HOLLYWOOD, Oct. 4.—Edward Selzer, for four years publicity director of Warners' studio, has been named general assistant to Bryan Foy. Selzer will also be in charge of publicity and exploitation for some of the films to be produced by Foy and will concentrate on promotion and publicity for the new talent which Warners have under contract.

Robert F. Taplinger, head of Taplinger, Inc., will succeed Selzer as head of studio publicity. He will work in close cooperation with Jack Warner, Hal Wallis and S. Charles Einfeld, director of advertising and publicity, and will give his attention to both the film and radio activities of Warners.

Name Academy Group

HOLLYWOOD, Oct. 4.—William Koenig, chairman of the Academy Research Council, has named a committee, with Thomas Moulton of United Artists as chairman, to study set equipment noise, with a view to its elimination.

Early End of Strike Urged By Kuykendall

(*Continued from page* 1)

always been willing to treat individual customer's complaints individually."

Questioned concerning the company's attitude toward the suggestion that the dispute be submitted to "an impartial committee of arbitration or mediation," Keough said, "We do not feel that we have anything to arbitrate or mediate."

Kuykendall's statement hits at exhibition contracts "which," he observes, "are carefully written by counsel for the distributor, not by attorneys for the exhibitor."

Citing the non-delivery of six pictures on last season's Paramount contracts which, he says, the exhibitors "were led to believe they had bought," Kuykendall remarks that "Maybe they (exhibitors) failed to read the technical, legalistic clauses in fine print in the Paramount contract, or to fully realize that the pictures they think they buy from every distributor are seldom if ever actually identified in the written contract they sign."

Clarification Asked

M. P. T. O. A. president regards the situation as "clear proof of the need for a simpler, fairer and more easily understandable form of exhibition contract, free from trick clauses and technicalities."

He also regards the Paramount buyers' "strike" as an argument for conciliation machinery within the industry which would permit the settlement of "our commercial disputes and controversies by other means than beating the other fellow into submission."

"A fairer trade practice relationship must be followed," he warns, "or we are headed for Governmental regulation. M. P. T. O. A.'s 10-point trade practice program is badly needed and we are still fighting for it."

Kuykendall left Philadelphia over the week end for Memphis, where he begins a nationwide tour to sound out exhibitor sentiment on the need for trade practice regulations within the industry.

Asks Filing of Complaints

COLUMBUS, Oct. 4.—Quoting the highlights of Judge Atwell's decision in the Federal Court, at Dallas, in which he held that the 10 major distributors were operating in violation of the Sherman anti-trust law, P. J. Wood, secretary of the I. T. O. of Ohio, has asked exhibitors who are being damaged by inability to obtain product to arrange a conference with him in order that their complaints may be investigated, and, if possessing merit, be set up in legal form for submission to the proper Federal authorities.

Marshall at Ampa

Herbert Marshall will be the honor guest at Thursday's meeting of the Ampa at Sardi's. Roy Disney and Morrie Ryskind are also slated to appear. The entertainment will be furnished by Peggy O'Donnell of "Stage Door"; Ted Hammerstein and Velentina Darde, the "Duse of Song."

Purely Personal

GEORGE RAFT, ROBERT MONTGOMERY, DOUGLAS MONTGOMERY, MACK GORDON, GENEVIEVE TOBIN, PAT CAMPBELL and SID SILVERS arrived from the coast yesterday. JANET GAYNOR was aboard the Super Chief to Chicago where she is stopping over for a few days.

•

GEORGE WEEKS will be tendered a testimonial luncheon at the Astor, Oct. 9, by G. B. home office executives and members of the local exchange sales staff.

•

ARTHUR A. LEE, vice-president of G. B., was host last night at a special screening of "Non-Stop New York" at the home office. Officials of several airlines attended.

•

CLINTON M. WHITE, G. B. assistant general manager, arrived in Omaha yesterday from Chicago, where he presided over the company's regional sales meeting.

•

ARTHUR GOTTLIEB of Du Art Film Labs. is mourning the loss of his father, who succumbed over the week-end after a prolonged illness.

•

MEYER SCHINE and GEORGE LYNCH are in town on film buys and will leave for Gloversville either tomorrow or Thursday.

•

CANDIDO GALDO, head of International Films of Cuba, G. B. distributors, will arrive today from Havana for a short visit.

•

JOSEPH I. BREEN, head of Production Code Administration, is in New York from Hollywood for a few days.

•

NESTOR SANCHEZ of Tropical Films, Havana, is in New York and will leave tomorrow for Pittsburgh.

•

ALBERT S. HOWSON, Warners' director of censorship, will lecture this evening at Hunter College.

•

ROBERT MONTGOMERY arrived yesterday for a short vacation on his farm at Brewster, N. Y.

•

SAM HARRIS and GEORGE ELCOCK returned yesterday from the coast via American Airlines.

•

JOE MOSKOWITZ is en route to Hollywood and the 20th Century-Fox studio.

•

WALTER WANGER is due to arrive from the coast today by plane.

•

PATRICIA ELLIS is scheduled to depart for Hollywood today.

•

ROY DISNEY is planning to leave for Hollywood tomorrow.

•

IRVING CAESER left for the coast yesterday by plane.

•

JASCHA HEIFETZ will arrive from the coast today.

•

JUNE CLYDE arrives today on the *Ile de France*.

•

IRVING HOFFMAN is bound for the coast.

German Releases for Six Months at 1,019

WASHINGTON, Oct. 4.—During the first half of 1937, domestic and foreign pictures offered on the German market totaled 1,019, with a length of 466,515 meters, according to a report to the U. S. Dep't of Commerce from Assistant Commercial Attache R. M. Stevenson at Berlin.

Of German origin were 939 films, with a length of 356,827 meters, 80 (109,688 meters) of foreign origin, including 41 (62,162 meters) from the United States. Of the German share, 653 were normal films and 286 were narrow gauge. Of the foreign films, 71 were of normal and nine of narrow gauge. The total of long and short films offered amounted to 123, with a length of 207,841 meters. Seventy-six (with 112,409 meters) were German and 47 foreign, including 23 American.

Salvador Plans New Spanish Films Here

Jaime Salvador, Spanish producer, plans to produce Spanish-speaking pictures for distribution in the United States and Spanish-speaking countries. Production will be on the coast.

After several months in Hollywood, he is now in New York on distribution arrangements. He plans to return to the coast shortly to begin production on his first three. The first, "Castles in the Air," is scheduled to start about Jan. 1.

"Firefly" Grosses $5,000 Fifth Week

"The Firefly" tallied approximately $5,000 in its fifth week at the Astor on a two-a-day policy. "Hurricane" is slated to open at the theatre the first week in November.

"100 Men and a Girl" is expected to finish a third and last week at the Roxy with about $40,000.

The last three days of "Make a Wish" at the Rivoli totaled less than $1,000.

RKO List to Butterfield

Among the midwest deals for RKO's 1937-'38 product completed recently by Jules Levy, general sales manager, is that with the Butterfield circuit of 96 houses in Michigan. E. E. Beatty, president and treasurer, signed for the exhibitors.

Open RKO Branch in B.W.I.

R. K. Hawkinson, RKO Latin-American sales division manager, is now in Port of Spain, Trinidad, where he will open headquarters for direct distribution operations in the British West Indies.

Extend Omaha Child Ban

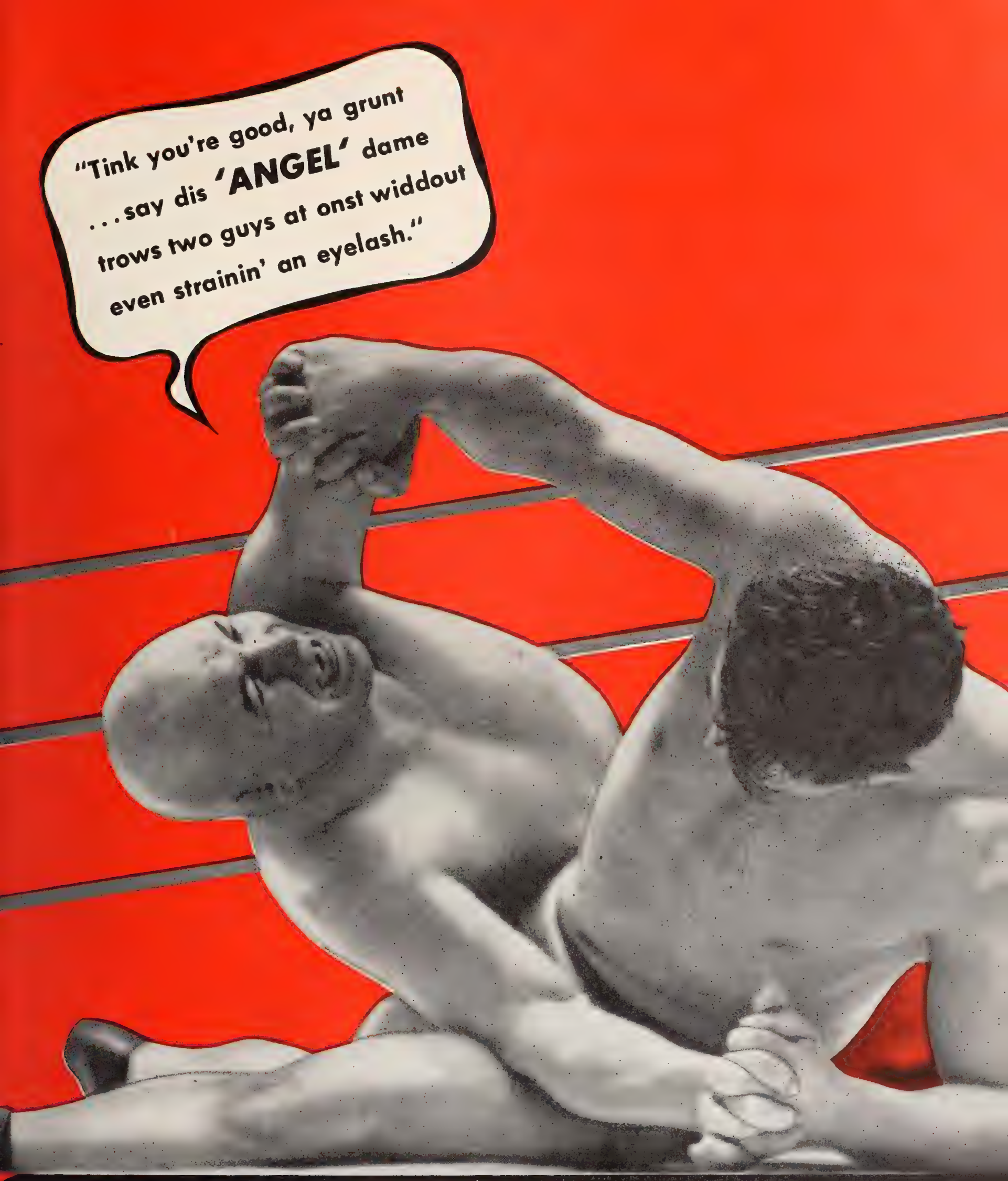
OMAHA, Oct. 4.—City health authorities have ordered the ban on minors attending theatres be extended for one week because three more cases of infantile paralysis have been reported.

Flash Previews

"Over the Goal"—Football stuff, following the usual lines.

"Here's Flash Casey"—And there's plenty of amusement in this story of the candid camera fiend.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.



FLASH! WALTER WINCHELL says:—
"Lubitsch's 'ANGEL,' starring DIETRICH,
is reported a fine picture."

Paramount Pictures

Studios Hold Pace With 39 Shooting

(Continued from page 1)

Air," and Warners, "The Adventures of Robin Hood."

The tally by studio:

Columbia finished one, shooting four, preparing four, editing seven; Goldwyn, zero, one, zero, two; Grand National, zero, zero, zero, four; M-G-M, two, five, two, five; Monogram zero, one, one, two; Paramount, one, six, four, eight; Principal, zero, zero, one, one; Republic, two, one, two, three; RKO, one, seven, one, three; Roach, zero, zero, one, zero; Selznick, zero, one, zero, one; 20th Century-Fox, zero, three, two, eight; Universal, zero, three, two, five; Wanger, zero, zero, zero, two; Warners, zero, seven, two, 26.

Three short subjects were finished, and two started and are still shooting. Three are being prepared, and 12 being edited.

Front Page Doing Second

The second of a series of two-reel short subjects of world events is now being prepared by Front Page Prod. and is tentatively titled "Sea of Strife." The story shows the turbulent events that have happened in the Mediterranean Sea from the Roman Empire to the present day. David Strong of Criterion Films is the distributor.

Pick Louisville Receiver

LOUISVILLE, Oct. 4.—Morris W. Jones has been named receiver for the National Theatre Bldg. by U. S. District Judge Hamilton. The appointment was made on application of Abe Bass, owner, after the Title Insurance & Trust Co. had threatened to foreclose.

"100 Men" Tops Box-Office Grosses in Key City Spots

(Continued from page 1)

Fox. "Dead End" went well over par, and "Stella Dallas" was in the running.

A Bowes unit on the stage of the Lyric in Indianapolis assisted the film, "Back in Circulation," to draw down top money, $11,200, better than $3,000 above average. "Big City" and "The Girl Said No" made a good dual at Loew's, in a week in which all first run takes were good.

Philadelphia was generally weak, only two films making good, "Life of the Party," aided by Mal Hallett's orchestra at the Earle, taking $18,500, and "Dead End" in its second weeks at the Aldine. Both went well over average, but were unique in that respect.

"100 Men and a Girl" led the way in San Francisco, going $8,700 over par to $16,700 at the Orpheum, in a week that was generally quiet. "Walter Wanger's Vogues of 1938" was the only other film to better average.

Deanna Takes Montreal, Too

In Montreal also, "100 Men and a Girl" took the lead at Loew's, grossing $13,500, over par by $5,500. For the first time in years at the house, the film was held. "Broadway Melody of 1938" and "Lost Horizon," the latter in its second week, held up well.

"Souls at Sea," plus Ina Ray Hutton and her band, turned in a good $21,600 at the Earle in Washington, and the bill was booked into the Metropolitan. "Thin Ice" and "Dead End" did their share of the business.

"Double or Nothing" was the only film which managed to reach par in either St. Paul or Minnesota, that film hitting $5,500 at the Paramount in St. Paul.

Oklahoma City's grosses were led by "Souls at Sea" at the Midwest, which went over average by $1,100, reaching $5,100. "Wife, Doctor and Nurse" at the Criterion was the only other film to better par.

"That Certain Woman" and "Marry the Girl" took $6,700 at the Roger Sherman in New Haven, over average by $2,100. "Thin Ice" and "You Can't Buy Luck" at Loew's Poli were good for $9,000, over par by $1,000.

High, Wide Strong in Denver

"High, Wide and Handsome" led the Denver grosses at the Denham in a generally good week, taking $7,500, over average by $2,500. "The Prisoner of Zenda" did well with a take of $3,000, $1,000 over par in its second week at the Broadway.

Chicago's gross parade was led by "That Certain Woman," which took $30,000 at the Oriental, $12,000 over average. "Thin Ice" hit a good $20,000 at the Roosevelt, over par by $9,500, and "Big City" at the United Artists was over average by $5,000 on a gross of $16,000.

In Pittsburgh, "100 Men and a Girl" topped the list with a splendid $14,750 at the Alvin, over average by $9,250. "Life of the Party," aided by Horace Heidt and his orchestra on the Stanley stage, was good for $28,000.

Milwaukee Likes "100 Men"

Milwaukee grosses were topped by "100 Men and a Girl," which took $8,500 at the Warner on a dual with "Back in Circulation." "Lost Horizon" went slightly over par but the rest were weak.

In Cincinnati, "Thin Ice" led the march, taking $13,500 at the RKO Shubert, which was $1,500 over average. The film was held. "Big City" was strong at the RKO Palace, and "100 Men and a Girl," in its third week, equalled par with $2,750.

Bank Night Hearing Set

BOSTON, Oct. 4.—Friday has been set for the hearing of the Bank Night lottery charges in the Sixth District Court in Providence. M. J. Hurney, Bank Night salesman, is out on $500 bail until that time. Hurney is charged with the physical operation of Bank Night in a Greater Providence Market. Bank Night has its cash plan running in a number of New England stores.

Mersereau to Lasky

HOLLYWOOD, Oct. 4.—Jack Mersereau, who has just completed the story for a second edition of "Artists and Models" at Paramount, has joined Jesse L. Lasky's staff at RKO as assistant on stories.

Sold to Asher

Front Page Prod. has sold New England rights to "Thunder Over the Orient," to Harry Asher.

Southern Group Hits Black-White Mixing

(Continued from page 1)

H. Baker, Macon, Miss., vice-president of Tri-State.

Ed Kuykendall, president of the M.P.T.O.A., promised to lay the matter before the producers at an early date. Several members had threatened to cancel the offending films.

R. X. Williams, mayor of Oxford, Miss., was re-elected Tri-State president and Y. D. Moore, McKenzie, Tenn., secretary and treasurer. Others elected were: Baker, Norman and W. F. Ruffin, vice-presidents, respectfully, of Mississippi, Arkansas and Tennessee; Lightman, chairman of the board of directors. Arkansas directors: Henry Sanders, Little Rock; Cecil Cupp, Arkadelphia; L. F. Haven, Forrest City; W. L. Landers, Batesville; M. S. McCord, North Little Rock; Ray Morrow, Malvern, and Sidney Wharton, Warren. Mississippi directors: W. S. Tyson, Water Valley; W. A. Rush, Houston, and H. J. Williams, Grenada. Tennessee directors: E. L. Drake, Jackson; Tom Ballas, Memphis, and Colonel Cecil Vogel, Memphis.

Leaders of the independent Arkansas T.O.A. were active in the convention for the first time since the formation of their organization. Speakers included O. C. Lam, Rome, Georgia, and L. C. Griffith, Oklahoma City, both M.P.T.O.A. board members.

A banquet held tonight closed the two-day session.

Norman stated that the next convention will be held at the Marion Hotel, Little Rock, on Nov 7-8.

No Price Hike in Milwaukee

MILWAUKEE, Oct. 4.—Exhibitor groups meeting here today took no action on the proposal calling for a general increase in admission scales.

Thau, Sidney on Coast

HOLLYWOOD, Oct. 4.—Benny Thau and Louis K. Sidney will arrive by train from New York tomorrow.

Wall Street

Board Gains Fractional

	Open	High	Low	Close	Net Change
Col.	20	20½	20	20	+ ¾
Cons.	2¼	2¼	2¼	2¼	.....
Cons., pfd.	9¼	9¼	9¼	9¼	+ ¼
E. K.	174½	174½	174½	174½	— ½
G. T. E.	19	20	19	19	+ ½
Loew's	71	72⅜	69⅝	70	—1
Para.	17⅞	18¼	17¾	17¾	— ¼
Para. 2 pfd.	16⅛	16⅜	16	16⅛	.....
Pathe	7⅞	8¼	7¾	7¾	— ¼
RKO	6⅜	6½	6¼	6¼	.....
20th-Fox	29¾	30	29½	29¾	— ⅛
20th, pfd.	37¼	37¼	37¼	37¼	— ¼
Warner	10⅞	11⅛	10⅝	10⅝	.....

G. N. Lone Curb Advance

	Open	High	Low	Close	Net Change
G. N.	2⅛	2⅛	2⅛	2⅛	+ ⅛
Sonotone	1⅞	1⅞	1¾	1¾	— ¼
Tech.	25⅞	26	25½	25¾	— ⅛
Univ.	4⅛	4⅛	4	4	.....

Paramount Bonds Up ¼

	High	Low	Close	Net Change
Keith B. F. 6s '46	95¾	95½	95½	— ½
Loew's 6s '41 ww deb rights	99⅜	99	99	.....
Paramount B'way 3s '55	67½	67½	67½	+ ¼
Paramount Pict. 6s '55	100	99¾	99¾	.....
Paramount F. L. 6s '47	85½	85	85⅛	— ⅛
Warner Bros. 6s '39 wd	87¼	87	87	— ¼

(Quotations at close of Oct. 4)



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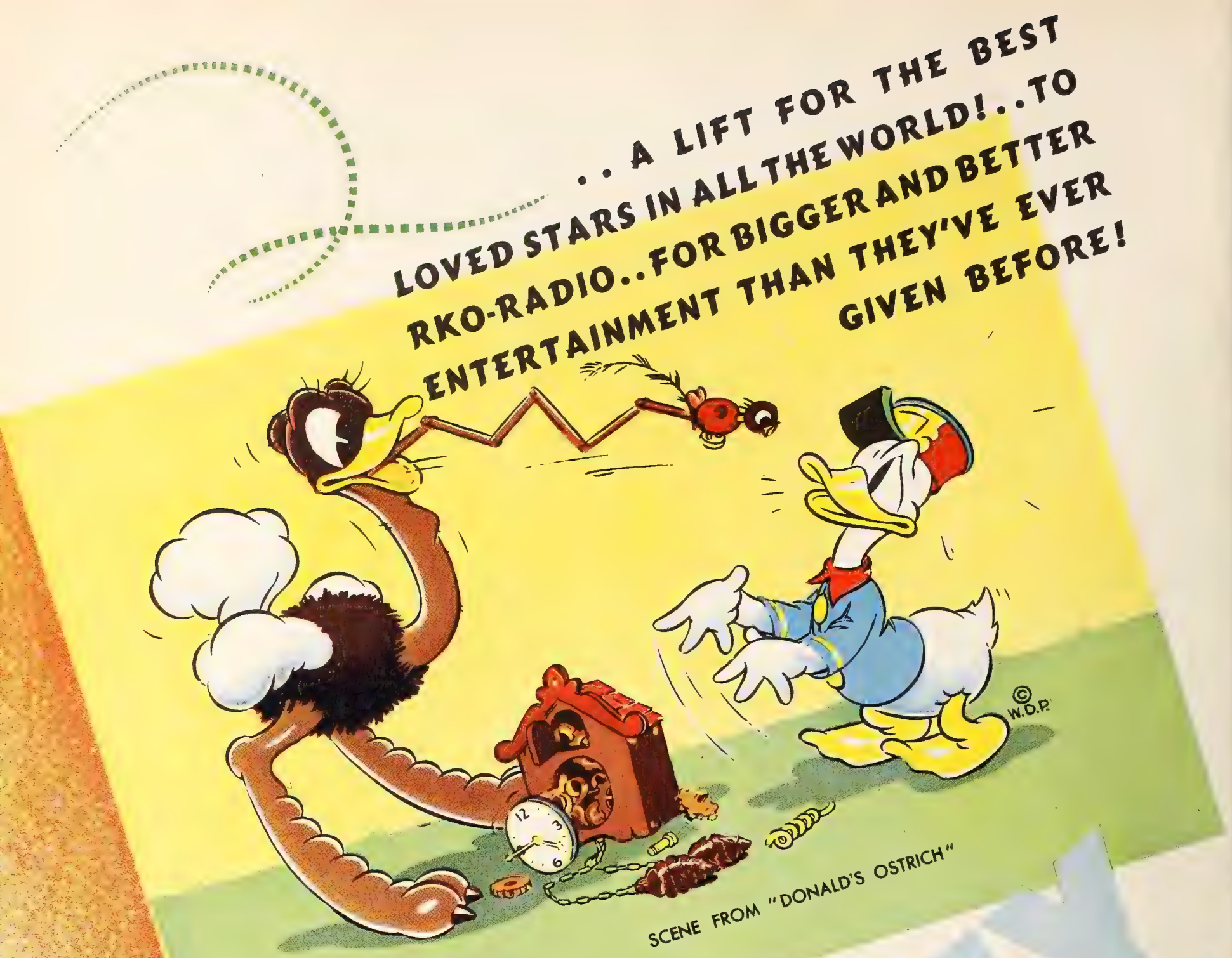
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"PLUTO'S QUINPUPLETS"
"THE OLD MILL"
"DONALD'S OSTRICH"
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PICTURES

DISNEY PRODUCTIONS

LITHO U.S.A.

Selznick to Talk Future Lineup Here

(*Continued from page* 1)

George Cukor, who will direct "Gone with the Wind," Myron Selznick and Bobbie Keon, production secretary of Selznick International. David Selznick and Cukor will confer with Sidney Howard, the playwright and writer, on the second draft for "Gone With the Wind." The first one, completed by Howard, apparently requires certain changes to conform with a number of ideas Selznick has in mind for the picture.

Asked if reports that Paulette Goddard had been cast for the role of Scarlett O'Hara, Selznick declared that this was not so, adding that Miss Goddard had not even been tested. The producer stated he had no one in mind for the role, as yet, but may cast someone while in New York.

Two pictures recently completed by Selznick International for U.A. release are "Tom Sawyer" and "Nothing Sacred." The producer did not mention the other two which are to wind up his current U.A. pact.

Asked if he would continue to release through U.A., Selznick said, "I have no idea what's going to happen. Further than that I have nothing to say."

Met by Calvert, Beck

Lowell Calvert, eastern representative for Selznick International, and Meyer P. Beck of the U.A. publicity department were at the station to meet Selznick. He seemed tired from the trip and declined to have pictures taken.

Reports concerning the signing of Paulette Goddard were also denied by Selznick on his stopover in Chicago and by the publicity department of his company in Culver City. The joint denial said: "Regardless of attempts of various persons to hoist themselves to prominence on the shoulders of Scarlett O'Hara, I can unequivocally state no one has been selected, much less signed, for the role in 'Gone with the Wind.' George Cukor and I will continue our search for Scarlett in New York."

In Chicago, Selznick added that he planned to start making tests for the Scarlett O'Hara player about Nov. 1.

"So far there has been no casting for the film," he said, and he added he expected that "someone with film experience would be necessary for the part of Scarlett."

Para. Settlement Before Court Soon

(*Continued from page* 1)

Clark, Buckner & Ballantine, trustee's attorneys, and is now being studied by attorneys for the numerous defendants in action. This checkup by the defense attorneys should be completed by tomorrow, it is expected, thus permitting filing of the petition late this week. Judge Coxe will set a date for a hearing on the petition and, if approval is granted thereafter, the trustee's suit, which has been taken off the N. Y. Supreme Court calendar, will be formally withdrawn.

MPPA Urges Extended Ban On Song Plugs

(*Continued from page* 1)

incorporated to abate their radio plugging activities, delivered by Arthur F. Fishbein of the Southern Music Publishing Co., there was no criticism of the proposed code, which will be considered by the F.C.C. and, if approved, offered the individual members of the industry for adherence.

Because of the fact that the Robinson-Patman Act prohibits secret rebates or discounts and other practices which amount to price discrimination and therefore such matters no longer need be considered in a code, the discussion today was confined to the situation of the music industry resulting from paid plugging.

It was explained by John G. Paine, executive chairman of the M.P.P.A. board that the association has found it impossible to eliminate paid plugging by agreement and has found it necessary to appeal to the Federal Government to outlaw the practice, having in mind the success of the code adopted under the N.R.A., which was not once wilfully violated during its life.

Music Importance Cited

Paine pointed out that the music industry is vitally important to the film and radio industries, without which they could not exist, and declared there is a greater demand for music today in this country than ever before in history.

A number of prominent publishers supported Paine, Edward B. Marks, of the E. B. Marks Music Corp., declaring that since the passing of the N.R.A. the industry has gradually been tending toward chaos and the situation has been made more acute by the almost unbridled plugging of mediocre music over the radio.

Attributing the present situation to the picture producers, Fishbein told the conference the proposed code should be strengthened so as to control the plugging activities of the film industry. He pointed out that the producers use radio to advertise forthcoming musicals, by plugging songs from the film or a song written around the title of the picture. Most of the music emanating from Hollywood, he said, is of poor quality.

Admitting that it might be helpful if something could be done to control the film songs, Judge McKee explained that the association had gone as far as it thought possible under the law, and suggested that if the code were approved by the commission it might be feasible later to give attention to the picture music situation.

Golden's Father Dies

Funeral services were held Sunday for Morris Golden, father of Gilbert Golden of Warners advertising department, who died suddenly on Friday. Burial was in Cedar Grove Cemetery.

Mrs. Alexander Dead

Natalie Alexander, wife of William Alexander, independent distributor, is dead at Long Beach. Mrs. Alexander at one time was prominent on stage.

Harms Seeks Ending Of Suit Over Music

Harms, Inc., music publishers, will ask N. Y. Supreme Court Justice Robert McLaughlin on Thursday to dismiss the $100,000 suit of April Productions, Inc., on the ground that the complaint fails to state a cause of action and that the court lacks jurisdiction.

The complaint is based upon a contract made in 1924 between Harms and the Shubert Theatres Corp. under which Harms received exclusive rights to publish and exploit nine songs from the "The Student Prince" with a 50-50 division on the profits. Shubert Theatres later assigned its rights under the contract to April Productions. It is alleged that Harms has been receiving royalties from Ascap for radio privileges, although at the time the contract was drawn no provision was inserted covering radio rights. Besides damages the plaintiff also asks that the contract be rescinded and a permanent injunction issued to restrain Harms from disposing of radio rights of the songs.

Directors of MPPDA May Meet Oct. 14

(*Continued from page* 1)

that approximately 600 subjects suitable for classroom use have been selected by the organization's reviewing committee from the 1,500 or more films which were made available to it, is regarded as the principal subject for discussion at the meeting. Changes in the association's regulations governing the release of registered titles within a certain period following registration may also be considered by the meeting.

Guild Hearing Told Of Raw Stock Sales

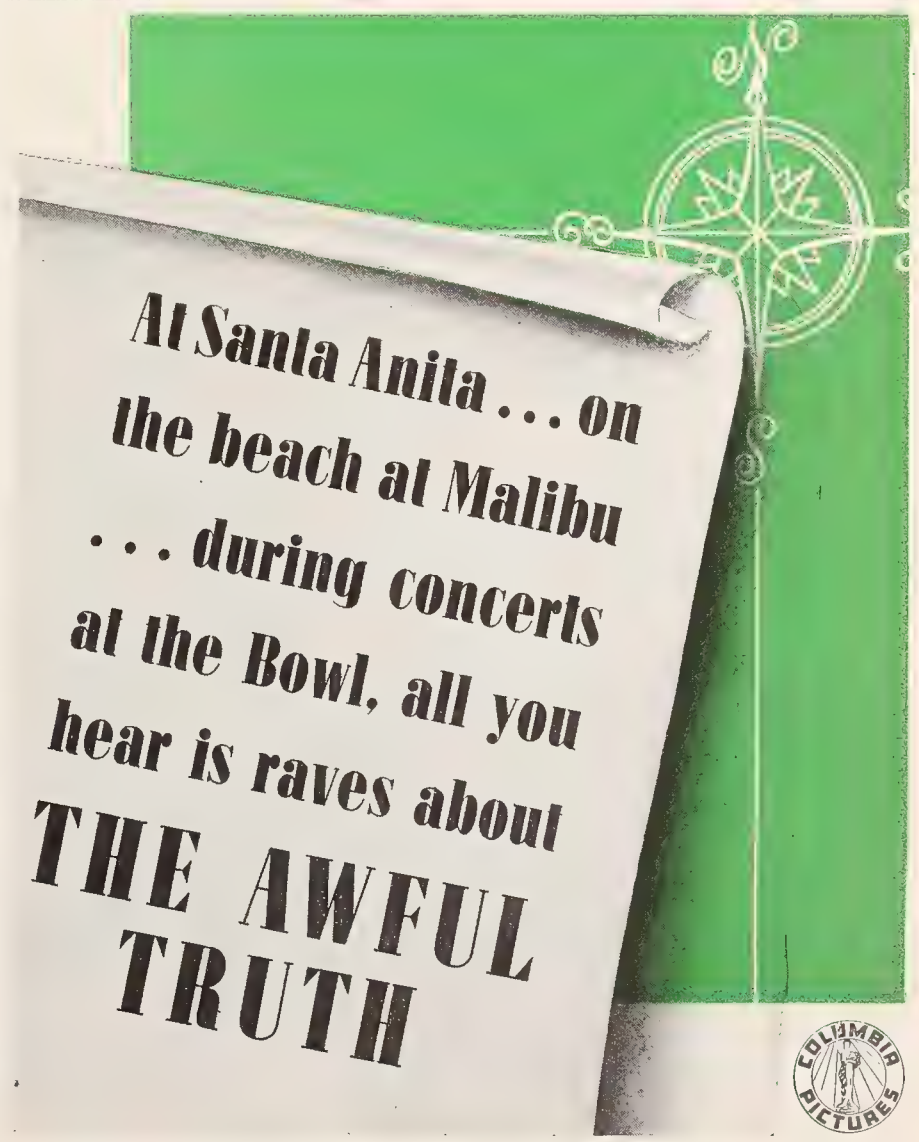
(*Continued from page* 1)

veal the exact amount of footage of raw negative and positive film sold each company. Present were representatives of J. E. Brulatour, Inc., Eastman distributor; C. King Charney, Inc., Agfa distributor, and Smith & Aller, DuPont distributor.

The first witnesses were Edward O. Blackburn, Brulatour vice-president, and Gertrude Nestel, his assistant. Blackburn said that the Eastman weekly sale of sound film equals 1,000,000 feet and the weekly sale of print positive equals 8,000,000 feet. Miss Nestel declared that M-G-M is by far the greatest user of Eastman negative and positive, in a year buying 9,966,000 feet of negative and 155,716,000 feet of positive. Agfa sales were detailed by Margaret Hower, office manager for Charney, and Dupont sales by John W. Smith of Smith & Aller. G. M. Frink of Eastman Kodak Stores, Inc., sketched the total amount of business in photographic supplies. I. S. Brown, salesman for the E. K. Wood Lumber Co. declared the producing companies annual purchases of lumber amount to approximately $160,000.

During the afternoon, representatives of metal and glass companies submitted figures on sales volume.

At the conclusion of today's proceedings, Walsh stated that he will go into the matter of gross income and revenues tomorrow and that the board's case will end on Wednesday with an attempt to establish that writers are employes by Wagner Act standards. Leonard Janofsky, attorney for the Guild, will then have his opportunity to present the petitioner's side of the controversy.



FCC Hearing Schedule Is Set for Week

WASHINGTON, Oct. 4.—The F.C.C. has disclosed its calendar of hearings for the current week, as follows:

Today, before an examiner—Applications of Keystone Broadcasting Co. for a 1,250-kilocycle, 250-watt daytime station at New Castle, Pa.; WKAR, East Lansing, Mich., for increase of power from 1,000 to 5,000 watts; and WLVA, Lynchburg, Va., for change of frequency from 1,200 to 1,390 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts.

Oct. 6, before an examiner—Applications of William C. Smith for a 1,310-kilocycle, 100-watt station at Bogalusa, La.; Larry Rhine for a 980-kilocycle, 250-watt daytime station at San Francisco; and KMLB, Monroe, La., for change of frequency from 1,200 to 620 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts; KQW, San Jose, Cal., for increase of day power from 1,000 to 5,000 watts; and KRRV, Sherman, Tex., for change of frequency from 1,310 to 1,450 kilocycles and increase of power from 250 to 500 watts.

To Hear Pacific Unit

Oct. 7, before the broadcast division—Applications of Pacific Acceptance Corp. for a 1,200-kilocycle, 100-watt daytime station at San Diego; Smith, Keller & Cole for a 1,200-kilocycle, 100-watt daytime station at San Diego; Lillian E. Kiefer for a 1,500-kilocycle, 100-watt station at Brooklyn; Paul J. Gollhofer for a 1,500-kilocycle, 100-watt station at Brooklyn.

Oct. 7, before an examiner—Applications of M. M. Valentine for a 1,500-kilocycle station at Laredo, Tex., 100 watts night, 250 watts day; and WEED, Rocky Mount, N. C., for change of frequency from 1,420 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts.

Oct. 8, before an examiner—Application of WRVA, Richmond, for increase of power from 5,000 to 50,000 watts.

Oct. 9, before an examiner—Applications of Lawrence K. Miller for a 930-kilocycle, 250-watt daytime station at Pittsfield, Mass., and WELI, New Haven, for change of frequency from 900 to 930 kilocycles and increase of time to operate nights with 250 watts power.

G.N. Plans to Put "Renfrew" on Air

HOLLYWOOD, Oct. 4.—Grand National is the latest production company to make plans for an air presentation. A print of "Renfrew of the Royal Mounted," recently completed feature with James Newill, radio singer, in the title role, has been shipped to New York for submission to a possible sponsor to return the serial to the air.

The plan is to sell the idea of the serial, once sponsored on CBS, to a new advertiser, and offer with it the services of Newill, now under contract to Grand National for the remainder of the "Renfrew" series.

Under the plan, the radio show would originate from the Grand National lot here, and have the cooperation of Grand National executives. If the unnamed sponsor approves the plan, plans to exploit other lot talent either on the "Renfrew" air show, or in another radio program, will be worked out.

Newill has a wide following on the coast by virtue of his singing and acting on the radio for several years. He made his film debut in "Renfrew of the Royal Mounted."

Martin's Mother 75 Today

PITTSBURGH, Oct. 4.—Mrs. Anna Mary Martin, mother of Darrell Martin, *Pittsburgh Post Gazette* radio editor, will celebrate her 75th birthday tomorrow. Martin, as usual, will dedicate his column to "Anna Mary," using her picture instead of his own. Mrs. Martin knows most of the radio celebrities, having entertained many of them.

"Deadline" to Go on WNEW

"Deadline," a news broadcast, will be presented over WNEW Wednesdays and Fridays at 8:45 P.M., beginning tomorrow. The broadcast will be presented by George Clark, city editor of the *New York Mirror,* and Dave Charney, a *Mirror* reporter. Charles Martin, producer of the Philip Morris programs, will direct the series.

Add Transcription Clients

New NBC transcription service clients include CJAT, Gallup, N. M.; CB-57, Santiago, Chile; and TGW, Guatemala City, Guatemala.

Renewal clients include KEOB, Price, Utah; KYOS, Merced, Cal.; KGKY, Scotts Bluff, Neb.; KRBC, Abilene, Tex.; WNBH, New Bedford, Mass.; KOMO-KJR, Seattle, and KFI-KSCA, Los Angeles.

Gilman "KFSD-Day" Speaker

SAN DIEGO, Oct. 4.—Don Gilman, vice-president in charge of the western division of NBC, will fly to San Diego to be the principal speaker at a "KFSD-Day" luncheon Wednesday.

W2XGB to Get World Series

Mutual will feed the World Series games to the Press Wireless short-wave station W2XGB, for European transmission.

Goldfish Stuff

Milwaukee, Oct. 4.—What is said to be the city's first commercial of its kind is being broadcast each Saturday and Thursday, 1:15 to 1:30 P. M., C. S. T., over WTMJ directly from the show windows of the sponsor. Bitkers Ready-to-Wear shop. The program, "Melody Window," features Paul Skinner, accompanied by Jerry Beisen and his accordion.

Canada May Reduce Politics on the Air

MONTREAL, Oct. 4.—A move to limit the number and length of political speeches on the air during election campaigns will almost certainly be made at the coming session of the Federal Parliament.

Discontent over the monopoly of the airlanes by parties during the last federal election and the present provincial fight in Ontario, is believed to have fostered a movement to wipe out such conditions.

The regulations to cover such broadcasts, it is believed, will be modeled on the system now in use by the British Broadcasting Corp., which has met with the approval of public and politicians alike. Overseas each party chooses a spokesman who is permitted to make a campaign opening address and another at the close of the drive, thus pruning all the repetition otherwise included.

Various politicians in both federal and provincial fields here are believed willing to back such limitation.

E. C. Wooley Returns to NBC

Easton C. Wooley, who resigned from the NBC station relations staff last year to become manager of WWJ, Detroit, has returned to his old position with the network following his recent resignation in Detroit.

Dick Anderson of the NBC station relations staff here has resigned.

Start Children's Series

A new children's script series, "Jolly Joe," will be offered over Mutual stations CKLW, WCAE and WGN Mondays, Wednesdays and Fridays from 5 to 5:15 P. M., beginning Nov. 1. Coco Wheaties will sponsor, through Rogers & Smith, Chicago agency.

Report Davis Joining NBC

Blevins Davis of the Yale University drama department has been added to the education department of NBC in New York, according to report. The NBC education department would not verify the report, however. Davis was the NBC expert in London during the Coronation.

Reviews of Air Shows as Fall Season Advances

"Hollywood Playhouse"

Sunday night listeners, already fortunate in having a choice of the best programs on the air, gain still another in the new Jergens-Woodbury series, "Hollywood Playhouse," which features Tyrone Power in air adaptations of stage plays, pictures, and original stories. The initial vehicle was "Her Cardboard Lover." Margaret Sullavan was heard in support of Power.

The "famous son of a famous father," as he was characterized in a between act talk by Darryl F. Zanuck, vice-president in charge of production for 20th Century-Fox, Power soon should have the girls who listen to radio just as ga-ga over him as their sisters of the film houses. Aided and abetted by a charming story and given excellent support by Miss Sullavan, Tyrone devastated the mike with a great characterization of a love-smitten swain who, to save the mysterious lady of his adoration from returning to her former husband, becomes her "cardboard lover." It's light, frothy and amusing stuff, the kind that lends itself beautifully to the microphone. Miss Sullavan was no less attractive than Power. The sponsor should team up this pair often in the future. The adaptation, by Edith Meister, was exceedingly good.

Zanuck repeated the now familiar and Horatio Algerish story of the discovery and rise of Power to screen fame and discussed briefly the rapidly strengthening alliance between screen and radio.

"Hollywood Playhouse" is sponsored by the Jergens-Woodbury Co., over the NBC-Blue, from 9 to 9:30 P.M., Sundays. Lennen & Mitchell is the agency.

BANNER

Jack Benny Show

Radio's most popular comedian reappeared Sunday night to begin a new season on the Jello program in his accustomed spot on WEAF and the NBC Red from 7 to 7:30 P.M. The program was marked by the familiar brand of kidding and clowning that has made Benny and his able staff the tops in radio comedy these several seasons. Obviously, there is no nee yet for a change in the formula which has proved so popular in all sections of the country.

It was natural that Mary Livingstone's and Jack's summer vacation in Europe should provide much of the framework on which depended ma of the laughs of this re-opening program. That trip even inspired Mary to poetry which she dutifully contributed to the program. Kenny Baker, as soloist and comedian, is as good as ever in both roles, and Andy Devine, also, is back contributing his simple fun to the laugh-feast. Phil Harris and his orchestra again reported for duty, but under embarrassing circumstances. Abe Lyman, whose band played Benny's last three programs before the summer adjournment, reappeared Sunday night to complicate things by claiming to have a contract for the new season. The evening was complete with Benny's mention of Fred Allen late in the proceedings.

Don Wilson does the announcing, still seemingly getting as big a kick out of the proceedings as any member of the audience.

K.

General Motors Concert

Although the ambitious plans for the resumption of the General Motors Concert, Sunday night, on the NBC-Blue went awry in several important particulars, the program took the defections in its stride and by the excellence of the materials at hand provided a tasteful, distinguished musical hour.

The advance announcements related

(*Continued on page 9*)

Reviews of Air Shows as Fall Season Advances

General Motors Concert

(*Continued from page* 8)

that the full roster of musical artists who will appear on the program this season would be heard during the opening session from 8 to 9 P.M. This was to have been accomplished by cutting in Erna Sack and Jussi Bjoerling from Stockholm, Richard Tauber from England and Helen Jepson and Grace Moore from Hollywood on the program being broadcast from Carnegie Hall, New York, where were Maria Jeritza, Donald Dickson, Joseph Schmidt, Erno Rapee and the G. M. Symphony Orchestra and Chorus. However, it was stated early that "due to circumstances over which we have no control" the two Swedish songstresses would not be heard. Cables from these two artists expressing their regrets were read. They are scheduled to arrive in New York in two weeks.

The defection which prevented Tauber from being heard, apparently, was unexpected. Milton Cross, announcer and master of ceremonies, prepared the audience for Tauber's appearance, then after a moment of silence on the air, returned with an apology that because of "conditions over which we have no control" Tauber would not be heard. The tenor spoke later in the program.

Miss Jeritza and Dickson contributed solos and then returned in a duet from Mozart's "Don Giovanni." Miss Jepson and Schmidt completed the vocal sections of the program. Miss Moore merely greeted the audience, mentioning that she would appear on the program three weeks hence. John B. Kennedy spoke briefly. His topic was "The Parade of Scientific Progress." K.

Joe Penner Show

Joe Penner, minus the duck but still bearing with him the old familiar catch phrases, returned to his old stand on CBS for Cocomalt Sunday night, and lots and lots of kiddies, who may not cry for the sponsor's product but who do cry for Joe, will be happy the coming winter months.

The "Park Ave. Penners" again serve as the motif for the story. Prodigal Joe returns to the old homestead to find a career as a stock salesman mapped out for him by his father. Joe, thereupon, hawks his stocks on the street corners and, when he is questioned about this by a passerby, answers: "Why not sell stocks on street corners? They sell 'em on the curb, don't they?" That's a fair sample of the script.

Between gags Jimmy Grier's band and Judy Gibson and Gene Austin, vocalists, take the mike. The series is broadcast Sundays from 6 to 6:30 P.M. Ruthrauff & Ryan, the agency. BANNER

Phil Baker Show

Among the popular Sunday evening programs which were resumed this week after the summer recess was the Gulf Gas show, featuring Phil Baker and his stooges, who reappeared on WABC and the CBS network for the 7:30 to 8:00 P.M. period. The show followed the same pattern of comedy, music and song employed by Baker last season and, in this listener's opinion, was neither better nor worse for the summer lay-off. Which makes it a sprightly enough offering anyhow.

Bottle and Bettle are back on the program in their familiar roles. In addition, the opening program offered Patsy Kelly, Hollywood comedienne Oscar Bradley, conductor, and Alfred Garr, a soloist with a pleasing voice, whose Sunday night performance was his first on the air, Baker said in introducing him.

The comedy was highlighted by parody on a scene from the film "Dead End," which consumed almost all of the latter half of the program Incidentally, it brought mention on the program not only for the picture bu also for Samuel Goldwyn, its producer, whom Baker described as "my boss." Other "mentions" included i the program were NBC's Jack Benr and the Packard Motor program. K.

"Seein' Stars in Hollywood"

With a variety of popular names promised each week, this program, which takes the air Sundays from 7:30 to 8 P.M. over WJZ and the Blue network, has the possibility of being a strong competitor to other shows during the same period.

For the initial lineup, Feg Murray, who does a syndicated cartoon strip which bears the name of the show, had Walt Disney and Richard Arlen as guests. Regular standbys are Ozzie Nelson and his orchestra and Harriet Hilliard. Next week, Pandro Berman and Sonja Henie are slated to top the list.

In introducing Arlen, Murray gives a flash-back story on incidents which led to his entrance into pictures. He was driving a motorcycle, his first day on the job, when he crashed into the Brunton studio gates. The casting director saw possibilities in him, offered the $18-a-week-delivery man $150 and Arlen headed for fame.

Disney seemed to get a great kick out of the interview by Murray. He cracked wise several times. Disney, according to Murray, is head of a $20,000,000 company now. He came to Hollywood nine years ago with $45 in his pocket and drew the first Mickey Mouse cartoon in his garage. Disney said that if one animator were to work on a short, it would take him five years to do the job. And if one man alone worked on "Snow White and the Seven Dwarfs," the premiere would be held in 2,167. About 2,000,000 drawings have been made for the picture and, if put end to end, would stretch from New York to Pittsburgh.

Fleischman's Yeast for bakers is the sponsor through J. Walter Thompson. Nelson's first number was "Music in Brown." Then followed the Arlen introduction. Next was Miss Hilliard singing "In Our Penthouse on 3rd Ave." Nelson then sang "Remember Me." Disney then came on and Nelson finished with "Me, Myself and I." O.

"Silver Theatre"

These are lush days for screen actors and actresses, who are doubling in radio harness to the anguish of the legitimate radio names. This is by way of being a preamble to a discussion of the new International Silver Co. series, "Silver Theatre," which features Jimmy Stewart and Rosalind Russell.

The opening story, an original, is titled "First Love." It is to be offered in four installments. Whether consciously or not, the story is enough like "A Star Is Born" to be almost an exact carbon copy of the latter, save for a few minor variations. Jean Wilson, played by Miss Russell, goes to Hollywood at the invitation of a "quickie" company. Her test is a failure. Down the ladder she goes progressively, as a model, sales girl, and finally, as was to be expected, as a waitress. Follows a fade-in to the office of Martin Rickey, head of Superba Prod., where a stormy scene involving the star of Superba, Trista Lane, and the press agent, Jimmy Parks, played by Stewart, is enacted. As a consequence of the argument, Jimmy is fired.

To cut corners, Jimmy meets Jean in the restaurant where she serves hash, invites her to attend a premiere of a picture with him, and introduces her over the air as a new glamour girl. The future episodes do not promise to hold much mystery.

Despite the obvious story, the play was made somewhat enjoyable by the portrayals of the two principals, and the excellence of Conrad Nagle as "em cee."

"Silver Theatre" is presented Sundays over CBS from 5 to 5:30 P.M. International Silver sponsors through Young & Rubicam. BANNER

"Your Birthday Party"

David Ross, Freddie Rich and h orchestra, the Eton Boys and Ruth Carhart all combine to make this show entertaining. It's novel in a way, with the audience participating in several of the vocal choruses, thereby giving th show an intimate touch. The progra is on from 8:30 to 9 P.M. Sundays

Ross does a ventriloquist act wit a dummy named Soyna and even goes so far as to impersonate a Russian He got over nicely with a voice tha registers well.

The first number by the orchestra and audience was "Happy Birthday to You," followed by Miss Carhart singing "Love's Old Sweet Song" and the audience assisting in the chorus. Bill Cook impersonated several characters The orchestra played another son without announcing the name and followed with "He's a Jolly Good Fellow." The Eton Boys sang "No, No, 1000 Times, No," and got a big hand. They deserved it. Miss Carhart's last number, "Yours and Mine" climaxes the show.

Unsponsored, the show is heard over CBS. O.

"Metropolitan Auditions of the Air"

"A search for opera stars of tomorrow" as the sponsor says in the blurb, effectively describes this program. Various applicants of both sexes come up to the microphone and offer their talents in competition for the semi-finals which will land them at Johnson's 40th Street opera house. The series is a stand-pat favorite.

The music involved in the proceedings ranged from the accepted operatic composers to Rimsky-Korsakof and Sigmund Romberg. The program is interesting from the viewpoint of observing talent in its embryonic stage.

Sherwin-Williams, the paint company, sponsors "Metropolitan Auditions of the Air." It is offered over the NBC-Blue network on Sunday from 5 to 5:30 P.M., through Cecil, Warwick and Legler. P.

"Time of Your Life"

The "Time of Your Life" is a standard variety production, no better nor worse than most of the similar periods on the air. Sheila Barrett is starred. The support includes Joe Rines' orchestra, a singing group introduced as the Campbell Royalists, and Graham McNamee as "em cee."

Miss Barrett offered a familiar, but well-done, impersonation of the fluttery-voiced Ed Wynn, and a skit titled "Experience," in which she played the part of a faded actress who has applied for a role in a forthcoming production. To the query, "What experience?" she reviews her career via a flashback, from its beginning in burlesque, up to vaudeville, her success on Broadway, and then the decline, which brings her back to the present quest for a job.

The orchestra and chorus offered a medley from "Hit the Deck," "You Can't Have Everything," and "Bambalina." Gruen Watch Co. sponsors, Sundays from 5:30 to 6 P.M. on the NBC-Red. McCann-Erickson is the agency. BANNER

"Singing Lady's Music Plays"

The dramatization of Giuseppe Verdi's early life and his great love for music is a fine piece of work for both Irene Wicker and Milton Rettenberg, the latter handling music interpolations. The story of Verdi's father and mother making a sacrifice to buy the boy a spinnet at the age of seven and how the organist, Giuseppe's teacher, realizing the uncanny ability of the youngster, quits his job at the village church so that the enterprising composer may find a means of earning enough money to further his inclination was worthwhile from all angles. Music lovers will find enjoyment from this series.

Next Sunday, over WOR from 5 to 5:30 P.M., Kellogg's will present the second in the series, that of Verdi and how he came to compose "Il Trovatore." N. W. Ayer and Son, Inc., the agency. O.

"The Week in the Theatre"

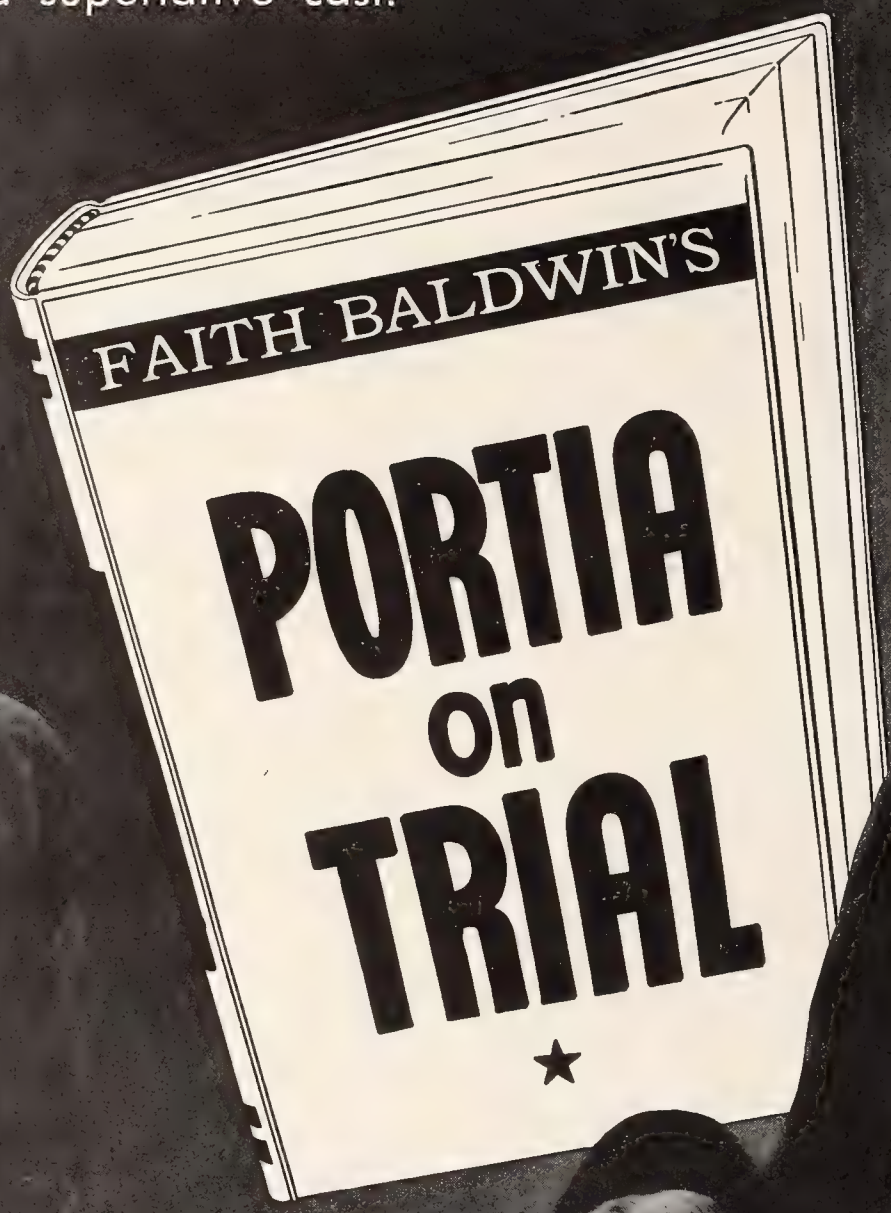
John Gassner, drama critic of *The Forum* and head of the play reading department of the Theatre Guild, gave the first of a series of weekly talks on the Broadway theatre over WQXR last Saturday. The program, featuring Gassner, will be offered as a studio presentation by the Interstate Broadcasting Co. every Saturday from 5:45 to 6:00 P.M.

In his opening program Gassner, after appraising briefly the last Broadway season and the current one thus far, offered the conclusion that the stage needs "life" to keep it from being banal. Some one should remind him, for the benefit of his future talks, that the same conclusion can be applied to radio programs. Not only did his material have the dullness of a classroom lecture but the delivery as well was faltering and uninspired. K.

"...but for the Grace of God, there sit I, Portia Merriman, facing a verdict of life or death!"

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 82 NEW YORK, WEDNESDAY, OCTOBER 6, 1937 TEN CENTS

Not to Renew Hoyts-Union Circuit Deal

Greater Union Finances Sound, Says Rydge

By CLIFF HOLT

SYDNEY, Sept. 15 (*By Air Mail via London*).—"Greater Union Theatres will not renew its association with General Theatres Corp. On and after Dec. 31 it will definitely operate as an entirely independent circuit."

That declaration by Norman B. Rydge, chairman of the board of Greater Union Theatres, Ltd., (the present partners with Hoyts Theatres, Ltd., in G. T. C.) apparently ends the speculation as to whether the two companies would extend their five-year agreement upon its expiration at the end of this year.

Rydge's statement is neither confirmed nor denied by Hoyts, and the trade now assumes that the two companies are preparing to re-enter competition with each other with the beginning of 1938.

Speaking at a special function attended by the directors and combined staffs of Greater Union Theatres and

(*Continued on page* 14)

Vancouver Theatres Affected by Walkout

VANCOUVER, Oct. 5.—A strike of the projectionists union called this morning kept four independent theatres dark and forced six other independents to sign agreements granting increased wages. Famous Players Canadian first run houses opened under a 24-hour ultimatum from projectionists, demanding either a two-year agreement granting a 10 per cent

(*Continued on page* 14)

Plan Non-Theatrical Survey Over Country

WASHINGTON, Oct. 5.—N. D. Golden, chief of the film division of the U. S. Dep't. of Commerce has undertaken a survey, designed to ascertain the extent of the non-theatrical film field, working in both 16mm. and 8mm. material.

The survey is being conducted through questionnaires, sent to camera and projector distributors, manufacturers, laboratories, producers and libraries. Information, which is to be

(*Continued on page* 14)

Radio—Pp. 15-16-17

Phila. Exhibitors Hold Their Ground

PHILADELPHIA, Oct. 5.—Philadelphia independents displayed no tendency to meet Paramount through an arbitration committee in an exciting meeting of the United M.P.T.O. today. Lewen Pizor, president, came from a sick bed, and was warmly welcomed. He related opinions of Ed Kuykendall to the meeting in which the M.P.T.O.A. president stated local exhibitors were right in their fight, but suggested the formation of a committee to confer with Paramount.

The concensus of the opinion of the meeting was against such a move. In spite of the alleged bargain prices offered individual exhibitors by the company, the group declared the front was holding and the fight would be

(*Continued on page* 4)

Frels Tells Court Film Supply Ended

DALLAS, Oct. 5.—Ruben Frels was the principal witness today in his anti-trust suit against Jefferson Amusement Co. and major distributors in U. S. District Court.

Frels testified that Jefferson opened theatres in towns where he operated. He said that at first distributors offered him one half of their product, but that as time went along offers diminished until he could get no features.

Most of the morning was spent reading depositions from Richard Potter, former employe of Jefferson.

Balaban Testimony Up in Court Today

A motion seeking the examination before trial of Barney Balaban, Paramount president, is scheduled for hearing today before Justice William T. Collins in N. Y. Supreme Court in connection with the stockholder's action to prevent Paramount from putting into effect the contract voted to Adolph Zukor early in the summer.

The action was brought by Ella Hayim, holder of a small number of

(*Continued on page* 11)

Rose Giving Early Statement on UA

LONDON, Oct. 5.—David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., today told MOTION PICTURE DAILY that he will issue a preliminary statement next week on the deal for the purchase by Goldwyn and Alexander Korda of the U.A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford.

Operation of London Films at Denham will not cease during the six-week trip Korda plans in New York and Hollywood. The definite sailing date for Korda and Rose has not been set.

Victor J. Schochet has been named manager of the new United Artists

(*Continued on page* 14)

Fox Theatres Half Year Loss $13,249

An operating loss of $13,249 for the six-month period ending June 30, 1937, for Fox Theatres Corp. was shown in the statement of operation filed by Milton C. Weisman, equity receiver, in the U. S. District Court yesterday. Since the beginning of the receivership June 22, 1932, operating losses have totaled $479,146. The total deficit for the corporation is $39,575,297.

Total assets, as valued by Weisman, are $8,495,313, but the book value places them at $4,561,281. Weisman

(*Continued on page* 4)

Production Finances At Guild's Hearing

HOLLYWOOD, Oct. 5.—The financial returns and production expenditures of seven production companies were entered today in records of the National Labor Relations Board over the bitter protests of respondent companies' attorneys in the hearing on the Screen Writers guild petition for election as the writers' collective bargaining agency.

Hal Roach was disclosed as expending in production $3,126,784 and

(*Continued on page* 4)

Key City Grosses Fall Off To $1,558,698 After Jump

Key city first run grosses which bounced up to $1,887,424 during Labor Day week continued to decline for the week ending Sept. 24-25. The total was $1,558,698 for 144 first run houses.

This was $328,726 under the Labor Day week high and was also $66,472 below the week ending Sept. 17-18.

The decline was general throughout the country, with the exception of five cities—Denver, Detroit, Indianapolis, New York and Philadelphia.

(*Comparative tabulation on page* 8)

ITOA Seeks Pact to Stop All Giveaways

Pledges Are Sent Out; Circuits Willing

Members of the I. T. O. A. will eliminate giveaways and games on Dec. 1, providing other exhibitors in the territory agree to do the same, according to *The Independent*, the organization's paper, published today.

In an effort to make the move widespread among independent theatre owners, pledge cards seeking support of unaffiliated exhibitors are attached to the publication. Exhibitors who subscribe to the plan will be listed in the publication, *The Independent* article states.

Major circuits for some time have been trying to get independent exhibitors to stop games and giveaways. The article in the exhibitor publication states: "From now on, no one will be able to say it was the other fellow who wanted giveaways; there won't be any passing the buck."

Loew's and RKO have been on record as stating that awards and gifts will be eliminated from their theatres if competitive houses get together and do likewise.

Postpone RKO Plan Hearing to Oct. 28

The RKO reorganization hearing which was scheduled for Oct. 14 to hear the tentative report and recommendations of Special Master Alger on the plan of reorganization for the company was postponed yesterday to Oct. 28. The postponement was requested by representatives of Atlas Corp., proponent of the plan, due to the extension of a European visit of H. C. Rickaby, its reorganization attorney.

Alger's initial report will be subject to further hearings before being put into final form and sent to Federal Judge William Bondy. Many reorganization principals believe that the report will result in numerous changes in the RKO reorganization plan prior to its submission to Judge Bondy for confirmation.

Allied-ITOA Groups To Meet Next Week

Committees of Allied of New Jersey and the I. T. O. A. will meet next week to discuss a merger of the exhibitor organizations. The Allied group met yesterday following the

(*Continued on page* 11)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Jones to Ambassador

Charles Reed Jones has been named publicity and advertising head for Ambassador Pictures in the east by Maurice Conn, president. Ted Richmond continues in charge of publicity for the studio. Conn plans to return to Hollywood in two weeks. A revised schedule of the company's program will be announced today.

Rosoff Joins Garrison

Peter Rosoff, formerly with G.B., has been placed in charge of promotion, sales and distribution of instructional films at Garrison Films.

A short on conditioned reflexes, made with the cooperation of Pavlov, Nobel Prize winner, is scheduled for early release, according to Thomas Brandon, general manager.

Coming Attractions — Theatre Trailer Corporation — Today's Hits Tomorrow
A TRAILER ON EVERY PICTURE
Produced by Experienced Showmen
HOME OFFICE: 630 - 9th Ave., N. Y. C.
ADOLPH POLLAK General Mgr.

Insiders' Outlook

By RED KANN

TEN years ago tonight, the stirrings of wonder and enthusiasm fanned earlier by "Don Juan" because, in part, it talked, blossomed into the genuine article when "The Jazz Singer" opened on Broadway.

Those days linger well in the memory. Will Hays had postponed a trip west to sound-record his message on the future of talking pictures which issued forth from the new and miraculous screen of the Piccadilly Theatre. Harry Warner, only a few days before, had told us he thought we once had sense but that, if ever we did, we seemed to have lodged it in some forgotten mental alley. "Can't you see what this means?," he had urged upon us in his office in the Mecca Building. Like most others then, we did, but then again we were not sure that we did. . . .

▼

It was, however, Jolson in "The Jazz Singer" that swept away all barriers, emphasized the accuracy-to-come with which Sam Warner had been arguing for and about with his brothers and with others from the stage of the old Manhattan Opera House and elsewhere. Certainly, it was "The Jazz Singer" that made a new business of this business and established the priority in commercial pioneering which had marked and checkered the course of the Warner Brothers in this new-fangled thing called talking pictures. . . .

▼

Only ten years. An amazingly short time and, at once, an amazingly long time. Brief as the history of any industry goes, but long and very long indeed in accomplishment. In the confusion that trailed the discovery that films had found tongue and could make fortunes while they did so, the transformation through which the industry was compelled to go eventualized itself into a major operation, performed with skill and enterprise and full restoration of health to the patient.

We suppose in these latter days when silent films are thought about in the same approach as museum pieces, few bother to recall those hectic days when the fight for reproducing equipment raged up and down the land, when the studios stumbled and fumbled over the manner and means of making silent pictures part talkers and part talkers all talkers, when interchangeability fumed and fussed as one of the vital issues of the times. Yet, in its overall aspects, it was a magnificent job of readjustment. . . .

▼

Magnificent, as well, was the speed and the intelligence applied to the learning of the new formula—what it could do and could not and how. Today, when Hollywood is turning out for a contented public, one attraction more worthwhile than the other, time appears to be lacking for a throwback to the dimming days when the history of a new entertainment format within the old was being registered. But because it is a mere ten years, or a fleck on the accumulations of time, there can be nothing remiss, for this once, at least, in fastening attention to the magnitude of a task, gargantuan and overwhelming, but, nevertheless, eminently well done. . . .

Ascap Florida Case Comes Up Next Week

Ascap's petition for an injunction to restrain Florida state officials from enforcing the law barring the organization from operating within the state, which was passed at the last session of the legislature, has been prepared by Schwartz & Frohlich, Ascap attorneys, and will be filed with the Federal court at Tallahassee next week.

The action will be the fourth which the society has advanced this year to nullify measures designed to prevent its licensing activities within individual states. A fifth and final action for this year will be filed later in Tennessee. Hearings on Ascap's injunctive measures have been heard already in Montana, Washington and Nebraska, but no decisions have been handed down yet by any of the special Federal statutory courts which have heard them. The Florida and Tennessee actions follow the same pattern followed by Ascap in the other states.

Dismissal Denied in Fox Contempt Appeal

PHILADELPHIA, Oct. 5.—The U. S. Circuit Court of Appeals here today refused a motion to dismiss the appeals of Mrs. William Fox and Herbert Leitstein, Fox's bookkeeper, from contempt of court citations by Federal Judge John B. Avis at Camden for refusing to testify in Fox's personal bankruptcy proceedings. The circuit court, however, will consider the dismissal motion at the time the appeals are heard.

Wanger Coming East

HOLLYWOOD, Oct. 5.—Walter Wanger left here today for New York. He is expected to stop at the Waldorf-Astoria while in Manhattan. He is coming by plane.

"Counsel" Set for Rialto

"Counsel for Crime" will open at the Rialto Friday.

Drake Sails Today; To Be Away 2 Months

Whitford Drake, Erpi president, who will sail on the *Queen Mary* today for annual conferences with company representatives abroad, will be away about two months. He will visit England, France and Germany, with much of his work on the continent being concerned with international cable matters and other affairs unrelated to this industry, he said.

Drake said he did not expect any development of importance in connection with Erpi's projected disposal of its reproducing equipment business during his absence from New York. It was learned elsewhere that the most advanced of the several plans for the takeover of the theatre sound business is not being given further consideration by Erpi and Western Electric because it fails to make provision for a sufficient number of Erpi's present employes on a basis acceptable to those companies. Erpi is prepared to continue the reproducing end of its business insofar as is necessary for several additional years in the event that no acceptable offer for that portion of the business is received by the company, it was stated in official quarters.

Quebec Cardinal in Clean Pictures Move

MONTREAL, Oct. 5.—Declaring that motion pictures are a prodigious influence which "unfortunately, in the present state of things, is nearly always toward evil," Cardinal Villeneuve, head of the Roman Catholic Church in the Province of Quebec, has launched a general campaign against the 200 theatres in the cities of Quebec through a system of censorship and the establishment of a Catholic Cinema League for the faithful.

The purposes of the League are to insist on "morally sound" pictures from the producers; to establish a bureau of classification for all films marketed in Quebec, and to call upon the civil government of the province to enact laws complementary to present statutes "to assure adequate control of the industry."

Heading English Group

LONDON, Sept. 25.—Capt. Richard Norton is chairman of the formation committee set up to establish the British Producers Ass'n. Agreement on the main lines of the new body's constitution has been reached. The new association will embrace all interests, British and foreign, concerned with production in this country.

Warners-Comerford Sign

Warners yesterday closed a three-year deal with the Comerford Circuit, starting with the 1937-'8 product. The pact includes all of the distributor's output for 103 theatres operated by the Comerford interests. Gradwell L. Sears signed for Warners and John Nolan represented the circuit.

S. Charles Einfeld on Coast

HOLLYWOOD, Oct. 5.—S. Charles Einfeld, director of advertising and publicity for Warners, arrived here today. He will induct Robert F. Taplinger into office as head of studio publicity, succeeding Ed Selzer, who now becomes assistant to Bryan Foy.



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Production Finances At Guild's Hearing

(Continued from page 1)

receiving only $2,887,174 in gross income during the period from Sept. 1, 1936 to Aug. 31, 1937. Grand National's gross income for the fiscal year ending April 3 of this year was $1,205,651; Universal spent approximately $8,000,000 for production during the year and Samuel Goldwyn spent $3,460,645 on six features during the year ending July 3.

For 42 features, Republic spent $2,019,483 during the year ending Sept. 30 while last year's gross for Selznick International was $1,760,000.

Paramount's answer to the demand for its figures was the submission by its attorney, Walter Tullers, of its annual report to stockholders dated Jan. 2, 1937.

William J. Walsh, attorney for the board, introduced the figures in an attempt to show to what extent interstate commerce is affected by the film business. Other companies are expected to have their gross income and expenditure reports filed this week.

RKO, through a letter by Samuel J. Briskin, said that its gross revenue figures are not yet available and will have to be obtained from New York.

David Sapos, chief economist for board will arrive this week to testify on the industry's relationship to commerce.

Phila. Exhibitors Hold Their Ground

(Continued from page 1)

waged throughout the 1937-38 season if necessary.

Warners were accused of taking unfair advantage of exhibitors in the situation, but William Mansell, Warner local manager, denied the charge, intimating that it may have arisen from disgruntled exhibitors. A committee was named to meet Warner officials in New York to receive assurances of neutrality in the fight.

George P. Aarons, secretary, offered a survey of the situation all over the country. Telegrams were read which claimed that Boston is 90 per cent organized, with Los Angeles claiming to be even stronger. Twin Cities reported one exhibitor in 71 buying from Paramount.

It was said that 150 theatres were represented at the meeting.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm ; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
AMERICAN AIRLINES INC.

Purely Personal

WALTER WANGER, George J. Schaefer, James Mulvey and Monroe Greenthal are slated to arrive from the coast today by plane. Wanger was due yesterday, but delayed his departure to accompany the three U.A. executives.

•

Nat Liebeskind, managing director for RKO in the Argentine, is suffering from a case of sunburn contracted "and foolishly so," says he, on the journey from Buenos Aires. He will await the return of Phil Reisman from Europe the end of this month or the beginning of next.

•

Ike Libson and Mort Singer, old hands in this business, regaling Nate Blumberg, Johnny O'Connor, Freddie Meyer and Joe Berne at the Mayan yesterday. It had to do with some of the experiences of their youth and it ran on for two hours.

•

Joseph Bernhard, general manager of Warner theatres, left yesterday for Chicago and Milwaukee for conferences with theatre managers and with Jimmy Coston, zone head.

•

Tom Connors will be discharged from the Bay Ridge Sanitarium in Brooklyn today, having recovered from an appendicitis operation.

•

J. Cheever Cowdin, Universal board chairman, and Willard S. McKay, general counsel, will return from the coast by plane on Friday.

•

Ed Zabel has gone to Wisconsin to visit his folks. En route, he stopped over at Buffalo, Niagara Falls and a few other cities.

•

Clarence Budington Kelland's trailer story, "Fugitive Father," will begin serially shortly in the *Saturday Evening Post.*

•

Spyros Skouras was in Naples yesterday. From there he will go to Florence, Venice and Salonica, Greece.

•

Thomas Beck, 20th Century-Fox player, arrived yesterday from the coast. He is at the Barbizon-Plaza.

•

Danielle Darrieux, Universal's new French import, left for the company's studio yesterday.

•

Douglas MacLean will be a guest at the Ampa luncheon at Sardi's tomorrow.

•

Milton Hossfeld has returned from a three-week cruise to the West Indies.

•

Neil F. Agnew and J. J. Unger will leave today by plane for Dallas.

•

William Frawley is in town to take in the World Series.

•

James R. Grainger has returned from a western trip.

•

Charles Skouras is due from the coast in a few weeks.

•

Ben Shlyen is in town from Kansas City.

•

Lionel Barrymore sails today on the *Queen Mary.*

Roundup at "21"

The B-Bar-H Buckaroos forgathered at "21" yesterday as guests of Charles and Paul Bender. There were cocktails, scads of food and pictures in color to remind of days—not to exempt nights—spent on the ranch near Palm Springs. True to the advance word, no horses were admitted.

ADOLPH ZUKOR sails from Europe on the *Normandie* Saturday, arriving here Oct. 14. John W. Hicks, Jr., who accompanied Zukor abroad, is remaining in Europe another month.

•

Sam Harris, publisher of *Cinema,* who sails on the *Queen Mary* today on his return to England, paid a visit to Barney Balaban, Paramount president, at the latter's office yesterday.

•

Jules Levy, general sales manager of RKO, is in Montreal to arrange for the showing of "Victoria the Great." He will go on to Toronto. Ralph Rolan is accompanying him.

•

J. J. Milstein has returned from a three-week tour of Republic exchanges at Minneapolis, Washington, Pittsburgh, St. Louis, Kansas City, Omaha and Des Moines.

•

Arthur Eddy, who has resigned as associated editor of *The Film Daily,* will leave for the coast by automobile the end of this week to take a post at Warners.

•

Tom Cochrane, Paramount head in Japan, has arrived in this country for home office conferences, but is taking a short vacation before reporting to the office.

•

Jack Barnstyn, vice-president and general foreign manager of Grand National, will sail Oct. 7 on the *Il de France* for a three-month tour of Europe.

•

Madge Evans returns to the coast the end of the week. While here, she sought a play which she deemed suitable, but without success.

•

Lou Irwin, once of Broadway and now of Sunset Blvd., is here for a week. From Hollywood, of course.

•

Clay Hake of 20th Century-Fox will visit Venezuela on a tour of South American countries.

•

Edward L. Alperson is conferring with James Cagney on material for forthcoming pictures.

•

J. Robert Rubin is planning to leave for the M-G-M studios in a month.

•

Hattie Helborn has gone out of town on a vacation.

•

Felix Jenkins will return from the coast Oct. 18.

•

Rick Ricketson has gone back to Denver.

Fox Theatres Half Year Loss $13,249

(Continued from page 1)

includes a claim of $7,500,000 against William Fox in his estimate of the assets. Approved claims total $6,645,820 after giving credit for $291,928 for dividends paid. Claims amounting to $6,968,623 are still unsettled, including that of William Fox against the corporation.

Fox Film Corp. has a disputed claim of $2,369,914; General Theatres Corp., $1,327,389, and National Theatres Supply $293,057. The receiver has disposed of assets with a book value of $17,182,877 for $3,233,984, or a loss of $13,948,892. Largest of the disposed assets were the Fox Metropolitan Playhouses valued on the books at $5,776,176 and sold for $150,000 and the Market and 17th St. Corp. in Philadelphia, valued at $4,418,666, and now written off as valueless.

The amount of $28,693,904 was invested in subsidiaries now considered valueless or uncollectable. Cash on hand is now $541,747 with accounts receivable of $5,162. Fixed assets total $1,651. The receiver has accounts payable of $1,284.

Gray to Continue Series

Hollywood, Oct. 5.—Romer Grey son of Zane Grey, will sail for Australia Oct. 7 with Director Edwin G. Bowen, cameramen Harry Anderson and Gus Bagnard, to continue production of a series of six one-reel fishing shorts, of which two have been completed. No release has been arranged.

Now "Swing It, Sailor"

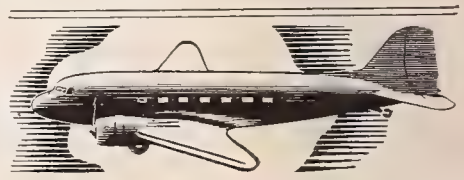
Hollywood, Oct. 5.—Grand National's "He Wanted to Marry" will be released as "Swing It, Sailor." It is an original by Clarence Marks and David Diamond.

New Contract for Butler

Hollywood, Oct. 5. — Twentieth Century-Fox has renewed the long-term contract of David Butler, director, who has just completed "Ali Baba Goes to Town," starring Eddie Cantor.

Woolfenden to M-G-M

London, Sept. 25.—John R. Woolfenden, from Hollywood, has arrived to take charge of studio publicity for M-G-M-British.



UNITED'S NEW SLEEPERS ARE REALLY DIFFERENT!

★ Only United limits its giant sleepers to 12 passengers, offers 2 separate dressing rooms and lavatories for men and women, and a courtesy lounge compartment for all passengers. Only United provides de luxe Skylounges during waking hours, sleepers at night.

TICKETS: United Offices, Travel Bureaus, Telegraph Offices

UNITED AIR LINES

DON'T YOU FORGET...

"They'll never forget it!"
N. Y. Daily News

"No one who sees it is likely to ever forget it!"
N. Y. Sun

"To be talked about and remembered among the really great productions of the screen!"
N. Y. Journal-American

"Unforgettable screen drama!"
N. Y. Herald-Tribune

"They won't forget and neither will you when you play it!"
Showmen's Trade Review

NEXT WEEK IS THE WEEK SET

THEY

FORG

FOLLOWING THE PHENOMENAL 3-MONTH
OF NATIONAL ACCLAIM THAT HAS REAC
INTO EVERY CORNER OF THIS CONTINEN

A "Better-Than-Excellent" Mervyn LeRoy*

FOR THE GENERAL RELEASE OF

WON'T IT

BARRAGE
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A First National Picture with Claude Rains, Gloria Dickson, Edward Norris, Otto Kruger, Allyn Joslyn, Lana Turner

Production . . . . . A Warner Bros. Picture!

Liberty Magazine

"Souls," Show Washington's $21,600 Lead

WASHINGTON, Oct. 5.—"Souls at Sea," with a personal appearance of Ina Ray Hutton and Her Melodears, was socko at the Earle to the tune of $21,600, or $3,200 over average. The picture was booked next into the Metropolitan.

"They Won't Forget" at the Metropolitan took $15,900, which is average for the house. Loew's Columbia's return engagement of "Thin Ice" was good for $4,200, or $500 over first run average. "Dead End" at Loew's Palace did a par $15,900.

The third week of "100 Men and a Girl" at RKO-Keith's did a nice $7,800.

Total first run business, excluding the Little, was $75,500. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Sept. 30:

"SOULS AT SEA" (Para).

EARLE—(2,218), 25c-66c, 7 days. Stage: Ina Ray Hutton & Her Melodears, with Elaine Merritt, Winstead Trio. **Gross:** $21,600. (Average, $18,400)

"SOMETHING TO SING ABOUT" (G.N.)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Bob Crosby & His Orchestra, with Ray Baudue, Bob Haggart, Eddie Miller, Hal Sherman, Marie & Case Brothers. **Gross:** $19,300. (Average, $20,900)

"THIN ICE" (20th-Fox)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,200. (Average, first run, $3,600)

"DEAD END" (U. A.)

LOEW'S PALACE — (2,370), 35c-55c, 7 days. **Gross:** $15,900. (Average, $15,900)

"THEY WON'T FORGET" (F. N.)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $15,900. (Average, $15,900)

"100 MEN AND A GIRL" (Univ.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days, 3rd week. **Gross:** $7,800. (Average, first week, $10,600)

Week Ending Oct. 2:

"SEX MADNESS" (Pub. Welfare)
"FALSE SHAME" (Pub. Welfare)

BELASCO—(1,140), 25c-55c, 7 days. Stage: Radio's Friendly Adviser. **Gross:** $1,400. (Average, $3,000)

"FOREVER YOURS" (G. N.)

LITTLE—(360), 15c-40c, 7 days, 2nd week. **Gross:** $700.

"Big City" Pulls $7,600 at Omaha

OMAHA, Oct. 5.—"Big City, with "Blonde Trouble," was the only first run attraction to demonstrate any strength. It went $2,100 over normal to $7,600 at the Omaha.

"Love Under Fire" and "The Great Gambini" managed to reach a par $7,000 at the Orpheum.

Total first run business was $17,500. Average is $16,700.

Estimated takings:

Week Ending Sept. 29:

"MUSIC FOR MADAME" (RKO)
"HIDEAWAY" (RKO)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $2,700. (Average, $4,000)

Week Ending Sept. 30:

"BIG CITY" (M-G-M)
"BLONDE TROUBLE" (Para.)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,600. (Average, $5,500)

"LOVE UNDER FIRE" (20th-Fox)
"THE GREAT GAMBINI" (Para.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,000. (Average, $7,200)

Schwalm Is Candidate

HAMILTON, O., Oct. 5.—John A. Schwalm, manager of the Rialto, a Southio unit, is candidate for reelection to the City Council.

Key City Grosses Fall Off To $1,558,698 After Jump

Estimated takings for the latest available periods:

	Week Ending Sept. 24-25		*Week Ending Sept. 17-18*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	8	$89,500	8	$105,000
Buffalo	5	47,000	5	59,000
Chicago	8	154,300	9	171,200
Cincinnati	6	61,150	8	63,250
Cleveland	6	63,200	6	68,200
Denver	6	45,000	6	38,400
Detroit	6	85,300	6	82,300
Houston	4	25,800	4	26,100
Indianapolis	4	32,200	4	25,300
Kansas City	6	37,000	6	37,100
Los Angeles	8	92,886	8	95,994
Milwaukee	5	28,000	5	30,300
Minneapolis	5	23,800	5	29,800
Montreal	4	36,500	4	38,500
New Haven	4	23,500	4	28,300
New York	11	318,737	11	311,176
Oklahoma City	4	14,100	4	16,100
Omaha	3	19,300	4	20,400
Philadelphia	9	87,500	9	77,100
Pittsburgh	5	52,425	6	63,050
San Francisco	9	92,500	9	95,850
St. Paul	4	13,800	4	18,400
Seattle	7	38,500	7	41,150
Washington	7	76,700	8	83,200
	144	$1,558,698	150	$1,625,170

Key city grosses for the month of September:

Week Ending	*No. Theatres*	*Gross*
Sept. 3-4	143	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698

"Vogues" and Show $26,500 Detroit Lead

DETROIT, Oct. 5.—"Walter Wanger's Vogues of 1938," with a stage show, stepped out front in a busy week for first runs. It garnered $26,500 at the Michigan, up by $6,500.

"100 Men and a Girl" was a close second with a take of $25,600, up by $5,600. Vince Barnett and Jack La Rue headed a stage show. "Dead End" went $3,600 over normal on a take of $13,600 at the United Artists, and "Stella Dallas" held up to $12,000 in its second week at the Madison.

Total first run business was $89,100. Average is $70,000. Estimated takings for the week ending Sept. 30:

"LEAGUE OF FRIGHTENED MEN" (Col.)
"IT HAPPENED IN HOLLYWOOD" (Col.)

ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $5,800. (Average, $5,000)

"100 MEN AND A GIRL" (Univ.)

FOX—(5,100), 15c-75c, 7 days. Stage: Vince Barnett, Jack LaRue, Ross, Pierre & Schuster, Gil Lamb, Tyler, Thron & Post, Five Coeds, Maxine Marfield. **Gross:** $25,600. (Average, $20,000)

"WALTER WANGER'S VOGUES OF 1938" (U. A.)

MICHIGAN—4,100), 15c-75c, 7 days. Stage: Tommy Farr, Eddie White, LeFons Troupe, Don & Shirley, Allen & Kent. **Gross:** $26,500. (Average, $20,000)

"SLIM" (W. B.)
"SOULS AT SEA" (Para.)

STATE—(3,000), 10c-40c, 7 days, 3rd week. **Gross:** $5,600. (Average, $5,000)

"DEAD END" (U. A.)

UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $13,600. (Average, $10,000)

"STELLA DALLAS" (U. A.)

MADISON—(2.000), 15c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $10,000)

"Party" with Show $18,500, Philadelphia

PHILADELPHIA, Oct. 5.—Two shows kept first runs from slipping deep into the red ink. "Life of the Party" at the Earle and Mal Hallett's orchestra on the stage grossed $18,500, up by $4,500. For its second week, "Dead End" took a very good $11,000.

The rest slumped. "High, Wide and Handsome" developed only $13,500 at the Stanley.

Total first run business was $81,500. Average is $81,560.

Estimated takings for the week ending Sept. 30.

"DEAD END" (U. A.)

ALDINE—(1,300), 40c-55c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $8,160)

"UNDER THE RED ROBE" (20th-Fox)

ARCADIA — (600), 25c-40c-50c, 6 days. **Gross:** $1.500. (Average, 7 days, $2,800)

"LOST HORIZON" (Col.)

BOYD—(2,400), 40c-55c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $14,000)

"LIFE OF THE PARTY" (RKO)

EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Mal Hallett and Orchestra, Shaw & Lee, Gloria Gilbert, Teddy Grace. **Gross:** $18,500. (Average, $14,000)

"THAT CERTAIN WOMAN" (W. B.)

FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $13,600. (Average, $14,000)

"100 MEN AND A GIRL" (Univ.)

KARLTON—(1,000), 25c-35c-50c, 7 days, 2nd run. **Gross:** $3,500. (Average, $4,000)

"STELLA DALLAS" (U. A.)

KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,200. (Average, $4,000)

"HIGH, WIDE AND HANDSOME" (Para.)

STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $13,500. (Average, $14,000)

"BACK IN CIRCULATION" (F. N.)

STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,300. (Average, $7,000)

"100 Men" Is San Francisco Wow, $16,700

SAN FRANCISCO, Oct. 5.—"100 Men and a Girl" mopped up in a quiet week among first runs by grossing $16,700 at the Orpheum. This was $8,700 over normal. "Counsel for Crime" was the other half of the dual bill.

The only other spot to go over par was the United Artists with "Walter Wanger's Vogues of 1938" which garnered $7,200, up by $200.

Total first run business was $89,700. Average is $92,000.

Estimated takings:

Week Ending Sept. 28:

"MUSIC FOR MADAME" (RKO)

GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage band. **Gross:** $14,500. (Average, $16,000)

Week Ending Sept. 29:

"HIGH, WIDE AND HANDSOME" (Para.)
"HOT WATER" (20th-Fox)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $17,000. (Average, $17,000)

"100 MEN AND A GIRL" (Univ.)
"COUNSEL FOR CRIME" (Col.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $16,700. (Average, $8,000)

"BIG CITY" (M-G-M)
"TALENT SCOUT" (W. B.)

PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $13,000)

"THE LIFE OF EMILE ZOLA" (W. B.)

ST. FRANCIS—(1,400), 55c-87c-$1.10-$1.65, 7 days, 2nd week. **Gross:** $7,500. (Average, $10,000)

Week Ending Sept. 30:

"WIFE, DOCTOR AND NURSE" (20th-Fox)
"FOOTLOOSE HEIRESS" (W. B.)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross,** $11,000 (Average, $14,000)

Week Ending Oct. 1:

"BACK STAGE" (G. B.)

CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,000. (Average, $1,000)

"STELLA DALLAS" (U. A.)

EMBASSY — (1,400), 15c-35c-40c-55c, 7 days, 4th week. **Gross:** $5,000. (Average, $6,000)

"WALTER WANGER'S VOGUES OF 1938" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days. **Gross:** $7,200. (Average, $7,000)

"Certain Woman" Is New Haven's Leader

NEW HAVEN, Oct. 5.—"That Certain Woman" and "Marry the Girl" shot the Roger Sherman business up by $2,100 to a $6,700 take.

"Thin Ice" and "You Can't Buy Luck" was also a high combination at the Loew's-Poli, taking $9,000, up by $1,000. The bill will be held at the College. The holdover of "Lost Horizon" at the College grossed $3,100, over the theatre's usual take at lower prices by $300.

Total first run business was $22,000. Average is $20,200.

Estimated takings for the week ending Oct. 1:

"LOST HORIZON" (Col.)

COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,100. (Average, $2,800)

"THIN ICE" (20th-Fox)
"YOU CAN'T BUY LUCK" (RKO)

LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $9,000. (Average, $8.000)

"DOUBLE OR NOTHING" (Para.)
"REPORTED MISSING" (Univ.)

PARAMOUNT—(2,348), 35c-50c, 5½ days, 2nd week. **Gross:** $3,200. (Average, $4,800)

"THAT CERTAIN WOMAN" (W.B.)
"MARRY THE GIRL" (W.B.)

ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $6,700. (Average, $4,600)

THE BIG THRILL COMES TOMORROW

when . . .

Stage Door

RKO RADIO PICTURES

OPENS AT RADIO CITY MUSIC HALL

Short Subject

"Pathe Parade"

(*RKO*)

There is entertainment and interest in the first of a new series, in which the activities of commercial models are outlined, in their work as mannequins or in posing for advertising illustrations. There is entertainment as four musicians attack the toy instruments at a music counter, with surprising results. The number closes with a few shots of famous and society people attending the exclusive Stork Club in New York.

Running time, 13 mins. "G."

"Whispers in the Dark"

(*Paramount*)

Some stupid cartoon stuff on the style of "Believe It or Leave It" serves to introduce Gus Arnheim and his band in the rendition of the title song which is one of those bouncing ball affairs. It may draw laughs and it may release hidden inhibitions from the would-be crooners in the audience. It is fair stuff. Running time, 7 mins. "G."

"Ostrich Feathers"

(*Universal*)

More or less a burlesque of African exploring activities featuring Meany, Miny and Moe. They use clever methods to obtain the tail plumage of ostriches and get banged around considerably. The short is spectacular and the animation amusing. Running time, 7½ mins. "G."

"Should Wives Work?"

(*RKO*)

There are a handful of real laughs in this comedy, chiefly supplied by the rubber-legged Leon Errol. His wife insists on going to work, and he is more than a little disturbed to find her as his boss's secretary, after he has threatened to fire any man whose wife is in his employ. His efforts, with a friend to keep the boss in the dark at a conference at his home, when they are forced to stay overnight, affords an opportunity for the short's amusing moments.

Running time, 20 mins. "G."

"Picking Pets"

(*Rice-Paramount*)

There is an entirely new type of humor in this Sportlight. It consists of hilarious shots of a strange assortment of bears, badgers, cheetahs, kangaroos and a baby panda. They are the young of the species and their waddles and other cute movements will prove highly satisfactory and humorous. Running time, 10 mins. "G."

Coronet Using New Plan

HOLLYWOOD, Oct. 5.—First use of the 14-passenger plane bought by Coronet Pictures, producing Buck Jones action pictures for Columbia release, will be in transporting personnel working in "West of Broadway" to and from imperial Valley. It's a story of the lettuce fields trouble and its reverberations in the New York produce racket. In December Lincoln Garland will pilot the personnel of "Ghost Ship," a story based on the lost Russian flight, into the Alaskan terrain. Ewing Scott will direct this picture, to be produced by L. G. Leonard.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Over the Goal"

(*First National*)

HOLLYWOOD, Oct. 5.—Made to accommodate a seasonal market, "Over the Goal" is a topical football picture. It is geared to a little more melodramatic premise than others of its character, but it does not offer much that is new or anything different from many which have gone before. Chock full of standby heroics and villainy, plus that full quota of do-or-die-for-dear-old-alma-mater spirit, the story this time concerns a player whose sweetheart makes him give up football before he is seriously injured. Then occurs all the old stock stuff, a great deal of which is very much exaggerated. However, when the fortunes of the eleven are at the lowest ebb, the hero risks life and limb to cause the heavies to be hoist by their own petards and bring joy and happiness for everybody else.

The cast is lengthy. Even the 1937 U. S. C. football squad is included. The real football players go about their business all right, but of the others, interest accrues only to William Hopper, the hero, and Johnnie Davis, the comic.

William Jacobs, who wrote the original, collaborated with Anthony Coldeway on the screen play. Noel Smith directed and Brian Foy produced.

Running time, 63 minutes. "G."

"Here's Flash Casey"

(*G.N.*)

HOLLYWOOD, Oct. 5.—Eric Linden and Boots Mallory are top names available in this picturization of the George Harmon Coxe story, "Return Engagement." The picture is better than either its original or final title suggests and ranks well up among the more moderate productions of contemporary release. It may have a special billing value in many localities in that it deals with the candid camera fad in an interesting and informative manner.

Eric Linden is the candid shutter snapper whose ups and downs are principally concerned. He manages to wangle his way through college with the help of his lens manipulations, obtains a newspaper job through happenstance, snapping the publisher's son in romantic proximity to an actress somewhat less than approved parentally, and becomes enamored of Miss Mallory, a sob sister. Later a professional blackmailer gains his confidence and uses the fruits of his camera for ulterior purposes which wind up in plentiful fisticuffs, a gangster murder, an abduction, and, of course, a happy ending.

John Krafft's screenplay is lightly and lucidly done. Director Lynn Shores extracts full value from materials placed at his disposal by associate producer Alfred Stern. The result, while not tremendous in its relation to the general status of the nation's box-office, should please generally.

Running time, 63 minutes. "G."

"Youth on Parole"

(*Republic*)

HOLLYWOOD, Oct. 5.—Designed to stir audience sympathy for a boy and girl who find the going more than difficult after an unjust jail sentence, "Youth on Parole" suceeds in an unpretentious fashion in conveying its premise, and its plea for a better chance for those trying to live down prison sentences. There is at the same time a touch of action in the activities of a gang of jewel thieves, and a pleasant romance interlarded throughout.

Gordon Oliver and Marian Marsh are entirely satisfactory in their roles. Oliver, with an attractive personality and capable performance, giving promise for the future. Margaret Dumont and Miles Mander are among the supporting players. Phil Rosen's direction is commendable if not outstanding, in the handling of the original screenplay by Hershel Rebuas.

Oliver and Miss Marsh, strangers, are framed by jewel robbers as they stand before a store window. Packed off to jail for two years, they are model prisoners and are released in 18 months. They go their separate ways, but come together, seeking companionship in their misery, as successive job doors are closed to them. They fall in love, find small jobs but lose them when word of their prison records comes to their employers. In a last desperate effort, they seek out the gang leader who framed them, and with police cooperation trap them and cause their arrest, bringing for themselves complete exoneration.

Running time, 60 minutes. "G."

Balaban Testimony Up in Court Today

(*Continued from page* 1)

shares of Paramount stock. The motion to be heard today asks that her attorney be permitted to examine Balaban on details of the Paramount board of directors' meeting at which the Zukor contract was voted and particulars of the contract itself.

The new Zukor contract was submitted to the annual meeting of the company's stockholders last June and was approved overwhelmingly. The pact is retroactive to Aug. 1, 1936, and runs to next Jan. 1 with options for renewal for an additional three years. It provides for a salary of $3,000 per week for Zukor as production head of the company, and additional compensation equal to seven and one-half per cent of the first $2,500,000 of consolidated profits from picture operations only and five per cent of such profits in excess of $2,500,000.

Allied-ITOA Groups To Meet Next Week

(*Continued from page* 1)

first general meeting under the presidency of Irving Dollinger and after a discussion decided to get in touch with Harry Brandt, president of the I. T. O. A., as soon as possible for a joint meeting of committees.

On the Allied committee are Dollinger, Louis Gold and Morris Marks. General topics were gone over yesterday at the membership session and it was agreed to hold the next gathering in Trenton, Oct. 19.

Delay Allied Meeting

BOSTON, Oct. 5.—The monthly meeting of Independent Exhibitors, Inc., scheduled for Oct. 12 has been postponed because of the holiday until the following Tuesday. The Paramount strike and results of the local buying survey, now being conducted, will occupy the main part of the attention.

Seek U. S. Art Dep't

HOLLYWOOD, Oct. 5. — Various film personalities have joined with other artists and with civic leaders to formulate plans for a proposed Federal Dep't. of Fine Arts, which, it is proposed, will provide a wider opportunity for youthful artists.

The campaign to interest the public will open with a concert Oct. 7 in the Los Angeles Philharmonic Auditorium when Victor Young and Gastone Usigli, county director of the Federal Music Project, will conduct a 110-piece symphony orchestra.

Union Meeting Held

Major circuit executives yesterday met with Local 306 and I. A. T. S. E. representatives at C. C. Moskowitz's office to discuss increases for local projectionists. No decision was reached and another session will be held shortly.

Pinto Colvig Joins MGM

HOLLYWOOD, Oct. 5.—Pinto Colvig veteran cartoon comedy gag man, and formerly with Walt Disney, has been added by M-G-M to the staff producing the "Captain and the Kids" series.

HEADIN' YOUR WAY IN THE

TWO MONEY STARS
in the dizziest rampage that ever threw your patrons into a delirium of laughter! Directed by Leo McCarey with his sure showman's touch... to top the comedy cycle now making box-office history!

Hollywood voted it "tops"! And soon the whole country will confirm the verdict!

Right now is the time to date this grandest of all Columbia comedies! Brought to you just when millions are aching to laugh!

IRENE DUNNE and CARY GRANT

with

RALPH BELLAMY • ALEXANDER D'ARCY
CECIL CUNNINGHAM

Screen Play by Vina Delmar · Directed by LEO McCAREY · Associate Producer EVERETT RISKIN

TOP COMEDY OF THE YEAR!



"The AWFUL TRUTH"

A LEO McCAREY PRODUCTION
A COLUMBIA PICTURE

Vancouver Theatres Affected by Walkout

(Continued from page 1)

increase or a three-year agreement with a four per cent raise this year and a three per cent increase a year for the next two.

J. J. Fitzgibbons, Canadian manager for Famous Players, was negotiating here today with union heads. It is understood he has a compromise offer covering all Famous Players' first runs and suburbans open today but the independent suburbans which play evening runs only await the decision of the afternoon meeting between independent owners and union representatives.

Plan Non-Theatrical Survey Over Country

(Continued from page 1)

kept confidential so far as individual companies are concerned, is sought on the number of persons employed, the capital investment, the amount of film processed or units of apparatus manufactured or distributed, and the like, for the two comparative years of 1932 and 1937. Also sought is an indication of the extent of growth in the various branches during the past several years.

Rose Promises Early Statement on U.A.

(Continued from page 1)

office at Lima, Peru, by Arthur W. Kelly, vice-president in charge of foreign distribution. Schochet was formerly manager for 20th Century-Fox in Argentina.

Kelly has also appointed Major Charles Tebay as special representative for U. A. at Port-of-Spain, Trinidad.

Wall Street

Recessions General on Board

	Open	High	Low	Close	Net Change
Col.	19	19	18⅛	18⅛	—1⅞
Col., pfd.	36	36	36	36	—2⅛
Cons.	2¼	2¼	2	2	— ¼
Cons., pfd.	8½	8½	8¼	8¼	—1
E. K.	171½	171½	166	166	—8½
G. T. E.	18¾	18¾	17½	17½	—1½
Loew's	68¼	68¼	66⅝	67⅛	—2⅞
Loew's, pfd.	106¼	106¼	106¼	106¼	.....
Para. 1 pfd.	121	121	113½	113½	—11
Para. 2 pfd.	157⅞	157⅞	14¼	14¾	—1⅜
Pathe	7½	7½	6⅞	7	— ¾
RKO	6¼	6¼	5¾	5¾	— ½
20th Fox	29⅛	29⅛	26½	26¾	—3
20th pfd.	36¼	36¼	36¼	36¼	—1
Univ.	35	35	31	31	—9
Warner	10½	10½	9¾	9⅞	— ¾

Trans-Lux Lone Curb Gain

	Open	High	Low	Close	Net Change
G. N.	2⅛	2⅛	2	2	— ⅛
Sonotone	1⅝	1⅝	1½	1⅝	— ⅛
Tech.	25	25	23	23	—2¾
Trans-Lux	3⅜	3⅜	3¼	3¼	+ ⅛
Univ.	4	4	4	4	.....

RKO Bonds Up ¾

	High	Low	Close	Net Change
Loew's 6s 41 ww deb rights	99	98¾	98¾	— ¼
Paramount B'way 3s '55	99¾	99¾	99¾	.....
Paramount Pict. 6s '55	84½	83½	83½	—1⅝
Paramount F. L. 6s '47	67½	67½	67½	.....
RKO 6s '41 pp	92	92	92	+ ¾
Warner Bros. 6s '39 wd	86¾	84¾	84¾	—2¼

(Quotations at close of Oct. 5)

The Newsreel Parade

"Movietone News"
Vol. 20, No. 7
(20th Century-Fox)

In its various departments this issue provides interest and evolves as satisfactory newsreel. The lead clip shows President Roosevelt visiting Canada. Next is a demonstration of chemical warfare at the Edgewood Arsenal in Maryland. In other sequences King Christian of Denmark opens a new bridge, Anthony Eden speaks at Geneva and the Duke and Duchess of Windsor are seen in Paris. Winter evening gowns are paraded before the camera by pretty models. In Hollywood Eleanor Holm meets Glenn Morris and "Jiggs," a chimpanzee. Lew Lehr does his usual stuff with a school in Kansas that has only one pupil attending. The scoring plays in three of last weekend's football games are taken care of by Ed Thorgersen.

Running time, 10½ mins. P.

News of the Day
Vol. 9, No. 205
(M-G-M)

A punchy reel with plenty of action. The shots of two gridiron games, that of Nebraska downing Minnesota and Cornell besting Colgate are thrilling. The producers of the newsreel have extra footage on both games which are to be provided theatre accounts in both upstate New York and Nebraska towns.

President Roosevelt on his visit to Victoria, B. C., opens. He is then shown on his way back to this country, stopping over at the Grand Coulee Dam in the state of Washington. Two dictators, Mussolini and Hitler, meet and the rousing reception is covered from many angles.

Edgar Hoover's "G" men in target practice at Quantico, Va., the Duke and Duchess of Windsor on a shopping tour in Paris preliminary to their trip to the U. S., members of the American Legion visiting the graves of their former buddies in France and the unveiling of a statue of Marshal Foch, and the Fidelity Prize Race at Belmont with 30,000 turf fans on edge make up the balance.

Above the average reel with a little of something to please everybody. Running time, 10 mins. O.

Paramount News
No. 18
(Paramount)

This is a good, live release, offering as diversified a selection of subjects as the front page of a daily newspaper and enhancing them with excellent narration, photography and sound effects.

The European news selections are particularly well handled and of high topical interest. They include shots of the Duke and Duchess of Windsor, who are back on the front pages of the metropolitan press currently with their plans for an early visit to America. Intimate and significant glimpses of Mussolini's visit to Hitler furnish an apt prelude to shots of activities along the French-Spanish border, which may be opened to supplies for Loyalist Spain. The European section, all of which is narrated by Frank Knight, concludes with coverage of the impressive funeral of ex-President Masaryk of Czechoslovakia.

Gabriel Heatter narrates the incidents attendant upon the seating of Hugo Black with the reconvening of the Supreme Court on Monday. Undistinguished, but of high topical interest in many sections of the country. Camera glimpses of spectacular play in both the Army-Clemson and Minnesota-Nebraska games take care of the new football season adequately, while the running of the Futurity at Belmont Park rounds out the sports coverage. This brings the reel to a last subject—J. Edgar Hoover's G-men exhibiting their skill with firearms, the single non-news clip of this release, which, after all, is a good enough average for anyone's reel these days.

Running time, 9 minutes. K.

Cut China Scenes

Boston, Oct. 5.—Scenes of violence in the Japanese-Chinese conflict were eliminated from Universal News by Massachusetts censors acting under the Sunday laws. Bodies lying in the street and others being thrown into a ditch were ordered not shown.

Pathe News
Vol. 9, No. 22
(RKO)

Pathe has seven subjects in its latest release. It leads off with a new slant on the Justice Black controversy by showing Albert Leavitt, the former U. S. Assistant Attorney General who is challenging the legality of Black's appointment, ascending the Supreme Court Bldg. steps, and then lets Heywood Broun express himself. Broun says no man is judged entirely on his past and every dog is entitled to one bite—Black's bite in this case being his Klan membership 15 years ago. It's a good controversial number.

Clem McCarthy can certainly add drama to sporting scenes. His description of Menow's victory in the Belmont Futurity as the horses race down the stretch is great. His handling of the Cornell-Colgate football game also is first class. Exceptional photography distinguishes the latter.

President Roosevelt is shown inspecting the Grand Coulee Dam. This is a routine clip. The same can be said for shots of oil well drilling in the Gulf of Mexico.

The arrival of the Duke and Duchess of Windsor in Paris is timely, in view of the renewed interest in their movements as a result of announcement of their impending American visit.

Considerable activity is shown among Japanese troops, but the Oriental hostilities seem to be lagging at the moment.

Running time, 9 mins. J.

Universal Newsreel
Vol. 9, No. 603.
(Universal)

A well-diversified reel interesting in content, is offered by Universal, combining sports action, unconscious comedy and significance. Of dramatic value is the sharp attack on parole boards launched by G-Man Chief Hoover, seconded by startling examples of G-Man skill with guns. A striking shot is offered in the night shooting of a miniature house as target.

Danielle Darrieux is publicized on her arrival, and the Duke and Duchess of Windsor are caught in Paris, in timely coincidence with their reported intention to visit the U. S. Justice Black's K. K. K. statement is heard in part, against a background of family groups listening at their radios. A patriotic and colorful rally in the Austrian Tyrol is well handled. Some fast football emerges from shots of the Columbia-Williams and Notre Dame-Drake clashes, and a hearty laugh is developed in the pictures of a stray monkey which arrived at an Illinois farm, attached himself—literally—to the cows and proceeded to make them miserable. Their frantic efforts to dislodge the monkey are ludicrous.

Running time, 9 mins. A.

Deal of Hoyts-Union Will Not Be Renewed

(Continued from page 1)

its affiliated companies, Cinesound Prod., British Empire Films and National Theatre Supplies, Rydge amplified his statement by a definite denial to "the crafty statement that a receiver has been appointed by the bank."

"How different are the facts," he said. "Our financial standing was never better, and, what is more, the board is assured of ample funds to break up the present combine and operate independently.

"Greater Union Theatres, Ltd., has always been proud of the fact that it is an all-Australian organization, owned and controlled by Australians, and working in the interests of Australia. Our policy is merely a policy of Australian independence.

"I give the lie also to the deliberately inspired rumor that Cinesound Studios will be compelled to close down forthwith. Nothing is farther from the truth. On the other hand, our board have approved of a 12-months' production plan, calling for an expenditure of no less than £100,000.

"I also refute the suggestion that we will not be operating the State Theatre, Sydney, next year.

"Despicable Lies"

"We do not know who is responsible for these statements, which are damnable, despicable lies—lies calculated to harm our undertaking. All I can say is that we are endeavouring to trace their source, and if we are able to do this, we will protect the interests of our companies by the immediate issue of writs against the persons responsible."

The suggestion that the Federal Government will give serious consideration to the advisability of regulating the distribution of available film supplies between Hoyts and Greater Union Theatres after the two circuits end their partnership on Dec. 31 is a point freely discussed by Australian film men.

The chief argument in support of this contention is that the Government may foresee the possibility of a film "corner" being created by either one circuit and in that event consider its intervention justified.

Radio Personals

CLAY MORGAN, NBC publicity director; Paul W. Kesten, CBS vice-president, and Lewis Titterton, NBC literary director, arrived here aboard *Ile de France* yesterday. . . . Fred Weber of Mutual has left for White Sulphur Springs to address the Drug Trade Products convention there . . . Linton Wells will serve as the guest speaker on the "Commentator" show Sunday over Mutual . . . Margaret Speaks will return to the Firestone show Sunday after a week's absence . . . Rehearsals have begun at NBC for the Toscanini series, with Artur Rodzinski in charge of the musicians . . . NBC tennis team completed an undefeated season Saturday by taking the measure of the Columbia Picture netsters . . .

✚

Frances Laux of KMOX, Bill Dyer at WCAU, and Paul Douglas of the WABC staff, will handle the World Series broadcasts for GBS . . . Bessie Mack celebrated 18 years of service to Major Bowes yesterday. "Let's Visit" celebrated its first year on Mutual last night . . . Jack Haley will play a return engagement on "Showboat" Oct. 7 . . . Joe Miller, CRA's Pittsburgh representative, is in New York conferring with Stan Zucker, Consolidated's general manager . . . Stoopnagle & Budd will appear on the next Schaefer Revue Thursday night . . . Bee Flynn, author of "Bachelor's Children," is laid up with the flu.

✚

Al Goodman will shift to Hollywood next week. . . . Hal Gordon has been selected as the tenor on the Mutual "Tim and Irene" show. . . . The "Tastyeast Jesters" have been booked for a personal appearance in Bridgeport by the NBC artists bureau. . . .

Philadelphia Town Pump

PHILADELPHIA, Oct. 5.—Two new products, Gartside Iron Rust Soap and Jerrehian Bros. rugs, have been added to the list of participating products on KYW's "Home Forum" program, conducted by Carol Bennet. Earle A. Buckley Organization placed the account for Jerrehian Bros. . . . Jan Savitt, KYW musical director, will again have Richard Hudnut, perfumes, as sponsor for his NBC "Top Hatters" for a second season, B. B. D. & O. handled the account. . . . The station also has added two new sponsors for weather reports, Tomas M. Leeming & Co., makers of Baume Bengue, scheduling for the noonday reports through William Esty & Co., and N. W. Ayer placing an evening account for the reports for Appalachian Apples, Inc.

Philco Aiding Dealers

PHILADELPHIA, Oct. 5. — Anticipating stimulation in radio use with the fall sports program, Philco has stepped into the picture with promotional aids for its dealers. Window streamers in the form of score-by-inning bulletin boards are being distributed for the World Series games. For the football season, Philco has published for free distribution its Official Football Facts and Radio Guide for 1937, edited by W. W. "Pudge" Heffelfinger, former Yale guard.

Taplinger Sells Firm to Fizdale

Robert S. Taplinger, who has been signed to a long term contract as west coast publicity director for Warners and their radio interests, has sold his publicity business, one of the most extensive in radio, to Tom Fizdale, Inc., Chicago publicists, for a reported $20,000. Irwin Nathanson, an associate of Fizdale, is already here negotiating the transfer of the Taplinger interests. Fizdale will arrive by plane this morning.

The new firm is to be known as Tom Fizdale, Inc. The Taplinger New York offices will serve as the headquarters for the Fizdale organization, with branches in Hollywood, London, Chicago and New York. The Taplinger accounts number Eddie Cantor, Burns and Allen, Kate Smith, Guy Lombardo, Bob Ripley, Nelson Eddy, Andre Kostelanetz, the Jack Oakie program, Benny Goodman, Phil Spitalny's all-girl orchestra, the Lehn and Fink program, the Sealtest program, Bing Crosby's interests and others. The Fizdale accounts include "Kaltenmeyer's Kindergarden" and "Aunt Jemima" for the Quaker Oats Co.; the General Mills programs, "National Barn Dance" and "Uncle Ezra" for Alka-Seltzer, and others. The absorption of the Taplinger business will make Fizdale, Inc., probably the biggest radio publicists in the industry.

Shift Causes Stir

The deal to bring Taplinger to Warners was consummated by Jack L. Warner, vice-president, and S. Charles Einfeld, national director of advertising and publicity for Warners, just prior to the former's departure for Europe. The story was reported exclusively by MOTION PICTURE DAILY yesterday and caused a tremendous buzz in radio circles. Taplinger will make his headquarters in Hollywood by Nov. 1.

Taplinger's rise has been one of the most rapid in radio annals. He joined the CBS publicity department in 1928 and resigned to enter the publicity field in 1935. Shortly after he opened offices in New York he expanded to Hollywood, Chicago and finally to London.

Ernest B. Foote Joins WMCA

Ernest B. Foote, formerly connected with the World Broadcasting System, has joined the WMCA sales staff. Having just returned from the Middle West, where he handled programs and recordings, Foote was also a member of the stations relations department and transcription service of NBC, later resigning to enter his own business in radio.

KOAM to Join NBC Net

KOAM, Pittsburg, Kans., will join NBC as an affiliate of the southwest group Oct. 11. The station is owned and operated by the Pittsburg Broadcasting Corp., and has a day and night power of 1,000 watts. Its basic rate is figured at $120 per evening hour.

Vernon Anderson Injured

BATON ROUGE, LA., Oct. 5.—Vernon Anderson, manager of WJBO, was injured severely when his automobile overturned on the highway five miles west of the city.

September Revenue Of NBC $2,850,581

NBC time sales revenue for September, 1937, showed a slight decrease compared to the sales total for the same month a year ago. The total for both Red and Blue networks for the month was $2,850,581, down 1.2 per cent as against the September, 1936, total.

The cumulative total for the year to date is $28,291,115, up 18.9 per cent over the corresponding months a year ago.

The Red network for September accounted for $2,057,513, an increase of 3.2 per cent over September, 1936.

The Blue network revenue for September was $793,068, off 11.2 per cent compared to the revenue for the like month last year.

Vancouver Stations In Union Agreement

VANCOUVER, Oct. 4.—Following union orders which prevented dance orchestras playing for remote control broadcasts without payment, a new agreement has been reached between the musicians' union and operators of three Vancouver stations. E. A. Jamieson, secretary of the union, said the agreement affects CKWX, CJOR and CKCD.

Under the new arrangement the stations recognize claims of the union that more musicians be employed in radio programs, with increased pay, and agree to pay musicians performing in remote control programs. Previously dance orchestras broadcast by remote control were without payment.

CBR of the C. B. C. is not affected by the new ruling, as the Government-owned station already employs a full quota of musicians CKFC and CKMO are not parties to the agreement.

Barney's Clothes Sues WNEW

Barney's Clothes, Inc., filed suit in the N. Y. Supreme Court yesterday against the WBO Broadcasting Corp., operators of WNEW, for $105,910 damages.

Barney's alleges that during the period from January, 1934, to October, 1936, it entered into nine contracts with the defendant for a number of 15-minute programs daily and a half hour program on Sunday and 12 spot annonucements. The complaint states that the 15-minute programs were "deliberately" cut from one to two minutes and the half hour program from one to four minutes. Only eight to 10 spot announcements on the average were made, it is claimed.

"Pep Parade" on KFSD

SAN DIEGO, Oct. 5. — "The Pep Parade" is the title of a new 15-minute feature over KFSD, local NBC-Blue outlet, sponsored by the Standard Furniture Co. The program featuring a concert of transcribed band music, interspersed by local news items, is aired Mondays at 9:45 P.M., P.S.T. The deal was set for 52 weeks through the Hurley agency.

Gertrude Gelbin in WHN Spot

Gertrude Gelbin, who formerly assisted in editing Loew's *Moviegoer*, has succeeded Radie Harris on the WHN Movie Club hour which is on the air Fridays from 8 to 9 P.M. The show is a sustaining program and is written and directed by George Nobbs, who also appears in it.

Mutual Billings in September $119,209

Mutual time sale billings for September of this year totaled $119,209.97, as compared to the September, 1936, billings of $136,133.88, a decline of 12.5 per cent.

The cumulative total for the year is $1,299,147.02, an increase of 5.7 per cent compared to the cumulative total for the corresponding months last year, $1,229,098.62.

WNOX in Knoxville Has 10 New Accounts

KNOXVILLE, Oct. 5. — WNOX, Scripps-Howard Radio, Inc., reports four new national and six local contracts.

National: H. J. Heinz Co., through Maxon, Inc., transcription series; Alka-Seltzer, through the Wade Adv. Co., three times weekly transcribed series, for 13 weeks; Beeman's Laboratories, through the Rose & Keene agency, six times a week news reports, for 52 weeks; Bulova Watch Co., through Biow & Co. time signals. Six times daily for 16 weeks.

New Accounts on WHO

DES MOINES, Oct. 5.—New programs closed for WHO include the following:

The Keystone Steel & Wire Co., Peoria, Ill., is sponsoring a program of the WHO Songfellows, Tuesdays, Thursdays and Saturdays at 12:15 P. M., starting Oct. 12.

The Oshkosh Overall Co. of Oshkosh, Wis., is sponsoring a program by Len and Martha, of the WHO artists staff, on Mondays through Saturday at 7 A. M.

Bernard Perfumer, St. Louis, Mo., agency Sel Johnson Co., St. Louis, is sponsoring a program over WHO each Saturday at 10:35 P.M., beginning Oct. 18. A Sunset Frolic artist will be featured.

Oyster Shell Products Corp., New Rochelle, N. Y., Husband & Thomas, Inc., New York City, agency, will sponsor a program over WHO on Mondays only at 12:30 P.M., beginning Nov. 16.

Stirton Leaves NBC For Saphier Agency

James Stirton has severed his relations with NBC to assume the position of general manager of the New York office of James L. Saphier, talent representative. Stirton has been associated with NBC for eight years and will leave the artists service bureau Oct. 15.

Saphier is also expanding the scope of his organization, opening an office in Hollywood coincident with the expansion of the New York office. He will make his permanent residence in Hollywood at the end of October.

Football Contract Stands

NORMAN, Okla., Oct. 5.—Exclusive rights to broadcast University of Oklahoma football games in the Big Six conference will remain with WKY, Oklahoma City, it appeared after a meeting of Gov. E. W. Marland and members of the university board of regents.

At the end of the conference Governor Marland said he "didn't like the contract, but there didn't seem to be anything that could be done about it."

KEHE Seeks Power Up to 5,000 Watts

WASHINGTON, Oct. 5.—An increase of night power from 1,000 to 5,000 watts has been asked of the F. C. C. by Hearst Station KEHE, Los Angeles.

The commission also was asked by WTAL, Tallahassee, Fla., to authorize an increase of day power from 100 to 250 watts.

Additions to the tentative calendar of examiners' hearings for the coming month have been made by the broadcast division, as follows:

Oct. 12: Applications of W. C. Irwin for a 1,500-kilocycle station at Amarillo, Tex., 100 watts night, 250 watts day; Four Lakes Broadcasting Co. for an 830-kilocycle, 100-watt daytime station at Madison, Wis.; Northwestern Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Vernon, Tex.

Oct. 18: Applications for new stations of Voice of Detroit, Detroit, 1,120 kilocycles, 500 watts night, 1,000 watts day; Martin R. O'Brien, Aurora, Ill., 1,250 kilocycles, 250 watts daytime; George B. Storer, Pontiac, Mich., 800 kilocycles, 1,000 watts daytime; Gerald A. Travis, La Porte, Ind., 1,420 kilocycles, 250 watts daytime; WWPO, Inc., Pittsburgh, 1,120 kilocycles, 250 watts; *Times* Printing Co., Chattanooga, 1,120 kilocycles, 500 watts night, 1,000 watts day; Cadillac Broadcasting Corp., Detroit, 1,140 kilocycles, 500 watts daytime; Fred M. Weil, Grand Coulee, Wash., 1,420 kilocycles, 100 watts night, 250 watts day.

Oct. 22: New station applications of Gila Broadcasting Co., Safford, Ariz., 1,420 kilocycles, 100 watts night, 250 watts day; Richland Broadcasting Co., Mansfield, O., 1,370 kilocycles, 100 watts daytime; Santo Sottile, Charleston, S. C., 1,200 kilocycles, 100 watts night, 250 watts day; and application of KFBI for authority to move from Abilene to Wichita, Kan.

Oct. 25: George H. Payne, seeking a new 1,440 kilocycle, 500 watt station at San Jose, Cal.; W. A. Barnette, seeking a 1,370 kilocycle, 250 watt daytime station at Greenwood, S. C., and Floyd A. Parton, for a 1,170 kilocycle, 250 watt daytime station at San Jose, Cal.

Oct. 26: Colonia Broadcasters, Inc., and Seaboard Broadcasting Corp., both of Savannah, for a new 1,310 kilocycle station, 100 watts night and, for the latter, 250 watts day; WDWS, Champaign, Ill., for permission to operate nights with 100 watts, increasing day power from 100 to 250 watts.

KOL to Mutual Sunday

SEATTLE, Oct. 5.—Next Sunday has been definitely set as the date for the inauguration of service in this city by the Mutual network. On that date, KOL in this territory will abandon its CBS affiliation to take the Mutual-Don Lee wire. On the same day, the CBS programs will switch to KIRO for local release.

English Television Profit Up

LONDON, Sept. 25.—Electrical Musical Industries, Ltd., radiogramophone combine controlling the television system used by the British Broadcasting Corp., made £393,964 profit in 1937, more than £90,000 over the previous year. Ordinary shares will get 10 per cent.

New Shows on the Air

"The Life of Mary Southern"

The reliable hokum is expertly weaved, acted and presented in this program. There is disillusionment, romance and comedy as the tale is unravelled. The cast performs well and the story manages to be fairly convincing.

Mary Southern is a film actress. She runs away from Hollywood and the studios, returning to her small town friends "to find love" as she puts it. Various complications are introduced after Miss Southern has her cry on a sympathetic shoulder and so goes the story with numerous familiar twists.

Hind's Honey and Almond Cream sponsors the program which is heard every weekday from 4:15 to 4:30 P.M. over the WLW line from WHN. William Esty is the agency. P.

"New Horizons"

Something entirely new and thoroughly engrossing is offered in this spot which is sponsored by the Ten Year Development Program of the American Museum of Natural History and the Columbia Dep't of Talks. The period offers various guest speakers, all of them famous explorers in their own right, who discourse on subjects close to their activities. Monday's broadcast featured Vihjalmur Stefansson, the Arctic traveler who spoke on Polar aviation. His material was exceptionally interesting as he touched upon the rescue work done in the rescue of the Russian flyers who are lost "up there." News flashes from where museum expeditions are at work are also offered giving an up-to-the-minute freshness. "New Horizons" is heard on Monday from 6:15 to 6:30 over CBS. P.

"Dr. Allan Roy Dafoe for Lysol"

Any news about the Dionne quintuplets, particularly from such a close source, should have the listeners centering their dials for this period. Dr. Dafoe gives advice on child care and also intimate and entertaining conversation about his charges. The spot is sponsored by Lysol, a Lehn and Fink product. It is heard Monday, Wednesday and Friday from 4:45 to 5 P.M. over the CBS. The program is rounded out with appropriate music. Dr. Dafoe speaks from Callander, Ont. Lennen & Mitchell, the agency. P.

"On Broadway"

First in the series of stories on men and incidents which make up the glamor and glitter of Broadway, this story was based on the alleged career of a famous columnist, Mr. Manhattan, portrayed by John Brown, and Alice Fost, his secretary, in the role of My Girl Friday.

The columnist is a sensation while his secretary, who has a crush on him, assists in getting out the daily chatter. Said columnist falls for Debutante Miss Vanner, gets swell-headed, quits and learns soon enough that his supposed friends were just images as long as his column was his popular. However, Marcia Grey doesn't forget Ted Brooks and it isn't long before she gets him his old job back and gets her heart troubles straightened out at the same time.

The script is well-handled, but the story itself is bloated with unbelievable situations. It's entertaining in a way and shouldn't be taken too seriously.

Diamond Crystal Shaker Salt sponsored over WJZ and a split NBC-Blue network Sunday from 3 to 3:30 P.M. Jean Paul King does the spiel on the product. Next week, the girl playwright who wouldn't let success go to her head will be dramatized. Benton and Bowles, the agency. O.

"Headlines and Bylines"

Three important commentators, H. V. Kaltenborn, Bob Trout and D. R. Bader discuss international news developments of the week in a manner which impresses. The trio will be a regular feature Sunday nights from 10:30 to 11 over WABC and the CBS system.

Trout took over the microphone first and talked about President Roosevelt's tour, Shanghai and Spanish war developments, Hitler, the Duke of Windsor, Supreme Court Justice Black, the Denver convention of the A. F. of L. and the death of Ed. Howe, editor of the *Atchinson Globe*, Atchinson, Kan.

Bader compared the Black situation with the Dreyfus case and outlined innumerable facts concerning both.

Kaltenborn was impressive. He has a clear and distinct voice and gives emphasis to his reading. This was lacking with Bader, who fumbled and read his lines ineffectually.

Among the subjects discussed by Kaltenborn, and he seemed to have plenty of background to know what he was talking about, were the alarm being shown in France due to the drop in the franc, the Spanish war and how Great Britain and France view it, Mussolini's visit to Germany, and the Sino-Japanese warfare. The commentator goes as far as to give his own opinions on some of the foreign topics and they seemed to be well-reasoned views. O.

Madison Personal Loan Show

Nat Brusiloff and his orchestra, Jane Clifton, blues singer; Jack Eigen, gossiper announcer, and Bob Parker, singer, set a fast pace for this half hour show which went on at 9:30 Sunday nights over WMCA and to be heard every week day night thereafter. Madison Personal Loan is the sponsor with Don Kerr handling the commercial boost.

Helen Morgan was the guest star of the evening, sang one song toward the end and bowed out. The number she did was "He's Just My Bill," from "Showboat."

A rendition of "You Can't Have Everything" by the orchestra opened the show with Miss Clifton following with "That Old Feeling" in blues tempo. Eigen came on next with his "Broadway Newsreel," a few gossip items about stars and personalities of the day. Parker then sang "Star Dust on the Moon." The musicians played an unannounced tune and Miss Clifton took the spotlight again with "Just Foolin' Myself."

"The Bolero Lady," which was

(*Continued on page* 17)

Permits Are Asked For Three Stations

WASHINGTON, Oct. 5.—Issuance of construction permits for new broadcasting stations has been asked of the F.C.C. by Brenau College, planning a 1,210-kilocycle, 100-watt station at Gainesville, Ga.; Pinellas Broadcasting Co., for a 1,370-kilocycle station at St. Petersburg, Fla., with 100 watts night, 250 watts day, and the Colonia Broadcasting Corp., for a 1,370-kilocycle station at Norfolk, with 100 watts night, 250 watts day.

Also submitted were applications of WJIM, Lansing, Mich., for a change of frequency from 1,210 to 630 kilocycles and an increase of power from 100 watts night, 250 watts day to 500 watts night, 1,000 watts day; WTMV, East St. Louis, Ill., for change of frequency from 1,500 to 1,510 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts night, 5,000 watts day, and WISN, Milwaukee, for increase of night power from 250 to 1,000 watts.

"Red" Grange Going on WENR

CHICAGO, Oct. 5.—"Red" Grange will be heard over WENR each Saturday from 5:45 to 6 P. M., C.S.T., commenting on the day's football games and reading scores furnished by Western Union. The program is sponsored by Hinckley & Schmitt.

"Man to Man Sports" for CBS

"Man to Man Sports" is the title of a new series of sports broadcasts sponsored by the American Tobacco Co. for Roi-Tan Cigars. The program will be heard over a CBS hookup of western stations. Lawrence C. Gumbinner is the agency.

Burns and Allen Coming East

HOLLYWOOD, Oct. 5. — Burns and Allen are to leave for New York Oct. 7 to see shows and things for four weeks while Eddie Cantor, Al Jolson and others carry on their radio duties.

Charles Godwin Joins WOR

Charles Godwin, for the past year announcing over WJSV, CBS affiliate in Washington, has joined the staff of WOR announcers. Previous to going to WJSV, he was with WLW, Cincinnati.

Hurley Names McNamara

BOSTON, Oct. 5.—Gov. Charles F. Hurley has appointed John F. McNamara production director of WBZ, as a representative of radio broadcasting on the newly formed Safety Committee.

Robert Kennett Resigns

CINCINNATI, Oct. 5.—Robert Kennett, production manager, WLW-WSAI, has resigned. His successor has not been appointed, and may not be for some time.

WNEW to Get World Series

The World Series games will be broadcast over WNEW, through an arrangement with CBS, which will feed the play-by-play descriptions to WNEW.

Tuskegee Choir for NBC

The Tuskegee Institute Choir will be presented by NBC in a new series of programs beginning Oct. 10 from 1:30 to 2 P.M. over the Red network.

Scophony Planning Theatre Television

LONDON, Sept. 24.—Scophony, Ltd., controlling a television system which has already been shown capable of giving a clear 5 foot by 4 foot picture, is negotiating for the installation of receivers in a number of London theatres.

Transmission directly of events of news interest, such as big fights, is planned. Permission of the British Broadcasting Corp., which has an official monopoly, will be necessary. Alternatively, Scophony will use B. B. C. transmission, technical difficulties in regard to their reception having been overcome. Oscar Deutsch of the Odeon circuit is interested in Scophony and will install equipment at the Odeon in Leicester Square.

M. M. Samuel Heads Publicity

SAN FRANCISCO, Oct. 5.—Milton M. Samuel, Red network press representative for five years, has been named manager of NBC's press department in San Francisco. Samuels' old post will be filled by Robert McAndrews, former publicity director at St. Mary's College.

Further KPO-KGO personnel readjustments include—Marie Elbs from press to continuity acceptance; Nell Cleary from continuity acceptance to press; David Elton to Hollywood production department; Glenn Dolberg, formerly of KFI-KECA, has been named to the local production staff, along with Lee Strahorn and Fred Hegelund.

WCAU and Musicians Agree

PHILADELPHIA, Oct. 5. — WCAU, and Local 77, A. F. of M., have agreed to terms, the station will employ 16 men at $45 a week, pending the outcome of negotiations between the N. A. B. and the A. F. of M.

Negotiations were completed in the New York offices of Sol Rosenblatt. M. Herbert Syme, long identified with labor squabbles in Philadelphia, acted as impartial mediator. WCAU was represented by Dr. Leon Levy and his brother, I. D. Levy, while the A. F. of M. had A. A. Tomei, president of Local 77 and Rex Riccardi, secretary.

WFIL's New York Office Clicks

PHILADELPHIA, Oct. 5.—WFIL is more than satisfied with its new New York office. Donald Withycomb, general manager, says the Manhattan office rolled up a total of $194,000 in time sales for the month ending September 26. The sales include 15 national spot placements, eight Mutual network programs and four WLW Line accounts.

No Court Action on Game Deal

SHAWNEE, Okla., Oct. 5. — Ross Porter, president of the Oklahoma network, a statewide radio chain affiliated with Mutual, has indicated the organization plans no court action in an attempt to break an exclusive contract given WKY, Oklahoma City station, to broadcast football games at the University of Oklahoma this fall, sponsored by the W. B. Kellogg Co.

Charles Speer Joins Ripley

Charles Speer, for the past nine years in the CBS continuity department, has resigned to work on the Bob Ripley productions, under Doug Storer.

New Shows on the Air

Madison Personal Loan Show

(*Continued from page 16*)

said to be an original composition by Brusiloff, was then heard and was followed by Parker singing "Remember Me?" Miss Morgan followed and the orchestra closed with "High, Wide and Handsome." O.

"Back Home"

A Sunday afternoon spot that offers dramatized events from the life and times of James Whitcomb Riley, the Hoosier poet. The characterizations, dialogue, acting and atmosphere are effectively re-created. The poet's admirers will be pleased.

The material flashes from various settings. Sunday's broadcast was a chapter that concerned Riley's visit to New York. It was then the colorful Gotham of Mark Twain, Diamond Jim Brady and Lillian Russell. The names of Delmonico's and Sherry's figured in the action. Later, the story moved to Indiana where a comfortable mood was established with the homey characters that live in Riley's poetry. The period finished with the reading of "At Aunt Mary's. It is very well done and pleasant.

The program is a sustainer. It originates in Chicago and is offered over the NBC-Blue on Sunday from 1:30 to 2 P.M. P.

Mary Margaret McBride

Gossipy, with a charming flair for skipping from one thing to another and doing it all with a pleasant Missouri drawl, Miss McBride opened her series yesterday. She merely introduced herself to the radio audience, briefly, in autobiographical form, telling how she was born in Missouri, went to college, came to New York with a desire to write "deathless prose," and got a job on a paper. Her journalistic career was a merry-go-round of fires, climbing the ladder of the Quarantine cutter with the wind blowing her skirts about her head, and many other adventures.

Miss McBride also plugs her sponsor's product, Minute Tapioca, at intervals. She promised to tell about wild horses on Wednesday. The broadcast is heard from 12 to 12:15 P.M., Monday, Wednesday and Friday over CBS. General Foods sponsors. Young & Rubicam is the agency. P.

"Bicycle Party"

The Cycle Trades of America sponsor this Sunday afternoon spot. It offers cycling information, gifts, blackface comedy, music by Hugo Mariana and various guests. The guest on last Sunday's broadcast was Jim Crowley, the guiding spirit of the Fordham Rams. Bert Whalen, a baritone, handled the solo vocals in good style.

The period will be found entertaining by many listeners and the offer of 15 "wheels" should bring in the expected response. The variety entertainment is well-rounded.

"Bicycle Party" is offered on Sunday from 3:30 to 4 P.M. over the NBC-Red network. Campbell-Ewald is the agency. P.

"Children's Corner"

Dorothy Gordon's "Children's Corner" series, winner of the National Radio Women's Committee award for being the best program of its type in radio, well merits this distinction. Miss Gordon for years has specialized in the field of building and creating entertainment suitable to be heard by children. She has succeeded admirably.

Creating the illusion of a treasure bag by means of excellently conveyed sound effects, Miss Gordon pulls out songs, stories and games, performing all chores herself. She has an excellent singing voice and tells her stories well. Her treasure bag Monday yielded two songs, "The Lilac Tree," written by the superintendent of schools in New York, and "Slumber Song," plus the Greek mythology tale of the "Three Golden Apples."

As part of her program, Miss Gordon asks the youngsters to organize singing groups in their homes. A great many such groups have been formed.

"Children's Corner" is offered over the coast-to-coast CBS network Mondays, Wednesdays and Fridays from 5:45 to 6 P. M. BANNER

"Zion Variety Show"

"Zion Variety Show," a new Monday evening presentation over WMCA, attempts to transcend racial lines by offering entertainment in Jewish and English. Jewish stage stars are featured and the songs they offer are the traditional melodies of that race.

The program features a choral group, Bobby Miller, a boy with a high tenor voice; and a dramatized episode titled the "Jewish Events of the Week." The program is shakiest in this department, as the dramatizations are far from well done. The guest star was Gertrude Bolton, currently co-featured with Molly Picon in an East Side comedy-drama. Zion National Kosher Products sponsor the series, which is offered Mondays from 7:30 to 8 P. M. BANNER

Shift "Homemakers' Exchange"

"Homemakers' Exchange," heard last year over CBS, will be heard over NBC beginning Nov. 30. National Ice Advertising Co. will sponsor, through Donohue & Coe.

Featuring Elinore Howe in home economic talks, the series will be broadcast over the Red network, Tuesdays and Thursdays from 11:30 to 11:45 A. M., with a repeat for the west coast, from 12:45 to 1 P. M.

NBC Staffs Being Reduced

To combat costs mounting more rapidly than revenue is the official explanation offered by NBC for the discharges now swinging through various departments. During the past few days approximately 25 members of the statistical and cost accounting departments have been given notices. How many, if any more, cuts will be made is not known.

Louisiana Revenue Gains 5% in August

NEW ORLEANS, Oct. 5.—Radio advertising in Louisiana increased 5.9 per cent from the July figures after having declined 22 per cent in July from the June figures. All stations participated in the increases in the August-July, 1937, comparisons.

Comparing August, 1937, with the corresponding months of 1936, radio advertising revenue was up 20.5 per cent with all stations showing increases. In August, 1936, radio advertising revenue was 25.3 per cent greater than in July, 1936.

Bradenton Seeks Station

BRADENTON, Fla., Oct. 5.—First steps toward securing a broadcasting station for Bradenton were taken when the board of directors of the Chamber of Commerce voted to make application to the F. C. C. for the operation here of a 100-watt station. The City Council later endorsed the plan.

Chamber of Commerce officials say the principal object is to gain publicity for Bradenton.

Charter Salisbury Radio Firm

RALEIGH, N. C., Oct. 5.—Piedmont Broadcasting Corp., with principal office at Salisbury, N. C., has received a charter from Secretary of State Eure. The authorized capital stock is $50,000, with $300 subscribed by J. F. Hurley, Jr., Bryce P. Beard and William S. Coverton, Jr., all of Salisbury.

Radio Paper Has Program

CINCINNATI, Oct. 5. — "Personalities on Parade," in which Marsha Wheeler of WKRC interviews executives of various major industries, now is under sponsorship of *Radio Dial,* local publications listing programs and other air data.

Music Conservatory on Air

CINCINNAT, Oct. 5.—WKRC, CBS affiliate, is presenting a quarter-hour broadcast at 3:15 P. M., Mondays, Wednesdays and Fridays, featuring music from the Cincinnati Conservatory of Music, under the direction of Hubert Kockritz.

Ed Sprague Joins WLW

PITTSBURGH, Oct. 5.—Leaving Pittsburgh after more than five years, Ed Sprague has gone to Cincinnati to join the sports announcing staff of WLW. Sprague started here at WWSW and, curiously enough, his successor, Al Helfer, is now also a sportscaster for WLW.

Drake to Teach Radio

DES MOIES, Oct. 5. — A radio course based on the workshop plan will be given as a night school class at Drake University here during the fall semester.

Bible Society on WNEW

A new series of broadcasts in cooperation with the American Bible Society will be presented on WNEW Thursdays at 9 P.M. beginning Oct. 7.

Satz New NBC Sound Chief

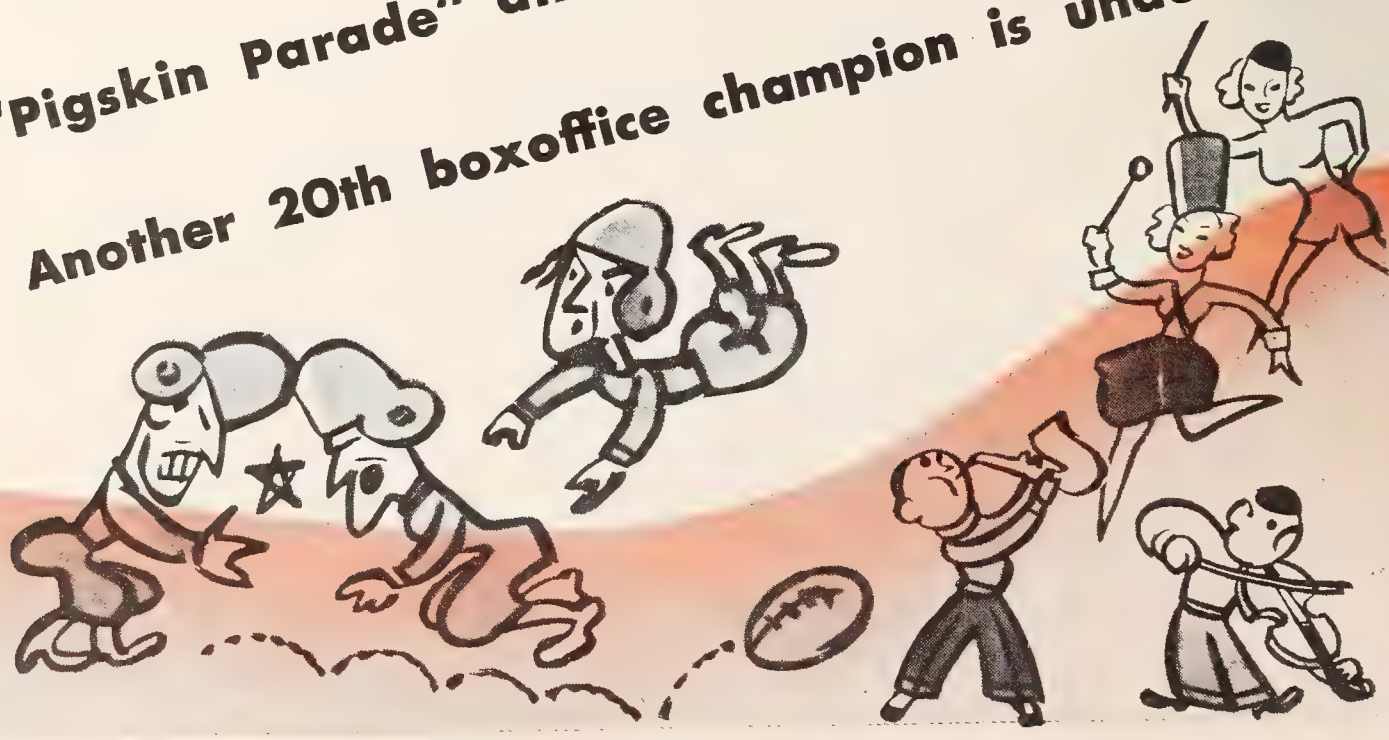
HOLLYWOOD, Oct. 5. — Harold J. Satz, recently transferred here from New York, has been named chief of the NBC sound effects crew for the west coast division.



LIFE BEGINS IN COLLEGE

GOALS 20th's BIGGEST as Ritzes run opposition dizzy!

"Life Begins in College" began its all-American rampage by topping "Thin Ice" in SAN FRANCISCO . . . smothering "Pigskin Parade" and "You Can't Have Everything" in PHILADELPHIA . . . out-scoring "Wake Up and Live" in ST. LOUIS . . . crushing "Thin Ice" in WORCESTER . . . walloping "You Can't Have Everything" in WASHINGTON . . . bowling over "Pigskin Parade" and "Wife, Doctor and Nurse" in ROCHESTER! Another 20th boxoffice champion is under way!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 83 NEW YORK, THURSDAY, OCTOBER 7, 1937 TEN CENTS

Para. Appeal Is Argued at Philadelphia

Decision Is Reserved by U. S. Circuit Bench

PHILADELPHIA, Oct. 6.—Paramount's appeal from Federal Judge Oliver B. Dickinson's decision dismissing the company's conspiracy action against local exhibitors participating in the "buyers' strike" against the company was heard today by the U. S. Circuit Court of Appeals here. The court reserved decision on the appeal.

William A. Schnader, local counsel for Paramount, argued the appeal. He charged that the U. M. P. T. O. and other exhibitor defendants in the Paramount action engaged in an unlawful conspiracy to restrain interstate trade by provoking the alleged boycott against the company's pictures. It was also charged that the exhibitors employed coercive measures in effectuating the "buyers' strike."

Benjamin Golder, attorney for the defendant exhibitors, endeavored to

(*Continued on page 8*)

Para.-Wilby Talks Resume Next Week

Paramount will resume negotiations with R. B. Wilby on a new operating contract for the Wilby-Kincey Circuit about Oct. 18, Y. Frank Freeman, Paramount vice-president and theatre head, said yesterday.

Wilby is expected here from Atlanta at that time to resume the negotiations which were interrupted for various reasons in mid-summer. The negotiations will be conducted on the basis of a five-year operating pact, Freeman said. The contract covers

(*Continued on page 8*)

Ambassador to Make 16 Films in 1937-38

Maurice Conn, president of Ambassador Pictures, Inc., said yesterday that his company will produce 16 features for 1937-'38. Conn, who has been in New York for several weeks completing distribution plans, will return to the coast soon, to start work on the first production.

Conn will establish offices in the

(*Continued on page 8*)

Radio—Pp. 9-10

"U" Sales Force Stays Intact; Plans to Drop 144 Abandoned

The economy purge at Universal which resulted in the discharge of approximately 112 employes at the home office last week will not touch the sales force, here in New York or at any point throughout the country.

Plans had been tentatively made to reduce exchange employes nationally by 144 and, it is understood, were discussed at a meeting of the company's advisory board Monday evening, following the return of James R. Grainger from a sales trip. Decision then was reached not to make a solitary slash, thereby lifting from the minds of men in the field any concern over the future of their jobs.

Appeal from Verdict Considered by Frels

DALLAS, Oct. 6.—Ruben Frels, independent south Texas exhibitor, who yesterday lost his damage suit for $600,000, against the Jefferson Amusement Co., and several major distributors, is considering an appeal of the directed verdict by Federal Judge William H. Atwell.

The verdict was ordered on the ground that Frels had failed to make a case, and followed a motion by counsel for the defense, made as the plaintiff's testimony was completed. The trial had opened on Monday. Frels had contended that after the Jefferson Amusement Co. had begun renting theatres in the towns in which he operated, his supply of major films dwindled until he was forced out of business.

Pathe-RKO in Deal To Print Newsreel

O. Henry Briggs, president of Pathe Film Corp., yesterday concluded negotiations with Ned E. Depinet, president of RKO Distributing Corp., and Frederick Ullman, Jr., vice-president and general manager of Pathe News, to handle all the printing, negative developing and rush work for the

(*Continued on page 4*)

Brandt Picks Men to Talk Allied Merger

Harry Brandt, president of the I.T.O.A., yesterday appointed a committee of four to discuss with Allied of New Jersey the possibility of merging both local organizations. Maurice Fleischman heads the committee, which includes David Weinstock, Leon Rosenblatt and Jimmy Binkov. The Jersey Allied committee is headed by Irving Dollinger, president, Louis Gold and Morris Marks. The meeting of both groups will be held next Wednesday.

Members of the I.T.O.A., at their regular meeting at the Astor yesterday, reaffirmed their proposal to discard giveaways and games on Dec. 1 provided other independents and major circuit theatres join in con-

(*Continued on page 4*)

B. C. Gov't Refuses To Help End Strike

VANCOUVER, Oct. 6.—The Provincial Government has refused the request of independent operators for permission to use non-union projectionists in an effort to break the strike which opened here yesterday. All but six independent houses were dark last night, with the Famous Players the-

(*Continued on page 4*)

Emanuel Buys in Harrisburg To Compete with 2 Circuits

HARRISBURG, Oct. 6.—Jay Emanuel, Philadelphia publisher of regional trade papers and operator of seven eastern Pennsylvania theatres, will enter the first run field in this city in competition with Wilmer & Vincent and Loew's, he stated today.

Emanuel has taken a 21-year lease on the Russ Bldg. in the heart of the city's business district, which he will convert into a modern picture house with an expenditure of $100,000 for improvements and equipment, he said. There are already four first runs here, three of which are operated by Wilmer & Vincent and one by Loew's.

The Russ Bldg. is a four-story brick structure with store, large bowling casino and offices. The owners are Mrs. Ida Russ and her daughter, Mrs. Rosa Russ Strickland. The amount of the rental was not disclosed.

The new theatre will be known as

(*Continued on page 4*)

CEA, FBI Ask Extension of Gov't Control

Also Urge Modification Of Double Quota

By BRUCE ALLAN

LONDON, Oct. 6.—A greater measure of Government control over the film industry in England is expected to be urged by the Cinematograph Exhibitors' Assn., and the Film Group of the Federation of British Industries.

The extension of control is expected to be urged in the form of an official film commission representing the Government, instead of the advisory committee as recommended in the Government White Paper on the proposed new Films Act, which will replace the present legislation, expiring next year.

Committees of the C.E.A. and the Film Group have discussed joint action on the Films bill, and formal conferences are scheduled to be held following the endorsement of the committee recommendations by the councils of the two organizations.

The joint suggestions are expected also to ask for modification of the double quota provision as proposed, on the ground that the provision will tend to reduce footage and decrease employment. The double quota recommendation provides that pictures of a certain caliber in negative cost may be counted for double footage in the quota.

G.B. Profit from Theatres £561,701

LONDON, Oct. 6.—The Gaumont British annual financial statement, issued today, showed a net profit from theatres and investments of £561,701, increased by a balance brought forward of £147,021 and the transfer from reserve of £435,278, making a total of £1,144,001 available. The company's annual meeting will be held Oct. 15.

Deductions include provision for

(*Continued on page 4*)

Morris, Asher Talk To Warner on Plans

LONDON, Oct. 6.—Sam E. Morris, foreign head for Warners, and Irving Asher, head of Warner British production, flew from here to Paris today to obtain the approval of Jack L.

(*Continued on page 4*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 42 October 7, 1937 No. 83

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MAURICE KANN, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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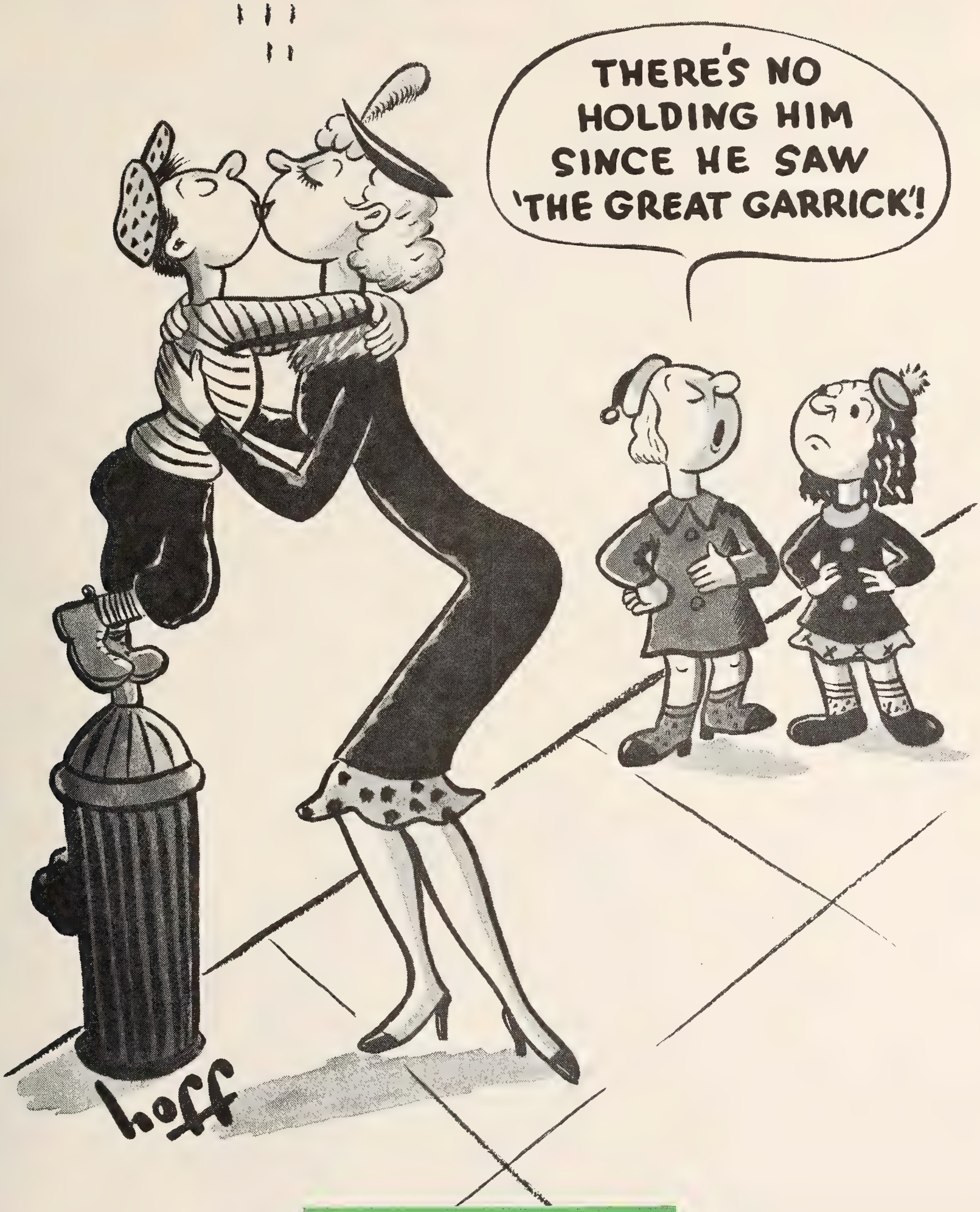
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(*Continued from page* 1)

production losses amounting to £766,809, which are reduced by £200,000 from a special reserve created last year; income tax, debenture sinking fund and interest reserve for amortization and depreciation, plus the preference dividend paid last March, for a grand total of £1,112,047, making a net balance of £31,953 carried forward. The balance compares with £196,756 last year.

No dividend on the ordinary shares is provided for. The transfer from reserve of the £435,278 was necessary to balance the production losses, concerning which the report states: "The directors have considered it prudent to cease production at the Shepherd's Bush studio." The report refers to the deal with General Film Distributors, declaring it "should be favorably reflected in the future accounts of the corporation. The realization of film stocks is effecting a gradual reduction of the bank overdraft."

The overdraft amounts to £819,778, against £1,149,785. Film productions amount to £77,962, against £521,257. The failure to recover from the United States a proportion of the production costs, is stated as the cause of the losses of G.B. Distributors.

The first impression in most quarters is that the discontinuance of production will result in the company showing a real profit in the new year, but a stormy meeting is expected as the result of the passing of the dividend for the second year.

German Editor Calls Dietrich 'Traitress'

NUREMBERG, Germany, Oct. 6.—Marlene Dietrich has been called a "traitress to Germany" by Julius Streicher in his weekly newspaper *Der Stuermer* because she has applied for American citizenship. It is believed that she will not be allowed to visit Germany in the future.

What effect the diatribe will have upon circulation of her films in this country remains to be seen.

Morris, Asher Talk To Warner on Plans

(*Continued from page* 1)

Warner, vice-president in charge of production, on the complete plan of Warner British production in association with the Hollywood schedule.

Both Morris and Asher expect to return to Hollywood with Warner to discuss the allocations of American stars and directors in England.

Would Limit Programs

LONDON, Oct. 6.—The Kinematograph Renters' Society (distributors) plan a new provision in rental contracts providing for the limitation of theatre programs to two features, one short and a newsreel, or a total of three and one-quarter hours, whichever is longer.

Ritchey to Visit Paris

LONDON, Oct. 6.—Norton V. Ritchey, in charge of Monogram foreign distribution, now here, will leave for Paris, Oct. 12.

Emanuel Buys in Harrisburg To Compete with 2 Circuits

(*Continued from page* 1)

the Senate and will seat 1,100 persons. Emanuel said he has a five-year RKO franchise and has other film contracts pending. The front of the building will be modernistic and built with stainless steel. It will be air conditioned. The lease is effective as of Oct. 1 and remodeling will begin as soon as possible, most of the tenants having vacated already. The date of opening has not been set yet.

Emanuel operates the Grand, Jackson, Dewey and Ridge Ave., Philadelphia; Park and Rajah, Reading, and Fulton Opera House, Lancaster. He obtained control of the latter on Aug. 1 from the Horace Finch Estate.

Pathe-RKO in Deal To Print Newsreel

(*Continued from page* 1)

newsreel for five years, starting Jan. 1.

Included in the deal is an agreement whereby Pathe Film acquires exclusive rights for the Dionne Quintuplet pictures for the 16mm and 8mm field. The material will be released by Pathegrams, Inc., Pathe Film subsidiary. Other items in the Pathe News library will be available for Pathegrams, it was stated.

Construction of the new eastern laboratory in the Pathe News building will get under way shortly by Pathe Film. Plans call for the plant to be ready for operation by Jan. 1. This laboratory will supplement the company's larger plant at Bound Brook, N. J. While construction is under way, Pathe News at the same time will remodel its offices in the same building.

B.C. Gov't Refuses To Help End Strike

(*Continued from page* 1)

atres under the threat of a walkout this morning. Famous Players and the projectionists met in an effort to reach a compromise before noon, but failed to reach an agreement.

A deputation from the M.P.T.O.A. interviewed the Provincial Government today again seeking permission to use non-union men, who are fully licensed. It is believed these men are from eastern Canada. Meanwhile all independent theatres are dark with the exception of the Beacon, Rex, Star, Plaza and Lyric, all of which acceded to union demands yesterday. Of 47 theatres in the city only 19 were open yesterday.

Schaefer Stays West

HOLLYWOOD, Oct. 6.—George J. Schaefer has delayed his departure for New York to continue conferences with Dr. A. H. Giannini, president of United Artists. Monroe Greenthal, director of advertising and publicity, left tonight by American Airlines and will reach New York tomorrow morning.

Walter Wanger Here

Walter Wanger arrived from the coast yesterday by plane. He plans to remain here about two weeks.

Witness Intimidation Is Charged by Guild

HOLLYWOOD, Oct. 6.—After William J. Walsh, special Regional Labor Board attorney, with the introduction of more financial matters concluded temporarily his presentation in the hearing of the Screen Writers Guild petition for a collective bargaining agency election, Guild Attorney Leonard S. Janofsky today precipitated oral battles by getting into the record the fact that his writer witnesses had demanded subpoenas "to protect them in their jobs because of what they will testify here."

Janofsky presented an application to subpoena writers Brian Marlow, Sheridan Gibney and Sherman Lowe, at present working in studios, indicating a fear of possible reprisals but counsel for the respondent companies and Screen Playwrights, Inc., bitterly fought the intimations. The studio attorneys stipulated that all the time needed from their duties would be afforded the Guild witnesses but Janofsky insisted upon subpoena issuances. Applications under the new board ruling must go to Washington for confirmation.

Pioneer Testifies

Frank Woods, veteran of the industry and first witness for the guild, told of the formation in 1920 of the Screen Writers Guild of the Authors League of America and of the Screen Writers Guild of California Corp. and traced to 1927 the attempts of the guilds which he said were the same organizations to bargain collectively with producers.

Woods also told of formation of the Academy of M. P. Arts and Sciences at a private dinner party given by Louis B. Mayer at the Biltmore Hotel in May, 1927. When counsel for the respondents objected to this as immaterial Janofsky stated it was important in showing the Academy's part in writer contract negotiations.

Ewell Moore, first attorney for the Writers Guild and now attorney for the Home Owners Loan Corp., here, took the stand to identify documents regarding the early life of the Guild.

The hearing adjourned until Friday to give Trial Examiner William Ringer and witnesses an opportunity to visit M-G-M.

Brandt Picks Men to Talk Allied Merger

(*Continued from page* 1)

certed action. The local film buying situation also was aired with exhibitors agreed that new product deals by major companies in the local area are at a low point.

The membership will meet again on Oct. 20, when Fleischman will report on merger developments.

Flash Preview

"This Is China"—A rather depressing but authentic picture of China as it exists—or struggles to exist—today.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Ascap's Quarter Earnings at Peak

Ascap's earnings for the third quarter, ended Sept. 30, provide the largest net distribution to members of any similar quarter in the organization's history. The amount available for distribution for the period was estimated yesterday at $984,000 by John G. Paine, chairman of the Ascap administrative committee. This compares with $949,000 for the same period last year, which was the organization's previous high for a third quarter distribution.

The society's record earnings for the period were realized despite the fact that no revenue was received during the quarter from five states which have enacted legislation barring Ascap from operating therein. Those states are Montana, Washington, Nebraska, Tennessee and Florida. Had operations been on a normal basis in all five, the society's distribution for the period might have been increased by $150,000, it was estimated.

Ascap has issued invitations to all foreign composers' and authors' societies to hold their annual international convention in New York next year, Paine said. The foreign societies' conference usually is held in May or June.

Warner Men in Meeting

CHICAGO, Oct. 6.—All Warner theatre men in this territory attended an all-day session at the Blackstone Hotel here today. Plans for the coming season were discussed. Joseph Bernhard, head of Warner theatres, and James Coston, theatre division manager, presided over the sessions, attended by 60 managers and executives.

Columbia Statement Due

LONDON, Oct. 6.—A statement on Columbia's British production plans is expected to be issued by Jack Cohn, vice-president, during his stay here. He is due tomorrow.

Wall Street

Light Board Gains

	Open	High	Low	Close	Net Change
Col.	18⅜	18½	18	18½	+ ⅜
Cons.	2	2	2	2	.....
Cons., pfd.	8⅛	8¼	8⅛	8⅛	— ⅛
E. K.	166	168	165	168	+2
G. T. E.	17⅜	18	17⅞	18	+ ½
Loew's	66⅞	70⅜	66⅞	70⅜	+3¼
Loew's, pfd.	105¼	105¼	105¼	105¼	—1
Para.	15¾	17	15¾	17	+1
Para. 1	111¼	119	111¼	119	+5½
Para. 2	14⅛	15⅜	14⅛	15⅜	+ ⅝
Pathe	7¼	7¾	7¼	7⅝	+ ⅝
RKO	5½	5⅞	5½	5⅞	+ ⅛
20th Fox	26⅝	28½	26⅝	28	+1¼
Univ., pfd.	30	30½	30	30½	— ½
Warner	9½	10⅛	9½	10	+ ⅛

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
G. N.	2	2	2	2	.....
Sonotone	1½	1⅝	1½	1⅝	.....
Tech.	22¼	24¼	22¼	24	+1⅜
Trans-Lux	3⅛	3⅛	3⅛	3⅛	— ⅛
Univ.	4	4	4	4	.....

Para Bonds Off

	High	Low	Close	Net Change
Loew's	99	98¾	99	+ ¼
Paramount B'way	67½	67½	67½	.....
Paramount Pict.	99¾	99¾	99¾	.....
Paramount '47	83	81¼	81¼	—2¼
Warner Bros.	84¼	83¾	83¾	—1

(Quotations at close of Oct. 6)

"Double Wedding"- Double Playing Time!



They're rolling your way—

—and they're golden!

Laugh! Scream!
Leap with Joy!
The funniest yet
With Powell and Loy!



"Wedding" Roy

FATTER BOX-OFFICE THAN THE "THIN MAN" SERIES!

"Double Powell

Double Stars! Double Fun! Double Time! Double Profits!



ALSO IN THE CAST:
Florence Rice • John Beal • Jessie Ralph • Edgar Kennedy
Screen play by Jo Swerling • Directed by Richard Thorpe
Produced by Joseph L. Mankiewicz • An M-G-M Picture

LITHO U.S.A.

Increases Spread in Wilmington Theatres

WILMINGTON, Oct. 6. — Admission prices in almost all of the 12 theatres have been increased from five to ten cents.

Loew's Parkway and the Aldine, Stanley-Warner first run, had the sharpest increases from 40 to 50 cents in the evenings, tax included. The Rialto, a first run independent, made a five-cent increase.

Matinee hours at reduced admissions were changed by some theatres and others made straight increases.

Other houses reporting increases were the Arcadia and Queen, second run Stanley-Warner houses, and the Park, an independent neighborhood. The Park increased from 20 to 25 cents on Oct. 2 when the theatre was reopened after alterations.

Regular admissions are still being charged at the Grand Opera House and Savoy by Stanley-Warner, and at the Strand, an independent neighborhood. The Ace, another neighborhood independent, increased from 20 to 25 cents last February.

Raise Iowa Admissions

DES MOINES, Oct. 6.—The Central States Theatre Corp. has raised admissions five cents in Iowa. Theatres in the larger cities with a previous price of 35 cents have been raised to 40 cents and the B theatres in the smaller towns now are up to 35 cents. The price raise was tried out first in Mason City, Ia., and found very successful.

Increase Scale at Lincoln

LINCOLN, Neb., Oct. 6.—The first price raise in nearly a year is Milt Overman's change at the Varsity from 10c-15c to 10c-20c-25c on the same basis with the opposition Lincoln. The Overman, on duals for the summer, will go to single features.

Berlin Theatres Slump

WASHINGTON, Oct. 6.—The summer slump has hit the theatres of Berlin, according to a report to the U. S. Dep't of Commerce from Assistant Commercial Attache R. M. Stevenson. The 401 theatres operating in June hit a season low, with 3,345,405 persons paying 2,634,202 marks, as against the 1937 high in March, when with one more theatre, 6,653,766 paid 5,418,152 marks.

Plan 3 in Wisconsin

MILWAUKEE, Oct. 6.—Three new theatres are planned for Wisconsin. They include a house at Kaukauna by William Van Dyke, operator of the present Vaudette; a new 450-seat house at Elroy by Eskin Theatres, Inc., and a new 600-seat house at De Pere by W. R. Vincent, operator of houses in De Pere, Oconto Falls, Denmark and Oconto. All are slated to open before the first of the year.

Commonwealth Expands

KANSAS CITY, Oct. 6.—Commonwealth Amusement Corp., operating over 25 theatres in Kansas, Missouri and Iowa, has acquired the 400-seat Plaza at Neosho, Mo., from N. W. Huston. Huston operates in Columbus, Kan., also.

Commonwealth already is a partner in the Fotosho and Orpheum at Neosho with Hugh Gardner and Ed Harris.

Looking 'Em Over

"Moonlight on the Range"

(*Spectrum*)

The title has little to do with the story in this western. It serves merely as a label, something which serves to identify. The film otherwise is fast-moving stuff with humorous asides and some snappy dialogue. Of course, the rip-roaring and noisy action is scattered here and there and a noisy fist fight brings things to a conclusion.

Fred Scott is featured in "Moonlight on the Range." He sings with an excellent baritone voice and puts a few stirring numbers across very well.

When his best friend is murdered by "Killer" Dane, Scott sets out to avenge his death. He soon discovers that the culprit is his cattle-rustling half-brother. He joins up with Lois January's outfit and soon is devoting his spare time when he is not otherwise engaged in singing and romancing, to tracking down the outlaw. With much action and riding the piece soon after comes to its proper end.

Al St. John provides plenty of laughs as the comedy relief. Sam Newfield directed.

Running time, 62 minutes. "G."

British Vaudeville Opposes "Doublings"

LONDON, Sept. 26.—A ballot of members of the Variety Artistes Federation has shown 943 votes against and 49 votes for the practice of "turn working" or "doubling" in provincial theatres.

The vote was arranged as a result of negotiations between the V.A.F. and Union Cinemas, Ltd., which had started the practice of playing stage acts in two theatres in the same town. V.A.F. rules bar doubling except in London, but Union claimed it was unable to pay the salaries demanded by good acts unless it could spread the charge over more than one theatre.

The V.A.F. decision, which reiterates the prohibition of doubling out of London, is likely to act as a check on any general tendency on the part of film exhibitors to take up vaudeville.

Kinemas Gross £83,075

LONDON, Sept. 26.—Kinemas, the South African holding company, reports a gross revenue of £83,075 for the year to June 30, and a balance of £53,745 after deducting debenture and capital reorganization charges and other expenses. A final dividend of 6½ per cent, making 11½ per cent for the year, will be paid. Revenue received from African Consolidated Theatres and African Consolidated Films in the year was £54,120 as against £44,440. The London market quotes the five-shilling ordinary shares at seven shillings and the 5¼ per cent debenture stock at 95½. The ordinary capital is £400,000.

Shift Denver Managers

DENVER, Oct. 6.—New manager at the Fox Hiawatha is Tom Ward, succeeding William Hughes, resigned. Ward was formerly assistant manager at the Ogden, and he has been succeeded there by Robert Dane. The new manager of the New and Old Victory here is H. K. Allen, who formerly owned the Island, Grand Island, Neb. Allen succeeds Dale Kline, resigned.

Cecil Lynch is now managing the Colorado, Gem and Tivoli, owned by Bob and Ed Mapel.

Electric, K. C., Has 31st Birthday Week

KANSAS CITY, Oct. 6.—The Electric is celebrating its 31st anniversary. The oldest house in Kansas City, Kas., was honored, as it has been in years past, by the proclamation from Mayor Don C. McCombs, who proclaimed the period "amusement week," and called attention to the "high standard of entertainment service" the theatre has rendered.

A. F. Baker, who has been in charge of the house since it first was opened, Oct. 6, 1906, and George Baker, his son, made it a big week with "Artists and Models" the first half, and a big stage show and picture the last half. During the latter half the admissions will he hiked five cents, from 15 cents to 20 cents on matinees, 25 to 30 at night.

Report Plaza Takeover

MILWAUKEE, Oct. 6.—Current reports are that the Plaza, south side neighborhood house operated by Al Bartel, will revert to the Fox circuit Oct. 17. Several other independent houses are also reported on the verge of being annexed by that circuit.

Transfers of independents to circuits in the past year have been heavy with an estimated 25 independent, out of 70 theatres, reported still surviving.

Shift Canada Managers

HAMILTON, Ont., Oct. 6.—Leonard Bishop, Famous Players manager, has been transferred to the Tivoli here, succeeding Jack Purves, who has been ill for some weeks. Larry Graburn, formerly of the Metropolitan in Regina, has been transferred to Halifax to manage the Capitol, replacing Bishop. The Savoy here, closed since 1930 although it is one of the largest houses in the city, has reopened. George Stroud, owner, has named as manager Frank Reid, formerly of the local Capitol.

Form Theatre Company

CINCINNATI, Oct. 6.—Hico Theatres, Inc., has been incorporated here with 250 no par shares by A. B. Chrisholm, M. J. Yost and K. Wordeman. The company will take over operation of the Lyric and Rand, at Greenfield, O. Maurice White probably will be general manager.

Tampa City Licenses Given a Sharp Boost

TAMPA, Oct. 6.—City licenses known as "occupation taxes," have been given a sharp increase by the City Council. The new emergency ordinance is to raise funds to pay the city's share of WPA projects. The new scale took effect Oct. 1.

Theatres have been placed on a sliding scale, based upon seating capacity and admission charges, as well as the giving of prizes. The new scale starts with houses seating up to 1,000 and admission prices up to 20 cents at $175 per year, plus an extra $100 if Bank Night, Screeno or other games are used. Where the capacity exceeds 1,000 and the prices are 30 cents or less, the rate is $325, plus $75 for the chance games. Where the admission scale exceeds 30 cents the license will be $400, plus $625 for the chance games. The former city licenses were a flat $150 for all houses, regardless of capacity or admission prices, with an additional $50 if advertising is shown on the screen.

Names Reeves Manager

CLEVELAND, Oct. 6.—Cary Reeves has been appointed manager of Warners' Lake, which reopened last week, by Zone Manager Nat Wolf. Don Jacobs, previously announced as manager of the Lake, instead becomes assistant manager at Warners' Hippodrome, where he succeeds George Frazer, transferred to the Variety as assistant.

Yaekle to Danville

MIDDLETON, O., Oct. 6.—William Yaekle, manager of the Gordon, has been appointed city manager at Danville, Ky., in charge of the Kentucky and State, just taken over by Southio Theatres. James Stemper has moved from the Sorg to the Gordon to replace Yaekle. He also will have charge of the Strand.

L. F. Durland Promoted

KANSAS CITY, Oct. 6.—L. F. Durland has been named sales manager of Monogram Pictures of Kansas City, Inc., by W. L. Norris, president of the exchange. Norris has been in ill health the past year, and will devote more of his time to covering the territory.

May Not Reopen House

CINCINNATI, Oct. 6.—The Mayfair, 400-seat "art cinema," in the downtown business sector, which has been dark for the summer, may not reopen, according to J. Ebersole Crawford, managing director.

Resumes Single Bills

OKLAHOMA CITY, Oct. 6.—The State here, which has been using duals for several months, has returned to single bills. Top price, which has been 25 cents during the summer, has returned to 40 cents. The Liberty, downtown first run, is the only double feature house left in Oklahoma Citv

Has Week of Vaudeville

HARTFORD, Oct. 6.—The State here has adopted a full week of vaudeville since last week's ordinance permitting Sunday films and stage shows beginning at 2 P.M. The Cameo, former combination house, will close soon.

"Horizon" Is Double Smash On the Coast

LOS ANGELES, Oct. 6.—"Lost Horizon," on a dual with "The Game That Kills" at the Hillstreet and Pantages, just about flattened out all first run competition last week. The take at the Hillstreet was $19,500, over normal by $11,500, and at the Pantages the gross was $17,000.

The only other first run to get into the profit column in the face of this competition was the Grand which had "The Thirteen," a Russian film. The $2,600 gross was more than double average. "The Life of Emile Zola" held up to $11,700 in its fourth week at the Carthay Circle.

Total first run business, $101,800. Average is $107,950.

Estimated takings for the week ending Oct. 6:

"THE LIFE OF EMILE ZOLA" (W. B.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 4th week. **Gross:** $11,700. (Average, $17,000)

"WALTER WANGER'S VOGUES OF 1938" (U. A.)
"BORNEO" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $10,700. (Average, $12,500)

"KING SOLOMON'S MINES" (G. B.)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $2,000. (Average, $3,250)

"THE THIRTEEN" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** $2,600. (Average, $1,200)

"LOST HORIZON" (Col.)
"THE GAME THAT KILLS" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $19,500. (Average, $8,000)

"WALTER WANGER'S VOGUES OF 1938" (U. A.)
"BORNEO" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $10,500. (Average, $14,000)

"LOST HORIZON" (Col.)
"THE GAME THAT KILLS" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $17,000. (Average, $8,000)

"DANGER—LOVE AT WORK" (20th-Fox)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: The Redingtons, Maidie and Ray, F. & M. Revue, Rube Wolf and his orchestra. **Gross:** $12,500. (Average, $18,000)

"CONFESSION" (F. N.)
"DANCE, CHARLIE, DANCE" (F. N.)
WARNER BROS. (Hollywood)—30c-65c, 7 days. **Gross:** $6,900. (Average, $14,000)

"CONFESSION" (F. N.)
"DANCE, CHARLIE, DANCE" (F. N.)
WARNER BROS. (Downtown)—(3,400), 30c-65c, 7 days. **Gross:** $8,400. (Average, $12,000)

Stein Leaves for South

Joseph L. Stein of the Copyright Protective Bureau leaves today for a tour of the south on copyright infringements. He will visit Oklahoma City, Dallas, Houston, New Orleans, Birmingham, Atlanta and Charlotte and will return to New York in three weeks.

Joe Louis Is Signed

HOLLYWOOD, Oct. 6.—Joe Louis, heavyweight champion, has been signed to appear in a feature called "The Spirit of Youth" with an all-negro cast. Edward Shanberg heads the company which will produce the picture and Martin Finkelstein of Kansas City is vice-president.

ITPA to Meet Nov. 2-3

MILWAUKEE, Oct. 6.—The I.T.P.A. will hold its annual meeting Nov. 2 and 3 in Milwaukee.

The local committee in charge of arrangements consists of E. F. Maertz, president; R. A. Tesch, business manager, and Max Krofta.

"Woman" Hits $30,000, Top On the Loop

CHICAGO, Oct. 6.—"That Certain Woman" was an outstanding draw at the Oriental with a take of $30,000, which was $12,000 over normal.

"Thin Ice" also went into the big money with a gross of $20,500 at the Roosevelt. This was $9,500 to the good. "Big City" was well into the profit column with $16,000 at the United Artists, up by $5,000. "100 Men and a Girl," with Block and Sully on the Palace stage, slipped to $18,000 in its second week.

Clear weather, baseball and football and the infantile paralysis epidemic hurt business.

Total first business was $141,000. Average is $118,000.

Estimated takings:

Week Ending Sept. 30:

"LOST HORIZON" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: Evans Ballet and Revue. **Gross:** $30,000. (Average, $32,000)

"TOPPER" (Para.)
GARRICK — (900), 35c-55c-75c, 7 days. **Gross:** $5,000. (Average, $6,500)

"THAT CERTAIN WOMAN" (W. B.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $30,000. (Average, $18,000)

"100 MEN AND A GIRL" (Univ.)
PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: Block and Sully, and Revue. **Gross:** $18,000. (Average, $19,000)

"SING AND BE HAPPY" (20th-Fox)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $14,200. (Average, $13,000)

Week Ending Oct. 1:

"STELLA DALLAS" (U. A.)
APOLLO — (1,400), 35c-55c-75c, 7 days. **Gross:** $7,300. (Average, $6,500)

"THIN ICE" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $20,500. (Average, $11,000)

"BIG CITY" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $16,000. (Average, $11,000)

New Wage Scales Up To Milwaukee Group

MILWAUKEE, Oct. 6.—A citywide bargaining committee to discuss a new wage contract with the projectionists' union here has been named as follows:

C. W. Trampe, E. F. Maertz, Max Krofta, Ernst Langemack, Merrill Devine, E. J. Weisfeldt, R. A. Tesch, H. J. Fitzgerald, general manager, Wisconsin Amusement Enterprises; A. D. Kvool, general manager, Warner-Saxe Theatres, and Harold Mirisch.

The present contract expires Oct. 31.

Tesch and Trampe also comprise a committee to draft a proposed zoning and clearance schedule for the county.

New Operators' Pact Up to Chicago Union

CHICAGO, Oct. 6.—The local operators' union, at a general meeting tomorrow, will be asked to ratify a new contract which gives them a five per cent increase. The operators had asked for a 20 per cent raise, but the exhibitors refused. It is expected the union will accept the five per cent.

The new agreement, if ratified, will go into effect as of Oct. 1, although the previous contract expired on Sept. 1.

$437,783,318

The market value of amusement stocks traded in on the floor of the N. Y. Stock Exchange as of Oct. 1 was $437,783,318 and the average price of those securities $24.43 a share.

Para.-Wilby Talks Resume Next Week

(*Continued from page* 1)

operations of one of the largest Paramount theatre units, embracing about 80 theatres in the Carolinas, Georgia, Alabama and Virginia. The former operating pact expired last June 30. Indications are that a new pact will be retroactive to that date.

Freeman plans to leave for Dallas on Saturday to confer with Karl Hoblitzelle and R. J. O'Donnell there on Interstate Circuit operations. He is scheduled to be back in New York about the middle of next week.

Bartholomew Case To Be Heard Oct. 15

LOS ANGELES, Oct. 6.—M-G-M is scheduled to go into Superior Court here Oct. 15 to follow up its preliminary court victory, in its attempt to prevent Freddie Bartholomew from "jumping" his contract, entered into in September, 1934.

The trial date was set by Superior Judge Emmett H. Wilson, who issued an order restraining Freddie from working for any other studio, and upheld the validity of the state statute covering minors' contracts, in a strongly worded opinion. The trial will be before another judge.

The attack on the constitutionality of the statute was the first since its enactment in 1927. Attorneys for the young actor contended it was unconstitutional because it set apart the contracts of minors who were performing dramatic and picture work, and did not apply to contracts made by minors for other services.

Judge Wilson held that the statute did not make an arbitrary or discriminatory classification and that because of the character of the work performed, it was not in violation of the constitution.

The law is not to the detriment of minors, he pointed out, but favors them by protecting them against unfair and unjust contracts.

"I have had nearly 100 contracts before me for approval within the last seven months," the jurist said. "A number of these failed to pass scrutiny of the court and were rejected because they were not bona fide employment contracts but were plainly obtained by irresponsible persons seeking to exploit the services of the minor among the various studios."

Charity Party Nov. 8

BOSTON, Oct. 6.—The Motion Picture Post of the American Legion will hold a charity dinner dance at the Hotel Copley-Plaza on Nov. 8. Installation of officers will be a feature. Leading Boston theatres will contribute acts for the entertainment. It is the seventh annual affair of the sort, the major part of the proceeds of which will go for charitable purposes.

Para. Appeal Is Argued at Philadelphia

(*Continued from page* 1)

establish a legal difference between a primary and secondary boycott. Citing U. S. Supreme Court decisions, Golder contended that the "buyers' strike" was a "secondary" boycott and not in violation of the anti-trust laws. His argument was replete with quotations from Judge Dickinson's opinion, which held that the company's pictures were not in interstate commerce at the time of the "strike" and, therefore, outside the jurisdiction of the Federal court.

The court's decision is expected within the next week or two.

Ambassador to Make 16 Films in 1937-38

(*Continued from page* 1)

RKO Bldg., but will continue to make his headquarters at the Conn Studios. As before, Conn will supervise all productions. Victor Halperin has been appointed eastern story editor.

Under a new territorial franchise plan, all distributors will operate under the Ambassador name. The pictures will be released simultaneously throughout the country and will be nationally advertised.

Gene Austin, Frankie Darro, Kane Richmond and Kermit Maynard, stars of last season's Ambassador pictures, will appear in next year's productions. Other stars and players added to the Ambassador roster include Donald Novis, Grace Bradley, Wynne Gibson, Lyle Talbot, Candy and Coco, Cyril McLaglen, Molly Lamont, Robert Warwick, Jack La Rue, Sally O'Neil, Lois Lindsay, Guinn "Big Boy" Williams, and Stepin Fetchit.

The complete program includes: a special musical production, "Sweethearts in Swingtime," starring Donald Novis and Grace Bradley; "Strong-Arm Squad," a melodramatic comedy, starring Wynne Gibson and Lyle Talbot; "Port of Hunted Men" and "Gold Coast Rose," two Jack London stories; four Gene Austin musicals, "Calling All Marines," "Highway Patrol," "The Navy Goes to Town" and "Missing Squadron"; four Thrill-O-Dramas, based on Peter B. Kyne stories, starring Frankie Darro and Kane Richmond, "Boss of Chinatown," "Son of a Gunman," "Young and Reckless" and "He Had to fight," and four Kermit Maynard musical westerns, "Range War," "Rawhide and Dynamite," "Boss of Rocky Canyon," and "Phantom Horseman."

Will Honor Ira Cohn

PITTSBURGH, Oct. 6.—Ira Cohn, manager of the 20th Century-Fox exchange here, will be the guest of honor at a testimonial dinner at the William Penn Hotel on Dec. 6. It marks his 17th anniversary with the same company and the ninth of his association with the Pittsburgh office. Exhibitors from all over the tri-state district are arranging the dinner, with C. J. Kellenburg as general chairman.

Four Stations Get Licenses From the FCC

WASHINGTON, Oct. 6.—Operating licenses have been ordered issued to four stations by the F.C.C., as follows:

KGFI, Eagle Broadcasting Co., Brownsville, Tex., 1,500 kilocycles, 100 watts night, 250 watts day; WRGA, Rome Broadcasting Corp., Rome, Ga., 1,500 kilocycles, 100 watts night, 250 watts day; KSRO, Press Democrat Publishing Co., Santa Rosa, Cal., 1,310 kilocycles, 250 watts, daytime only; WFOY, Fountain of Youth Properties, Inc., St. Augustine, Fla., 1,210 kilocycles, 100 watts night, 250 watts day.

At its weekly meeting, the broadcast division ordered hearings on applications, as follows:

To Hear Anniston Unit

Mittelle F. Noble for a new 1,420-kilocycle, 100-watt daytime station at Anniston, Ala.; Cumberland Broadcasting Co., for a 1,340-kilocycle, 250-watt daytime station at Fayetteville, N. C.; Young People's Ass'n for the Propagation of the Gospel for a 1,220-kilocycle, 1,000-watt station at Philadelphia; Odessa Broadcasting Co., for a 1,310-kilocycle, 100-watt daytime station at Odessa, Tex.; William F. Huffman for a 580-kilocycle, 250-watt station at Wisconsin Rapids, Wis.

WILL, Urbana, Ill., for increase of day power from 1,000 to 5,000 watts; WDZ, Tuscola, Ill., increase of day power from 250 to 1,000 watts; WBAA, West Lafayette, Ind., to move station to near Indianapolis and increase power from 500 watts night, 1,000 watts day to 1,000 watts night, 5,000 watts day; WIP, Philadelphia, to increase day power from 1,000 to 5,000 watts.

WJNO, West Palm Beach, Fla., to change frequency from 1,200 to 1,330 kilocycles and increase power from 100 watts night, 250 watts day, to 1,000 watts; WGBI, Scranton, to increase night power from 500 to 1,000 watts; WCPO, Cincinnati, to increase night power from 100 to 250 watts.

Frequency Shift in Alaska

Acting on examiners' reports, the commission authorized a change of frequency from 1,310 to 1,430 kilocycles and increase of power from 100 to 250 watts for KINY, Juneau, Alaska, and a change of frequency from 1,240 to 1,360 kilocycles and increase of power from 250 watts to 500 watts night; 1,000 watts day for KLPM, Minot, North Dakota.

A number of applications were dismissed or denied, including three from KNOW, Austin; WACO, Waco, and KTSA, San Antonio, for assignment of license to Hearst Radio, and requests for new stations at Salisbury, N. C.; Wheeling, W. Va.; Charleston, W. Va.; Los Angeles, Cal.; Harlingen, Tex., and St. Petersburg, Fla.

CRCV, Canada, Renamed CBR

VANCOUVER, B. C., Oct. 6.—Station CRCV, Vancouver, western key station of the CBC, has been renamed CBR.

Cutting Affected by NBC Retrenchment

Ernest Cutting was the most distinguished member of the latest group to be affected by the personnel retrenchments now being made throughout NBC departments. Cutting received his notice yesterday. Others who were given notice include Al Cook, who wrote publicity for the artists bureau; Chester Stratton, artists bureau talent booker, and Ed Sickles, of the central booking division.

Cutting for some years served as director of auditions, but recently was appointed talent scout for the network.

Cut NBC Chicago Staff

CHICAGO, Oct. 6.—Local NBC headquarters let out approximately 10 employes today in a general trimming of all departments.

KFRC Adds Six Accounts

SAN FRANCISCO, Oct. 6.—New accounts using KFRC include American Pop Corn, Underwood Elliott Fisher Co., General Mills Vapex, Vermont Maid Syrup and Gas Appliance Society of California.

AFRA Leases Office Space

The American Federation of Radio Actors, the newly formed A. F. of L. affiliate covering radio performers, has leased offices on the 14th floor at 2 West 45 St.

Show Goes On

San Francisco, Oct. 6.—Lou Withers, KPO announcer, was spilled from a horse the other day, picked himself up and completed the ride, and went to the studio and announced his regular schedule of programs.

Then he visited a doctor and discovered his right shoulder was shattered.

Hughes Named Head Of AFRA in Frisco

SAN FRANCISCO, Oct. 6.—John B. Hughes, KFRC commentator, has been elected president of the local chapter of American Federation of Radio Artists (A. F. R. A.), now functioning here with 126 members out of a potential 350. An active campaign is forecast to increase membership.

Other officers are: Ted Maxwell, NBC, first vice-president; Jack Moyles, CBS, second vice-president; Vic Connors, KLX, secretary; Ted Hale, attorney, treasurer-counsellor. Hale is local representative of Equity. Directors include the above, except Hale, plus Ira Blue, Earl Lee, George Nickson, Rod Hendrickson, all NBC; Reiland Quinn, KYA; Sam Melnicoe, KJBS.

Hedges Resignation Caused by Friction

CINCINNATI, Oct. 6.—The background of the controversy which led to the resignation of William S. Hedges as vice-president of the Crosley Radio Corp. and general manager of stations WLW and WSAI came to light today,

While Hedges was absent in New York recently during the IRNA meetings, Robert Jennings, son-in-law of Powell Crosley, Jr., president of the Crosley Corp., was appointed program director of both stations. Other appointments were made without consulting Hedges, according to report.

Upon his return from New York, Crosley, it is reported, refused to see Hedges for 10 days. It was the combination of these reputed circumstances which led to Hedges' resignation.

Hedges' future plans are indefinite. The appointment of Jennings, it is understood, is temporary.

Before coming here Hedges was general manager of NBC managed and operated stations, and previously directed WMAQ, Chicago, and KDKA, Pittsburgh.

Arrangers Seeking Their Own Charter

Musical arrangers are negotiating for a separate charter for a new Arrangers' Guild. The purpose of the guild is to win for arrangers recognition for their work. Joe Glover is head of a committee working out the proposal. The new guild, according to Glover, will not conflict with the jurisdictional power of the American Federation of Musicians.

Among the demands voiced by the arrangers are credit announcements on network programs, credit announcements on recordings and program credits on musical films and stage productions.

Ferris and Fizdale Conclude Agreement

The deal which existed between Earle Ferris Radio Feature Service of New York and California and Tom Fizdale of Chicago was a mutual coverage proposition, and Fizdale's entry into the field as a national competitor by the purchase of the Bob Taplinger business has resulted in a break of the agreement.

Ferris, now on the coast, leaves there today for Chicago where he will open an office of Radio Feature Service, with Roger Doulins in charge. Norval Burch, at present handling Chicago accounts for Radio Feature Service, will remain in the new Chicago office under Doulins' supervision.

Shift "March of Time"

The "March of Time," which begins Oct. 14 on the NBC-Blue, will be heard from 8:30 to 9 P. M. It was originally booked for from 9 to 9:30 P. M.

New Shows on the Air

"Tony Wons and His Scrapbook"

If the housewife in her morning gymnastics with the vacuum cleaner takes Tony Wons' advice and lets things go for a little while, she will be amply entertained and doubtless get a pleasant mental stimulant. His delivery is easy and Ann Leaf's organ music goes to make a nice combination. Wons reads his simple stanzas and discourses on child training, too. In yesterday's broadcast he also revealed some humorous aspects of etiquette. Vicks' sponsors the "Scrapbook." It is heard over CBS thrice-weekly, Monday, Wednesday and Friday, from 10:30 to 10:45 A. M. The program is handled by the Morse International Agency. P.

"Follow the Moon"

A nicely fashioned story, well acted and interestingly developed. It begins with a pair of honeymooners, Jean and Clay Bannister, as they are sailing to Honolulu. On board the ship the pair meet an old schoolmate of Bannister's. The story receives its mystery angle from the queer attitude of the man and no doubt carries on adequately from that point. Lehn & Fink sponsor the show for Pebeco. It is to be heard every weekday from 5:00 to 5:15 P.M. over the CBS Lennen & Mitchell is the agency. P.

"Honeymooners"

Grace and Eddie Albert do not have much opportunity to do their stuff on this 10-minute spot. Their script is brief plus a song and a gag and, with the interruption of the announcer to plug the sponsor, the program is over before you know it. The Olson Rug Co. sponsors the period which goes on from 9:30 to 9:40 A. M. on Wednesday, over WEAF. Presba, Fellows & Presba is the agency. P.

"The Fun Bug"

CHICAGO, Oct. 6.—"The Fun Bug" leaves considerable to be desired in the way of mirthful entertainment if the second program of the series is any criterion. The talent used on the program is composed largely of amateurs who lack the necessary polish and showmanship to make it stand up in competition with shows offering more professional artists.

Leading attraction on the half hour show is the singing of The Tulsans, a 60-voice chorus which lacked the sureness which would have put more vim into the musical numbers offered. The quality of the vocal numbers offered was excellent, but the singing lacked a touch of inspiration. The Tulsa orchestra under the direction of Michael Cooles was satisfactory. So was the conducting of the singing by Choirmaster Harry Evans.

Patti Kelly, youthful marimba artist, was notable for her rendition of selections from the "Poet and Peasant." "The Fun Bug," to radio audiences, is mostly sound effect and is used to promote mirth at various intervals from the artists in the studio. Over the air it wasn't too funny.

The contest between the tenors and baritones was a carry over from the first week and is undoubtedly a running gag to be used weekly. The "Song Of The Open Road" closed the show, which is heard every Sunday over 18 CBS stations at 1-1:30 P.M. C.S.T. The Barnsdall Oil Co. is the sponsor. C.

STAR RADIO PROGRAMS, Inc.
— PRESENTS —
The Scriptfolio
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Radio Personals

CHARLES DAY of the Eton Boys was married yesterday to Betty Day of the Gae Foster girls. . . . John Conti replaces Ronald Drake as announcer on the Burns and Allen show. . . . WNEW programs have improved since Martin Block became program director. . . . June Lang will play the lead opposite Tyrone Power in "Ceiling Zero" Sunday. . . . Wilbur Evans will sing opposite Jeanette MacDonald on the Vicks program Sunday. . . . Earl Larrimore will be a guest on the Hammerstein "Music Hall' Oct. 15. . . . Art Gentry of the Eton Boys has been signed for solo work by the CBS artists' bureau. . . . Nino Martini will appear on the Kostelanetz program Oct. 15. . . .

✚

Chicago Town Pump

CHICAGO, Oct. 6.—It cost Truman Bradley a honeymoon to take a job. Being m. c. on the Ford Symphony hour again this year will cut the CBS commentator out of any chance he had of getting away for a trip with his bride. . . . Quin Ryan will broadcast once famous voices in his news broadcasts over WGN during the next two weeks. Ryan made recordings of Warren G. Harding, Calvin Coolidge and William Jennings Bryan, among others, some years ago and will use these records in his broadcasts.

"The Monticello Party Line" is a new addition to the regular programs over WCFL starting this week . . . Ted Weems and his band broadcast "Matinee Melodies" over WGN-MBS starting Sunday. They are signed for another long-term schedule . . . A listener to the "Oliver Drake" show over CBS was W. B. "Curly" Townsend of San Francisco who heard the program while in a diving suit working on the bottom of San Francisco Bay. He wrote and told the local lads he enjoyed the program while "down under."

✚

Cincinnati Town Pump

CINCINNATI, Oct. 6.—"Hits of the Week," heretofore aired simultaneously over WSAI (NBC) and WKRC (CBS) at 9:30 P. M. Tuesday, will move to a 5:30 P. M. Sunday spot over the same stations. . . . "The Concert Hour," created by William Stoess, musical director WLW, which has been a Sunday evening feature, hereafter will be aired from 10 to 10:30 P. M., E. S. T., on Tuesdays. The program will in the future have a different guest commentator each week, selected from some local musical or critical group. . . . Lynn Cole, tenor-baritone, who recently joined WSAI, will be heard in the "Lynn Cole and His Music" series, on Mondays, Wednesdays and Fridays, at 6:15 P. M., E. S. T. The program will be carried over WSAI and WCKY, competing stations, and will originate in the Union Central studios of the former station.

Paul W. Healy Now at WNOX

KNOXVILLE, Oct. 6. — Paul W. Healy, formerly with Scripps-Howard central office in Cincinnati, is now in charge of the accounting department at WNOX here.

Hollywood Town Pump

HOLLYWOOD, Oct. 6. — May Robson's transcription show, "Lady of Millions," will start Oct. 18 on KNX Mondays through Fridays from 3:45 to 4 P.M., P.S.T., under the sponsorship of Bauer & Black. The presentation will mark her 54th consecutive year in the entertainment business . . . Eddie Cantor is reportedly planning to build a theatre seating 1,000 on the Sunset Blvd. Strip for leasing to CBS.

Kirtley Basquette, magazine writer, has been signed to write "The Bakers' Broadcast," NBC, starring Feg Murray. The J. Walter Thompson agency plans to have two film names on each Sunday, one to be interviewed and the other to take part in a dramatic sketch based on a personal experience . . . H. Bedford Jones has returned to the air on KFI with "Things That Interest Me," commentary program. It's a weekly program . . . KEHE and the Orange network have inaugurated a new program, "It Happened in California," written by Leon Churchon and based on actual incidents in the state's history. The show originates in KYA studios, San Francisco . . . An unusual local program is KEHE's "Aloha, California," during which Reid Kilpatrick and Bob LeMond interview travelers at a local bus terminal who are leaving the state. The airings are for 15-minute periods Mondays, Wednesdays and Fridays. . . . Ben Larson, who produced the Milton Berle shows last season, will produce the Al Jolson series, effective this week. Tiny Ruffner will continue to announce, but is withdrawing from the production end of this program . . . KMTR's program, "Forward Magazine," is now on Mondays, Wednesdays and Fridays, instead of once a week.

Pacific Coast Conference rules prohibiting coaches from radio appearances for money, prevent Howard Jones, U. S. C. mentor, from participating in the Pacific Coast Columbia net's football forecasts. Jones was first announced. Tom Lieb of Loyola has been signed by Roi-Tan Cigars, the sponsors. Ken Frogley, sports editor of the *Illustrated Daily News* is the other top figure on the program, which started on Oct. 5 and will be heard weekly . . . "Jack Armstrong, the All-American Boy," is back at KHJ-Don Lee for another year, Mondays through Fridays from 6 to 6:15 P.M., P.S.T.

KNX resumes "Reunion of the States" Oct. 3, a program which salutes each state in turn, dramatizing some incident in its history . . . Joine Aldermen has been signed by The Biltmore Florist to present her formerly sustaining program, "Women's Club of the Air," on KFWB Mondays, Wednesdays and Fridays. Bonds Chase Advertising Agency arranged . . . Jimmy Vandiveer's "Meet Some People" has moved from Mondays to Wednesdays on KHJ and the Don Lee network . . . Warren Stokes has started a "Double Billious" contest on his CRS program, "Hollywood Question Box," asking listeners to send in humorous combinations of picture titles such as the winner this week, "Three Smart Girls"—"After the Thin Man." . . .

Calling One Car

Cincinnati, Oct. 6. — While Lee Goldsmith, WCKY program director, was en route to Columbus via auto Saturday to attend the Ohio State-Purdue football game, an emergency arose in the studio which required his presence.

Elmer Baughman and Mary Jane Dunphy on the "Household Hour" at 11 A.M., interspersed their program with flashes that Goldsmith was wanted. He picked up the messages on his auto radio at Morrow, O., 30 miles from here, telephoned the studio, and within an hour was back on the job at WCKY.

Cincy Firemen to Go on Air

CINCINNATI, Oct. 6. — Members of the Cincinnati Fire Dep't., under direction of Lieut. Carl A. Rogers of the Bureau of Fire Prevention, will be heard over local stations next week in the interest of fire prevention. Officials of the department also will be interviewed at 2:05 P. M. from the City Hall, with the programs carried over WKRC. Fire prevention questions and answers also will be used on the "Meet the Missus" program over that station, with Maynard Craig interviewing guests at noonday luncheons.

Various city officials will speak, the fireman will present variety programs and the department band, directed by Irwin Belstead, will play.

Expect Big Dance at Frisco

SAN FRANCISCO, Oct. 6.—Five hundred local radio artists, producers, technicians, and friends will join Oct. 9 in festivities of the annual NBC technicians' ball, at the Fairmont Hotel. Don Gilman, NBC western division vice-president, will be the only speaker.

WKRC Program Returns

CINCINNATI, Oct. 6.—"The Freshest Thing in Town," sponsored by the local Rubel Baking Co., has returned to WKRC after being inactive for the summer, and will be heard daily Mondays through Fridays, with Francis Pettay again doing the announcing. In addition, the program is aired in transcription form on more than 20 stations from coast to coast.

Continues Yale Program

NEW HAVEN, Oct. 6. — American Tobacco Co. continues its Lucky Strike-*Yale Daily News* broadcasts this season on WICC, Mondays through Saturdays at 10:45 P. M., starting Oct. 11. College news will be featured.

Durney on WIL Football

ST. LOUIS, Oct. 6.—Bill Durney of the public relations department of WIL has been signed to broadcast all home football games of Washington and St. Louis Universities. The Industrial Bank of St. Louis has taken over the sponsorship of all football games over WIL.

WMCA Renews, Adds Number of Accounts

WMCA new and renewal business includes the following:

Sobol Bros. Service Stations, Inc., through J. Stirling Getchell, Inc., a renewal for 13 weeks for Dick Fishell's "Sports Resume;" the Kingway Press, Inc., through the Alvin Austin Co., four scattered broadcasts of "The Voice of the Editor;" Socony-Vacuum Oil Co., through J. Stirling Getchell, home games of the Yale football team; Herbert's Jewelry Stores, "Blue White Diamond Entertainers" for 11 weeks, contract handled direct; Kings County Communist Party, eight political talks through the Foreign Publicity Service, Inc.; Madison Personal Loan Co., "Nat Brusliff Presents" for four weeks through the Klinger Adv. Co.; MacFadden Publications, 13-week renewal for "Good Will Hour" through Ruthrauff & Ryan, and the Fabian Operating Corp., 13-week renewal for the "Fox Professional Hour," a direct contract.

Rosenthal Gets New CBS Artists Place

Herbert I. Rosenthal, for the past two years assistant director of program operations at CBS, has been appointed general manager of Columbia Artists, Inc., CBS talent booking division.

The appointment completes the reorganization of the CBS Artists Bureau, the eastern division now being designated as Columbia Artists, Inc., of New York, while the west coast operations have been grouped in the newly organized Columbia Management, Inc., of California, with W. Arthur Rush as manager.

Rosenthal has been with CBS for the past seven years. The assignment, which he will take over Jan. 1, was previously filled by Ralph Wonders, who is now with Rockwell-O'Keefe.

Form Cincy AFRA Unit

CINCINNATI, Oct. 6.—A Cincinnati unit of the American Federation of Radio Artists, an affiliate of the A. F. of L., has been formed here with a charter membership from the five local stations, WLW, WSAI, WCKY, WKRC and WCPO.

Mrs. Emily Holt, national executive secretary, and Henry Jaffe, counsel, both of New York, attended the organization meeting as union representatives.

WCKY to Help Auto Show

CINCINNATI, Oct. 6.—Cooperating with the Cincinnati Automobile Dealers' Ass'n., WCKY will broadcast a series of interviews with leading dealers and automotive authorities in advance of the Cincinnati Automobile show to be held Oct. 31 to Nov. 6.

The program is tentatively scheduled for an early morning hour on Oct. 11, 18 and 25.

Two Star Programs Renewed

Star Radio Programs, Inc., has received a renewal from WRR, Dallas, for its feature, the "Morning Bulletin Board," a WRR feature since June, 1936. CJCA, Edmonton, Alberta, has just renewed a year's contract for the Star program, "Good Morning, Neighbor."

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 84 NEW YORK, FRIDAY, OCTOBER 8, 1937 TEN CENTS

France Plans Measure for Film Control

Adoption of Drastic Rules Would Hit Americans

By PIERRE AUTRE

PARIS, Oct. 7.—A bill which would establish regulations to govern the industry in France will be submitted for a vote at the next session of Parliament, it was decided last Saturday at a meeting of the Cabinet held at Rambouillet Castle and which was attended by President Albert LeBrun. Parliament will meet in a few weeks. The bill, which had been requested by trade unions six months ago, was presented by Minister of National Education Jean Zay. The stipulations were kept secret until today, when indiscretions revealed the main points. The measure calls for:

(1) The definition of what shall be regarded as a "French film."

(2) Establishment of conditions to govern the production of films.

(3) A state organization to decide producers' and distributors' percentages in theatres.

(4) The institution of a tri-partite board which shall include a representative of the Government and one each from the trade unions and employers which shall establish standards for the industry.

(5) The elimination of double bill programs.

A tax on dubbing is also under con-

(*Continued on page 7*)

Lewis Leaving RKO For the N. Y. Stage

HOLLYWOOD, Oct. 7.—Al Lewis, RKO producer, resigns with completion of the cutting of "She's Got That Swing," his current film. Following a vacation, he contemplates a return to New York stage production possibly with his former partner, Max Gordon.

Moss Plans Circuit Of 25 Houses Here

Opening of the New Central at Cedarhurst, L. I., is the first step in the development of a circuit of 25 houses, says B. S. Moss. The second will be at 49th St. and Broadway.

Moss has named his son, Charles Moss, as general manager.

Radio—Page 8

Mussolini Reaches East; Roach Deal Reported Off

Vittorio Mussolini, son of Il Duce, arrived in New York yesterday by plane, following his sudden departure from the coast, via San Francisco, on Wednesday morning. He had been in Hollywood only 12 days of a scheduled three-week stay.

Reports were widespread throughout Hollywood yesterday that the recently completed deal between Mussolini and Hal Roach for production in Italy under the company name of RAM, had collapsed.

It was said on the coast that the action brought by Dr. Ranato Senise, seeking $30,000 damages in the RAM deal, was largely responsible for young Mussolini's sudden departure from the coast. It was further reported that Mussolini was irked by coast trade paper ads calling attention to his writings about war being a glorious adventure.

Hollywood audiences hissed newsreel shots of Mussolini generally. It was reported that the Italian consul in Los Angeles followed the usual custom of clipping newspaper and trade paper stories on Italian affairs and apparently clips of the ads and the stories on protest meetings which were held on the coast, were sent to Rome.

Wednesday morning young Mussolini and his party, traveling under the name of W. J. Willis, left for San Francisco and a night plane for New York. Accompanying him were his interpreter and a Secret Service agent

(*Continued on page 4*)

Anti-Dualists Tell Ampa How To Battle 'em

Two exponents of the latest anti-double feature movement, William R. Clay, makeup editor of the *Nutley (N. J.) Sun*, a weekly newspaper, and George H. Siegel, an insurance man from the same town, took the spotlight at the Ampa yesterday. The former preferred to be a silent partner while the latter acted as spokesman.

According to Siegel, the whole idea came to the two men "strictly spontaneously" after viewing a number of "atrocious features."

"The first thing we did was to can-

(*Continued on page 4*)

Revamping of M-G-M Music Firms Is Set

A revamping of M-G-M's music publishing affiliates, the Robbins-Feist-Miller Music Co. group, which together publish more film music than any other unit associated with the industry, was completed yesterday under the direction of David Bernstein, vice-president and treasurer of Loew's, Jack Robbins and Jack Bregman of Robbins Music Corp.

Under the company revision Leo Feist, Inc., becomes the exclusive publisher of all M-G-M music. Bregman, who has been associated with the Robbins firm for the past 24 years,

(*Continued on page 4*)

Twin Features Win by Big Margin in St. Louis Poll

"How They Voted," a breakdown of results of the *Star-Times*-F. & M. poll conducted throughout St. Louis appears on pages 6-7.

ST. LOUIS, Oct. 7.—In the most extensive poll of film patrons' preferences in recent years Fanchon & Marco have learned that St. Louis neighborhood patrons prefer double bills four to one and downtown first-run patrons are for them two to one.

The much-discussed question of stage shows was also answered so far as this city's patrons are concerned by a two to one vote in favor.

Balloting on stage shows was split so the voters could state whether they preferred name bands, singers, dancers or vaudeville. Name bands received 55

(*Continued on page 6*)

Para. Granted "Strike" Stay For Minnesota

Court Rules Exhibitors' Tactics Are Illegal

MINNEAPOLIS, Oct. 7.—Finding in favor of Paramount in its conspiracy and restraint of trade action against local exhibitors engaged in a "buyers' strike" against the company, Federal Judge Gunnar Nordbye today granted the distributor's application for an injunction to restrain the exhibitors from carrying on the "strike" by invalidated tactics.

The injunction issued today is temporary and will remain in force only until a hearing is held on a further application to make the restrainer permanent. No date for this hearing has been set yet.

Judge Nordbye's decision found the defendant exhibitors had conspired among themselves to effect the "buyers' strike" in violation of the anti-trust laws. He also found that the tactics employed tended to coerce others into refraining from contracting for Paramount pictures with a resultant interference with interstate commerce. The decision and opinion of Judge Nordbye is sharply at variance with that handed down earlier by Federal Judge Oliver Dickinson in a similar action instituted by Paramount against "striking" exhibitors in the Philadelphia area. Judge Dickinson held that due to the strike there Paramount films were not in interstate commerce at the time and the

(*Continued on page 6*)

Charge Suit Is to Harass Paramount

Charging that the suit of Ella Hayim, minority stockholder, against Paramount for an injunction to restrain enforcement of Adolph Zukor's new contract was "merely an attempt to harass the company in whose interest the suit purports to be brought,'

(*Continued on page 6*)

Budd Rogers Slated For "U" Sales Post

Budd Rogers, currently representative in America for John Maxwell, is reported slated for a post in the sales department at Universal. He is a director of that company and also general representative in the east for his brother, Charles R. Rogers.

Should the appointment be made, Rogers would work under James R. Grainger, general sales manager.

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London Films Profit In 8 Months £35,839

By BRUCE ALLAN

LONDON, Oct. 7.—London Films today reported a profit of £35,839, subject to depreciation for the eight months from May to December, inclusive, in 1936. Salary reductions on salaries up to £10, and half the cuts on salaries from £10 to £20, have been restored.

"U" Has Big Week

Universal's gross receipts for the week ending Sept. 25 were the highest of any week since 1929, it was stated yesterday. This was due to the widespread success of "100 Men and a Girl."

WANTED

Furnished apartment. 5 rooms and 2 baths near Central Park West, south of 86th St., or near Washington Square. Occupancy Oct. 15th to May 1st—David Blum, 1540 Broadway, N. Y.

Purely Personal

JACK BARNSTYN, head of the Grand National foreign department, sailed yesterday on the *Berengaria* for a three-month tour of Europe where several important deals are awaiting his approval.

•

LEON J. BAMBERGER, RKO sales promotion manager, will represent his company at the convention of the Direct Mail Advertising Ass'n to be held at Cleveland next week. S. BARRET MCCORMICK has a display entered.

•

MIRIAM HOPKINS is being talked about—but seriously—for the lead in "Wine of Choice," S. N. BEHRMAN'S new play which the Theatre Guild will produce.

•

ED HARRISON, a reporter for *The Film Daily* for the past four years, has resigned. He expects to begin a new association in the publication field in the near future.

•

MONROE GREENTHAL is back from a quick trip to the coast, where he viewed forthcoming U. A. films. GEORGE J. SCHAEFER remained in Hollywood.

•

HERBERT J. OCHS, Warners western and southern sales manager, is in Dallas. He is en route to the coast for conferences.

•

BORRAH MINEVITCH, RICARDO CORTEZ and H. LEVY, the latter with Warners, left for the coast yesterday by plane via American Airlines.

•

JOE VALENTINE, cameraman, has returned to Universal to photograph DEANNA DURBIN in "Mad About Music."

•

WALLACE FORD arrives soon now to pear in a local stage version of "Of Mice and Men." He is now in Hollywood.

•

ARTHUR SACHSON, president of the Warner Club, will be tendered an inaugural dinner tomorrow at the Cafe Royale.

•

IRA COHN, Pittsburgh manager for 20th Century-Fox, will arrive today for conferences with BILL SUSSMAN.

•

PETE HARRISON, publisher of *Harrison's Reports,* will leave for the coast today via TWA.

•

ED REEK is down with a cold he acquired while fishing with LEW LEHR last weekend.

•

LEE PATRICK came by plane for the premiere of "Stage Door" yesterday.

•

FERNAND GRAVET has left for the coast and work at the Warner studios.

•

JAMES MULVEY and BEN WASHER have returned from the coast.

•

LELAND HAYWARD will take a plane to Hollywood today.

"Zola" at $19,150 For Its 7th Week

"The Life of Emile Zola" continues to hold up nicely at two-a-day prices at the Hollywood. For the seventh week, the picture took $19,150. Last Sunday's gross was more than $350 better than the Sunday before and last Monday's intake topped the same day the week previous.

The Paramount garnered approximately $47,000 on the first week of "High, Wide and Handsome" at popular prices. The film is now in its second week with a stage show. "That Certain Woman" in its last week at the Strand tallied about $15,500 and "Back in Circulation" finished the first seven days with approximately $20,000.

"The Good Earth" got about $45,000 in the first week at the Capitol and finished the second week with $10,000 less. The picture is now in its third week. "Lost Horizon" in its second stanza at the Music Hall at pop prices closed Wednesday with $70,000. "Love Takes Flight" at the Criterion garnered about $6,000, while "Outlaws of the Orient" got $7,500 with the Carnival of Champions on the same bill.

The Globe, on its second week of "Something to Sing About," took in close to $9,000.

New British Reel to Be Released Monday

LONDON, Oct. 7.—The National News, new newsreel, will release its first issue on Monday. Included will be 100 feet of news in color and a cartoon news sequence. There will be 300 feet of a sequence called "Behind the Headlines," which will be an interpretive feature. The total length of the reel will be 1,200 feet.

The price for the reel will be the same as for the standard reel running 700 to 800 feet. Negotiations are being concluded for American contacts on the reel. There are understood to be some contracts closed for the reel with the Odeon circuit, but no statement has been issued relative to a reported tieup with Odeon.

Healy-Ginsberg Agree

Ted Healy and Benedict Ginsburg adjusted their differences over the $1,750 claim against the equity receiver of the Roxy Theatre in the U. S. District Court yesterday by filing a stipulation allowing Healy $500 and Ginsburg $1,250. Federal Judge Francis G. Caffey approved the settlement. Healy assigned his claim to Ginsburg in 1933, but filed an objection to the assignment two years later.

Nathan Sachs, administrator of the estate of Louis M. Sagal, filed a petition yesterday for an allowance of $1,200 in the Roxy reorganization. Sagal acted as appraiser when the Roxy bondholders committee applied for a reconstruction finance mortgage in 1935.

Clarence Bonynge, shorthand reporter at the hearing, asked for $5,063.

Brian Aherne Pancakes

PHILADELPHIA, Oct. 7. — Brian Aherne, flying his own plane to New York, successfully negotiated a sudden landing on a suburban field at Media near here when darkness prevented his locating the airport.

Foresee Sharp Fight By CEA on KRS Move

LONDON, Oct. 7.—Sharp retaliation on the part of the Cinematograph Exhibitors' Ass'n is expected to follow the decision yesterday of the Kinematograph Renters' Society (distributors), limiting program lengths in film rental contracts.

The decision is understood here to imply the abolition of all flat rental bookings on "A" features. Most seriously affected by the move will be the circuits, which run big bills. In some informed quarters the move is interpreted as a blow in advance of the anticipated C.E.A. agitation for lower rentals. The expected exhibitor retaliation may take the form of a concerted movement to discontinue business with the weaker distributors in an attempt to force dissension within the ranks of the K.R.S.

Arthur Loew to Tour Southern Hemisphere

Arthur Loew, vice-president of Loew's and in charge of the foreign activities for the company, will leave about Jan. 1 for a tour of South America, South Africa, India and probably Australia.

Loew's already has three theatres in Australia and will open a fourth in a few weeks, according to Loew.

Sam Burger, traveling representative, is now in Johannesburg, South Africa, and will remain there for a few weeks.

F. P. Canadian and Unions Reach Terms

VANCOUVER, Oct. 7.—Famous Players and the projectionists' union today reached a three-year agreement whereby the projectionists will receive a salary increase of five per cent this year and an additional five per cent for the next two years.

Independent houses are still dark pending the outcome of the Government's inquiry which is now under way.

Chicago Union Accepts Pact

CHICAGO, Oct. 7.—Members of operators union at a general meeting today ratified the wage contract which gives them a five per cent increase, effective as of October 1.

Franklin Bugold, operator in the Harvey theatre, was slugged by an unknown man today. Police fear the slugging was the result of Bugold's refusal to join the operators' union. Lt. Lester Laird of the County Police is investigating.

Shubert W. B. Producer

HOLLYWOOD, Oct. 7.—Warners have signed as an associate producer Milton Shubert of the play-producing family of Shuberts. He will come to the coast around the first of the year.

Shubert's new contract will not prevent his production of four legitimate plays which he has planned for the New York boards this fall.

Pettijohn for SMPE

Charles C. Pettijohn, general counsel of the M. P. P. D. A., will address the semi-annual banquet of the Society of M. P. Engineers at the Hotel Pennsylvania on Oct. 13.

THE STORY YOUR AUDIENCES WANTED FOR SHIRLEY BECOMES THE PICTURE YOU'LL ALWAYS REMEMBER HER FOR!



THE book millions read and loved . . . produced by 20th with big-picture sweep . . . mellow with the joyous heart-warmth of colorful Alpine folk . . . brings you a greater Shirley whom you will treasure more tenderly than ever!

Shirley

TEMPLE

in

"HEIDI"

A 20th Century-Fox Picture with

JEAN HERSHOLT

and

ARTHUR TREACHER

HELEN WESTLEY

PAULINE MOORE • THOMAS BECK

MARY NASH • SIDNEY BLACKMER

MADY CHRISTIANS • SIG RUMANN

Directed by Allan Dwan

Associate Producer Raymond Griffith From the famous story by Johanna Spyri • Screen Play by Walter Ferris and Julien Josephson

Song "In Our Little Wooden Shoes" by Lew Pollack and Sidney D. Mitchell

Darryl F. Zanuck In Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Anti-Dualists Tell Ampa How To Battle 'em

(Continued from page 1)

vass our friends in an experimental way. The newspapers publicized the move and then we found that the idea had national implications," Siegel said. "Letters started to pour in from Los Angeles, Kansas City, Boston and several towns in Virginia commending us on the formation of the Anti Movie Double-Feature League of America.

"We now have 65 chapters and we hope to have a representative group in each of the 48 states," he said.

Clay later told MOTION PICTURE DAILY that the Franklin at Nutley is continuing double-feature programs and if the practice is not stopped pickets will be posted, not only at this house, but at many other theatres throughout the country. Clay stated, however, that he has been successful in getting the management of the theatre to put on a trailer asking for the reaction of patrons.

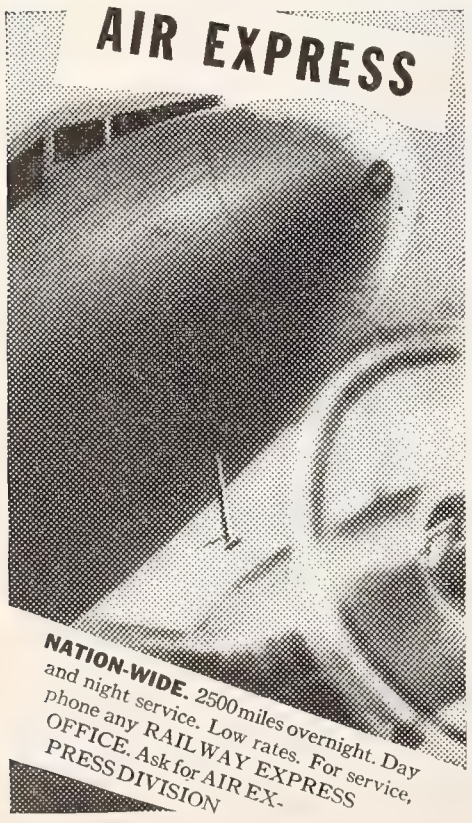
Herbert Marshall Apprehensive

Herbert Marshall and Jean Muir preceded Siegel. Both apparently had been tipped off to what was coming and bemoaned their fate in the event such a move came to pass.

Other guests included Lee Patrick, RKO player; Peggy O'Donnell, who appears in the screen version of "Stage Door"; Gene and Kathleen Lockhart of "Virginia"; Ted Hammerstein, and Valentina Darde, songstress.

Paul Lazarus, Jr., presided in the absence of Ralph Rolan, who is out of town.

Douglas MacLean, former Grand National producer, also took the floor and started kidding Arthur W. Eddy, who today leaves for the coast to join the Warner publicity department. He then reminisced on his experience at a radio broadcast some time ago when Marshall was master of ceremonies.



The Newsreel Parade

Movietone News
Vol. 20, No. 8
(20th Century-Fox)

The combination of President Roosevelt's speech in Chicago on violation of peace treaties and the opening game in the World Series are highlights that give this real distinction. The President's talk is a dramatic indictment against war and runs about five minutes. The fifth and sixth innings with the Giants scoring in the fifth and the Yankees clouting seven runs in the sixth stanza takes up two and a half minutes.

Following the President's denunciation of war are scenes of Japan's attack on a Chinese city from the air. Lowell Thomas, the commentator, says these are the first air pictures taken of Japanese bombings. They are vivid shots, well photographed.

Society at the last horse show of the season at Piping Rock Club on Long Island, and Lew Lehr's newsette of a man whose hobby is to decorate his home with notions made of mirrors complete the subject.

Running time, 9½ mins. O.

News of the Day
Vol. 9, No. 206
(M-G-M)

President Roosevelt's surprise speech in Chicago uses up most of the footage in this issue. Clever montage and the insertion of a map and scenes of Chinese strife are used to supplement the chief executive's talk. Japanese bombing planes in action over China follow; exciting rodeo activity in Bakersfield, Cal., and the reel closes with shots of the scoring plays in the opening game of the World Series. With only four topics, the issue makes the grade.

Running time, 10½ mins. P.

Paramount News
No. 19
(Paramount)

An entertaining, although not particularly newsworthy sequence is introduced in this issue of the Paramount reel, with flashes from the newsreel of 10 years ago, including amusing shots of airplane-building attempts of 1927.

News flashes effectively show Japanese forces working their way through the difficult terrain of north China, the arrest and return to New York from California of Max Silverman, wanted labor racketeer, and the preparation of the once-great *Leviathan* for the hammers of the scrap heap, made more interesting with flashes of the big ship as a liner and a troop transport during the war.

Effectively is the C.I.O.-A.F. of L. battle portrayed, with the violent call for action by William Green of the A. F. of L., followed by the sarcastic retort of John Lewis of C.I.O. The highlights of the President's speech on aggression are recorded, as spoken in Chicago, and the first game of the World Series, with that devastating Yankee attack in the sixth inning amply filmed.

Running time, 9 mins. A.

Pathe News
Vol. 9, No. 23
(RKO)

Some shots of the Bronx sluggers in action in the first game of the World Series are outstanding in this release, primarily, however, because of the passive material surrounding them. The only other straight news clip is that of President Roosevelt making his significant foreign policy talk in Chicago. The latter subject, however, is without distinction save for the President's words themselves.

Three other subjects complete the reel. One is of Bruno Mussolini taking off in a plane and with shots of Madrid added. Obviously stock material included because of recent news reports that Il Duce's son is now flying in Spain. Another is a record Idaho cattle roundup and the last a lecture in fashion economy for women.

Running time, 8 mins. K.

Universal Newsreel
Vol. 9, No. 604
(Universal)

Charles Ford, editor of Universal News, has introduced an extraordinarily effective dramatic technique in illustrating President Roosevelt's Chicago talk on international relations. It serves the double purpose of introducing a variety of war scenes from Spain, Ethiopia and China and, in effect, using the President as a commentator. At the same time, it adds effectiveness to the address. When the President says: "We desire peace" the crowd is shown applauding. As his remarks turn to civil war, Spaniards are shown running for cover with machine guns. When he refers to unwarranted invasions without a declaration of war, Japanese troops are shown in action with some of the horrible details of human destruction.

The rest of the reel is made up of shots of the Giants' lone run in the first World Series game, and the destructive Yankee attack in the sixth inning that wrecked the Giants' hopes.

Salmon tagging in the Columbia River isn't news, but it's lively and photographed with attention to detail. A rodeo at Bakersfield is pretty much like all rodeos, but kids and cowboy enthusiasts will like it.

Running time, 9 mins. J.

V. Mussolini In New York; Sailing Soon

(Continued from page 1)

as bodyguard. The immediate general belief was that the Roach deal in RAM was off.

The Roach studios yesterday said that Mussolini's departure was by no means unexpected and that the dictator's son would consume some time for his trip across country visiting important American cities. The Roach executive said Mussolini had only intended staying two weeks, anyway.

The executive declared, "Roach does not know when he will be able to leave for Italy to wrap up the loose ends of the deal for RAM."

A United Airlines executive on the coast said that Mussolini was bound for New York, without stopovers.

En route to New York, interviewed yesterday in Salt Lake City and Chicago, he denied that the deal was off, and likewise denied that his father had ordered him home. Leaving San Francisco, he was quoted as saying he planned a sightseeing trip. He declared he had had no communication with his father since his arrival.

Universal, News of the Day and Paramount News men were not permitted to shoot the landing of the plane which bore Mussolini from the coast at Newark Airport yesterday. Ordered off the field, they took a stand on the "apron" and refused to budge until the police ordered them off. They then planted their cameras outside the field and shot from that angle, which permitted a scene of the plane as it taxied in.

Roach Says Suit Lacks Merit

On the coast yesterday, Roach commented on the Senise suit in this fashion: "The suit has absolutely no merit. From the standpoint of law how can damages be claimed when no deal was made?" Roach indicated that he would defend the suit if it should come to trial, but he expressed doubt that it ever will.

The suit, against Roach, his studio corporation, M-G-M, two John Doe corporations and two John Does, seeks $30,000 as the alleged share due Dr. Senise on the RAM deal. Senise charged he introduced Roach to the Italian situation and that he is being eliminated from the deal. He claimes he entered into a contract with Roach by which he was to get one-fifth of any profits made by Roach and also provided that Roach get 35 per cent of any profit of pictures if Senise negotiated a production deal.

Young Mussolini is expected to sail from New York on the *Rex* on Oct. 16.

Revamping of M-G-M Music Firms Is Set

(Continued from page 1)

the last 15 of which have been as general manager, was named general manager of the Feist company. The latter firm, in effect, is made an autonomous organization for its exclusive Metro connection, rather than being an adjunct of the publishing trio, as heretofore. The Feist firm, however, will continue to partipicate in the publishing work done by the three for other film companies, as it has in the past.

The Robbins-Feist-Miller companies publish for 20th Century-Fox, RKO, Universal, Sol Lesser and Walter Wanger, among others. The publishing work for these will continue to be divided among the three firms, whereas Robbins and Miller no longer participate in the M-G-M publishing.

Abe Olman, former general sucager of Feist, whom Bregman succeeds, replaces the latter as general manager of Robbins. Chester Cohn, general professional manager at Feist, continues in that post with the added duties of assistant to Bregman.

The Feist and Miller firms are owned by Robbins Music Corp., which in turn is 51 per cent owned by Loew's. Bregman will continue to retain his stock holdings in the Robbins firm.

RELIABLE

EASTMAN Super X Panchromatic Negative not only promises superlative photographic quality, but delivers it with unbroken regularity. It's reliable. In no other way could it possibly maintain its position as the world's most widely used motion picture negative film. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Double Bills Win in Poll At St. Louis

(Continued from page 1)

per cent of the total of the three groups.

Clark Gable led the actors with 6,096, or 10.6 per cent of the total questionnaires answered, followed by Robert Taylor and William Powell.

Myrna Loy led the actresses with 6,209, or 10.8 per cent of the total, with Loretta Young and Claudette Colbert as runners-up.

Shirley Temple maintained her lead from the start with a final count of 19,528, or 33.9 per cent of the total. Jane Withers and Freddie Bartholomew were second and third.

The poll is regarded as important to the industry at large because 57,599 ballots were cast. St. Louis, being an important key center and the vote being so extensive, it is believed that this may represent a cross-section of opinion over a widespread mid-continent area. The balloting was conducted in cooperation with the *St. Louis Star-Times*.

About 310,000 questionnaires were distributed to patrons of four centrally located first runs and 27 neighborhood houses during the 10-day period from Sept. 17 through Sept. 26.

Questions Varied

Patrons were asked to fill in the name of their favorite actor, actress and child star, and this was followed by a list of eight types of features and eight types of shorts on which first, second and third choices were permitted. Features listed were melodrama, historical, comedy, war, musical comedy, love romance, detective mystery and gangster pictures with musical comedies, the winner. Short subjects covered cartoons, which won by a huge margin, travel, industries, animal life, musical, sports, science and newsreels. The stage show questions and double feature preferences followed on the ballots. There was also included a classification of age and sex groups.

Ballot boxes were provided in theatres, but 3,500 ballots were returned by mail. It was the first poll of its kind here and 19 per cent of the ballots were filled in.

The final lists carry 320 actors' names, 289 actresses and 111 child stars. Of the 320 actors, 21 each polled one per cent or more of the total questionnaires; 21 of the actresses were in this bracket and nine of the child stars appeared on one per cent or more of the total replies.

Flash Previews

"Heidi"—In which the growing up Shirley Temple offers a performance of consummate artistry in the Johanna Spyri story of a sentimental child and her hermit-like old grandfather.

"Texas Trail"—Hopalong Cassidy again rides—this time against some magnificent scenic backgrounds—to furnish horses for use in the Spanish-American War.

"Forlorn River"—Larry Crabbe, out of the water and into a saddle, does well in a Zane Grey western.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

How They Voted

St. Louis, Oct. 7.—It was 69 per cent for two features against 31 per cent for one feature with shorts in the *Star-Times*-F. & M. poll, the summary of the final count reveals.

Answers on this question were turned in by 85 per cent of patrons attending first run theatres and by 80 per cent of those who patronize the F. & M. neighborhood theatres. This is how it breaks down:

	First Run	%	Neighborhood	%	Combined	%
For two features	14,553	59	18,198	78	32,751	69
One with shorts	9,916	41	4,990	22	14,906	31
	24,469		23,188		47,657	

A compilation of the total questionnaires carrying the name of some star in each group shows actors registered strongest in appeal with child stars next and actresses third. The following figures are the totals polled by all names in each group.

	First Run	Neighborhood	Combined	Percentage of Total
Actors	25,814	26,205	52,019	9.03
Actresses	24,579	24,880	49,459	85.9
Child Stars	25,854	24,899	50,753	88.1

The percentage figure serves as an index of the fans' relative interest in the groups. Actors were first with 90 per cent, child stars second with 88 per cent and actresses third with 86 per cent. The 10 leading actors polled 51.5 per cent of the total questionnaires:

	First Run	Neighborhood	Combined	Percentage of Total
Clark Gable	3,016	3,080	6,096	10.6
Robert Taylor	2,166	2,458	4,624	8.0
William Powell	2,346	1,686	4,032	7.0
Paul Muni	1,725	985	2,710	4.7
Spencer Tracy	1,305	1,331	2,636	4.6
Tyrone Power	1,242	1,001	2,243	3.9
Dick Powell	680	1,502	2,182	3.8
Gary Cooper	988	841	1,829	3.2
Errol Flynn	665	1,051	1,716	3.0
Fredric March	939	634	1,573	2.7
				51.5

While both first run and neighborhood audiences pick Clark Gable as first choice, the order of selection changes on all of the others.

The first 10 actresses polled 47.9 per cent of the total questionnaires:

	First Run	Neighborhood	Combined	Percentage of Total
Myrna Loy	3,502	2,707	6,209	10.8
Loretta Young	2,160	1,892	4,052	7.0
Claudette Colbert	1,478	1,357	2,835	4.9
Ginger Rogers	891	1,794	2,685	4.7
Alice Faye	1,144	1,512	2,656	4.6
Kay Francis	855	1,067	1,922	3.3
Barbara Stanwyck	984	927	1,911	3.3
Joan Crawford	1,069	839	1,908	3.3
Jeanette McDonald	1,102	752	1,854	3.2
Janet Gaynor	816	820	1,636	2.8
				47.9

The 10 leading child stars polled 84.8 per cent of the total questionnaires returned:

	First Run	Neighborhood	Combined	Percentage of Total
Shirley Temple	10,169	9,359	19,528	33.9
Jane Withers	5,849	6,576	12,425	21.6
Freddie Bartholomew	2,966	1,873	4,839	8.4
Deanna Durbin	2,549	1,318	3,867	6.7
Mickey Rooney	996	2,270	3,266	5.7
Bobby Breen	906	686	1,592	2.8
Sybil Jason	517	845	1,362	2.4
Judy Garland	494	226	720	1.2
Spanky McFarland	307	397	704	1.2
The Mauch Twins	280	272	552	0.9
				84.8

With two exceptions both audiences selected the same features in equal ratio. Neighborhoods' audiences placed comedies ahead of musical comedies and war pictures ahead of detective mysteries. Both audiences placed gangster films at the bottom of the list. Actual figures (polled totals) are shown together with each feature types percentage of the total polled: (Based on first choice only)

	First Run	Neighborhood	Combined	Percentage of Total
Musical comedy	6,110	5,459	11,569	20.0
Comedy	5,129	6,143	11,272	19.5
Melodrama	4,171	4,374	8,545	14.8
Historical	3,782	2,909	6,691	11.6
Love romance	3,227	2,426	5,653	9.8
Detective mystery	1,096	1,532	2,628	4.5
War	608	1,720	2,328	4.0
Gangster	570	1,039	1,609	2.8
				87.0

First choice of feature films was indicated on 87 per cent of the total questionnaires received.

Cartoons were placed first among short subjects by an overwhelming polled

(Continued on page 7)

Dietrich Avoiding Reich

Hollywood, Oct. 7.—Marlene Dietrich, condemned by an organ of the Nazi Government for having sought American citizenship, will answer the Hitler regime by avoiding the nation during her present tour of Europe, Paramount stated today. The actress is now in Italy.

Charge Suit Is to Harass Paramount

(Continued from page 1)

Paramount yesterday submitted affidavits in the N. Y. Supreme Court in answer to the Hayim motion for an examination before trial of Barney Balaban, Paramount president.

Both sides submitted their papers without oral argument to Justice William P. Collins who reserved decision. The two-year employment contract with Zukor which was made on April 26 provides for a $3,000 weekly salary with a bonus of seven and a half per cent on the profits up to $2,500,000 and five per cent on profits above that figure. The plaintiff seeks to examine Balaban before trial about the terms, conditions and compensation of Zukor's employment between July 1, 1936, and June 15, 1937; the details of the April 26 contracts, receipts, expenses and profits relating to film operation as defined in the contract from Aug. 1, 1936, to Sept. 23, 1937, money disbursed to Zukor for that period, capital employed by Paramount and subsidiaries in the production and distribution of films under the title of film operation and information as to the $2,500,000 allegedly set up on Dec. 31, 1934, as film reserve and the alleged crediting of that sum to profits of 1936 on which Zukor's compensation was allegedly computed.

Complaint Called Vague

Whitney N. Seymour of the law firm of Simpson, Thatcher and Bartlett stated in his affidavit that the complaint was too vague and general. He pointed out that Zukor's contract was approved at a stockholders' meeting by a vote of 3,571,056 to 11,722. He also charged that "the complaint in the present action was verified on June 12, four days before the stockholders' meeting and the action was commenced on the same day of the meeting. The verification of the complaint before the stockholders' meeting shows that the suit is in utter disregard of the stockholders' wishes and must have been for some ulterior purpose. This motion to examine broadly as to matters not within the scope of the action must be viewed as a near attempt to harass the company in whose interest the suit purports to be brought.

Para. Gets Stay in Minnesota "Strike"

(Continued from page 1)

Federal court, therefore, was without jurisdiction in the case. Paramount's appeal of this decision was heard by the U. S. Circuit Court of Appeals at Philadelphia on Wednesday and decision was reserved by the higher court.

Conn Flying West

Maurice Conn, head of Ambassador, will fly to the coast today with Ricardo Cortez, to approve the final script and start production on the first Frankie Darro-Kane Richmond film. Conn will return to New York by plane early next week.

Dubinsky to Build

Kansas City, Oct. 7.—Construction of a new theatre, which will seat over 1,000 and will cost approximately $150,000 will be started before Nov. 1 by Dubinsky Brothers in downtown Leavenworth, Kan.

France Plans Measure for Film Control

(Continued from page 1)

sideration but was not included in the provisions of the statute.

The bill was written without consulting leaders of the industry who had wished to cooperate in the framing of any industry measure before its submission to Parliament.

The fifth stipulation—that calling for the elimination of double bills—will work a particular hardship upon American companies here which are already considering defense moves, fearing annulment of the conditions secured by the last Franco-American trade agreement. They consider the situation as most serious since the projected law would establish practically a seizure of the industry by the state.

Delay Decision on Dallas Case Appeal

Attorneys for major distribution companies conferred again yesterday on interpretations of the recent decision of the U. S. District Court at Dallas which held that contracts made with Hoblitzelle theatres regulating subsequent run admission prices were in violation of the anti-trust laws. The attorneys have been unable to decide whether the court's opinion referred to general use of the contracts by all distributors or to the contracts themselves.

Pending the entering of the Government's decree, expected next week, this point will not be made certain. It was indicated that if the decree finds the contracts to have been invalidated by "conspiracy" no appeal of the decision will be taken. However, if the decree holds the contracts, as such, to be illegal, an appeal is almost certain to be taken by the distributors, it is believed.

U. A. to Attack Hart Suit

United Artists will ask Federal Court Judge John C. Knox to dismiss the $185,000 suit of William S. Hart and Mary Hart against them or compel the complaint to be made more definite in the U. S. District Court this morning.

The suit is based on the alleged blockbooking of Hart's 1925 picture, "Tumbleweeds," which cost $302,000 to produce with a dog picture which cost only $15,000. Hart is asking for the return of $185,000 which U.A. retained as its share of the gross receipts of the picture.

Warner Action Postponed

Federal Court Judge John C. Knox yesterday granted the motion of Warners to postpone the trial of the infringement suit of the Beekman Film Corp. against them until the testimony of Jack L. Warner, vice-president in charge of production, can be taken in California. The plaintiff claims that its picture, "This is America," was infringed upon in "The Yanks Are Coming." A permanent injunction, damages and an accounting of the profits is asked.

How They Voted

(Continued from page 6)

total. Selections of the two audiences other than agreeing on cartoons as first choice were radically different as indicated by polled totals of first choice only.

	First Run	Neighborhood	Combined	Percentage of Total
Cartoons	12,303	14,158	26,461	45.9
Musical	2,659	2,547	5,206	9.0
Travel	2,968	2,161	5,129	8.9
Newsreels	2,669	2,028	4,697	8.1
Sports	1,994	2,331	4,325	7.5
Animal life	521	791	1,312	2.3
Science	457	464	921	1.6
Industries	250	503	753	1.3
				84.6

First choice of short subjects was indicated on 84.6 per cent of the total questionnaires returned. The addition of second and third choice votes in a combined vote of first, second and third choice changes the ratios in both features and shorts. Complete tabulations will be released in the final detailed report to be issued later.

Eighty-seven per cent of the total questionnaires carried an expression on the question of stage shows with films. The detailed totals: (percentage figures show percentage of total voting, not total questionnaires.)

	First Run	%	Neighborhood	%	Combined	%
For stage shows	18,271	71	16,363	67	34,634	69
Against stage shows	7,515	29	7,929	33	15,444	31

Of those who registered in favor of stage shows with films the following named these preferences of types of shows:

	First Run	Neighborhood	Combined
Prominent bands	5,915	3,983	9,898
Singers	1,382	1,609	2,991
Dancers	2,409	2,744	5,153
Vaudeville	6,771	6,207	12,978

Since vaudeville is an all-inclusive term, a comparison of the other three types—bands, singers or dancers—shows a decided preference for bands. This ties up directly with the choice of musical comedies as the preferred feature. Fifty-five per cent of those voting for stage shows, exclusive of vaudeville, asked for name bands.

A comparison of age groups showed that the majority of first run audiences was in the two middle groups from 16-25 and 26-40, while in the neighborhood audiences the majority was in the first two groups, from under 16 to 16-25. Tabulations show:

Men

		Under 16	16-25	26-40	Over 40
First Run	11,744	1,643	5,574	3,483	1,044
Neighborhood	13,722	3,481	6,743	2,713	785
Combined	25,466	5,124	12,317	6,196	1,829

Women

		Under 16	16-25	26-40	Over 40
First Run	14,811	2,333	6,784	4,032	1,662
Neighborhood	11,492	3,116	5,106	2,337	933
Combined	26,303	5,449	11,890	6,369	2,595

In tabulating age and sex groups only those questionnaires on which both sex and age group were given were tabulated.

G. N. Plans Annual "Frolics" Musical

Grand National will produce a "Campus Frolic" musical every year, according to Edward L. Alperson, president. David Diamond will produce the first, "Campus Frolics of 1938," with Evelyn Daw and James Newill in the cast. The balance of the cast will be completed upon the return of Alperson to the coast shortly. The script has already been worked out by Davidson and Clarence Marks.

G. N. Closes India Deal

Grand National has closed a deal with Chandhri Film Service, with offices in Lahore, Bombay and Calcutta for the distribution of its product in those territories.

"Girl Said No" to Globe

"The Girl Said No" will open at the Globe, Oct. 16, following "Something to Sing About."

World Has 'Men of Ships'

World Pictures Corp. has acquired the international rights to "Men of Ships," produced by Irving Browning.

Prize Offered for Memorial to Rogers

OKLAHOMA CITY, Oct. 7.—A $250 prize has been offered by the Will Rogers Memorial Commission for the best design for an Indian Museum at Claremore to be erected in memory of the humorist. The competition will be open to all Oklahomans, and designs must be submitted by Nov. 1. They will be considered by the full commission at a meeting to be called by Gen. Roy Hoffman, chairman.

A plan to make the Will Rogers ranch near Oologah a state park will be presented soon to the State Park Commission, according to J. B. Wise of Oologah, Okla. He had received a letter from Mrs. Rogers assuring the Oologah committee her cooperation in the plan, he said.

Cockrill Takes House

DENVER, Oct. 7.—Dave Cockrill has added the Washington Park to his string, giving him four theatres. The house has been closed for remodeling and redecorating and will be reopened as the Park. Cockrill has appointed Paul Snoddy, cashier at the Denham, as manager.

Women's Clubs Rank "Ziegfeld" Top Film

HOLLYWOOD, Oct. 7.—Mrs. William A. Burk, chairman of the West Coast reviewing committee of the General Federation of Women's Clubs, has named the committee's selection of the 10 best pictures of 1936, ranking "The Great Ziegfeld" as the highest.

The others in order are "San Francisco," M-G-M; "Mr. Deeds Goes to Town," Columbia; "Dodsworth," Goldwyn-U.A.; "The Story of Louis Pasteur," Warners; "Anthony Adverse," Warners; "Winterset," RKO; "Fury," M-G-M, "Theodora Goes Wild," Columbia and "Green Pastures," Warners.

Directors chosen as the most outstanding were Frank Capra, W. S. Van Dyke and John Ford.

The "bests" in actors, as chosen by the committee, are Paul Muni, Walter Huston and Spencer Tracy; the actresses, Luise Rainer, Irene Dunne and Gladys George.

The child players selected as "bests" are Bonita Granville, Freddie Bartholomew and Shirley Temple.

Three Youngsters Chosen

The designation of "pictures of unusual merit" was given the following features, arranged in alphabetical order: "After the Thin Man," "Beloved Enemy," "The Charge of the Light Brigade," "Craig's Wife," "Come and Get It," "Libeled Lady," "The Magnificent Obsession," "Mary of Scotland," "Midsummer Night's Dream," "My Man Godfrey," "Nine Days a Queen," "The Petrified Forest," "Rose Marie," "Show Boat," "Big Broadcast of 1937," "White Angel," "The Road to Glory," "The Devil Is a Sissy," "Three Smart Girls," "These Three," "The Trail of the Lonesome Pine," "Under Two Flags," "Valiant Is the Word for Carrie," "The Plainsman" and "The Gay Desperado."

Wall Street

"U" Has High Board Rise

	Open	High	Low	Close	Net Change
Col.	19	19½	18⅝	19¼	+ ¾
Cons.	2¼	2¼	2	2	.....
Cons., pfd.	8½	8¾	8½	8¾	+ ⅝
E. K.	168	170	167¼	167¼	— ¾
E. K., pfd.	161	161	161	161	.....
G. T. E.	18¼	18¾	18	18	.....
K.-A.-O., pfd.	85½	85½	85	85	.....
Loew's	70	71⅝	69½	70⅛	— ¼
Loew's, pfd.	105⅜	105⅞	105⅜	105⅞	+ ⅝
Para.	16½	17¾	16½	16¾	— ¼
Para. 2 pfd.	15	15¾	15	15⅛	— ¼
Pathe	7¾	8⅛	7⅝	7¾	+ ⅛
RKO	5⅞	6⅛	5⅞	5⅞	.....
20th Fox	28¼	28⅞	28	28	.....
Univ., pfd.	34	34	34	34	+3½
W. B.	10⅛	10½	10	10	.....

Curb Up Fractionally

	Open	High	Low	Close	Net Change
G. N.	2	2	2	2	.....
Sentry	⅜	⅜	⅜	⅜	.....
Sonotone	1¾	1⅞	1¾	1⅞	+ ¼
Tech.	23⅞	24	23	23¼	— ¾
Trans-Lux	3⅜	3⅜	3¼	3¼	+ ⅛
Univ.	4	4	4	4	.....

Warner Bonds Gain

	High	Low	Close	Net Change
Keith B. F. 6s '46	95¾	95½	95½	.....
Loew's	98⅞	98¾	98¾	— ¼
Paramount Pict. 6s '55	99¾	99¾	99¾	.....
Paramount '47	83	83	83	.....
Warner Bros. 6s '39 wd	85	83¾	85	+1½

(Quotations at close of Oct. 7)

Radio Personals

LAMMOT DU PONT, president of the company which sponsors "Cavalcade," will be heard over CBS Oct. 13. . . . Thomas Beck, 20th Century-Fox player who is vacationing in New York, will be the guest of George Hobbs on the WHN "Movie Club" Friday night. . . .Phil Spitalny's all-girl orchestra will make a week's appearance at the Stanley in Pittsburgh, beginning Oct. 15. . . . Guy Lombardo will receive *Radio Stars'* monthly award for "distinguished service to radio" this month. . . . Glenn Hunter and Blanche Ring will appear on Chamberlain Brown's "All-Star" revue over WMCA Monday night. . . . John Barrymore will guest appear on the "Seein' Stars" program Sunday, along with Pandro Berman. . . .

+

WMCA Puts on School Programs

WMCA is inaugurating a special service to New York City schools by broadcasting programs of interest to students of civics and modern history. Details of the programs are furnished to teachers and arrangements are being made for group listening and classroom discussion. The programs to date include "Municipal and State Legislature," "Operation of the Federal Government," "The Editor Speaks."

Knox to Begin New Series

Jay Knox, the "Globetrotter," and now news editor of WINS, will begin a new four-time-daily news series over that station Oct. 11. Each will be for 15-minutes, and the listings and times are as follows: "Morning News" at 9:45 A. M.; "News From a Woman's Angle" at 12:15 P. M.; "Afternoon News" at 3:15 P. M., and "Editorial Page" at 6:30 P. M.

Colgate Adds Eight Stations

Colgate-Palmolive-Peet has ordered eight additional stations for its current CBS program featuring Myrt & Marge. The addition will give the program an outlet of 65 stations, one of the largest ever reserved for a morning script program. Benton & Bowles is the agency.

To Release "Death Stalks"

Star Radio Programs, Inc., is preparing to release generally the complete 26 scripts of its new feature "Death Stalks the Honeymoon." Station orders received before the series was finished are now being filled.

WNEW Adds Four Operators

J. Weiner, chief engineer of WNEW, has added four new men to the station's list of panel board operators. The newcomers are: Walter Swensen, George Shoemaker, William Elliott and Color Southern.

Colin CBS Director

Ralph F. Colin, general counsel of the Columbia Broadcasting System, Inc., has been elected a director of the corporation, and S. R. Dean, CBS comptroller, has been elected assistant treasurer.

New Shows on the Air

"Skolsky in Hollywood"

Bad delivery vies with excellent material on the "Skolsky in Hollywood" series, but the diminutive columnist, now turned aircaster, scores despite a decided voice handicap.

Skolsky's radio stint follows much the same pattern of his erstwhile newspaper column—movie boners, reviews, chatter about the players, and amusing observations grouped under the now well known line—"but don't get me wrong, I love Hollywood." It is for more reasons that these, however, that Skolsky is in a sort of class by himself as a cinema sage. Whereas most Hollywood commentators look upon the city and its denizens with a jaundiced eye, Skolsky's observations are obviously delivered with tongue-in-cheek and are entirely free from rancour. He debunks gently, not with a club, yet surprisingly enough his method is the more devastating of the two.

Skolsky spoke at great length about Vittorio Mussolini's attempt at picture producing, and told of the harrassment Il Duce's son has been subjected to by anti-Nazi and anti-Fascist groups in Hollywood since his arrival there.

The less said about his delivery, however, the better for him. But don't get me wrong—"I like Skolsky."

Bromo-Seltzer sponsors the program, Wednesdays from 8:30 to 9 P. M. over the NBC-Blue. J. Walter Thompson is the agency.

"Hobby Lobby"

Dave Elman's "Hobby Lobby," developed as a sustaining series over WOR and now presented under Hudson Motor Car Co. sponsorship over the CBS network plus WOR, is one of the more enjoyable air features. Reviewed in MOTION PICTURE DAILY when it began over WOR, it was stated then that the program should quickly win for itself a sponsor, a prediction now fulfilled.

The series features people who pursue unusual hobbies. Those who lobbied for their hobbies on the opening sponsored show included a gentleman from California who raises and breeds angle worms; Prof. Charles C. Weidemann, Ohio State University mathematics instructor who makes home-made musical instruments out of such things as peanut shells, glass, wood, the rib bones of fossiled animals, turkey drum sticks; Edwin M. Hydemann, a retired New York business man whose hobby is to provide entertainment for underprivileged children, and several others whose hobby avocations are more than surprising. Admiral Richard E. Byrd was the guest of honor and he hobby-lobbied for World Peace.

"Hobby Lobby," unless all indications fail, is headed for a long and enjoyable stay on the network. Harry Salter's orchestra provides the music. The Salter combination, in our estimation, is one of the best in radio.

The series is presented Wednesdays from 7:15 to 7:45 P. M. on CBS, and from 10:30 to 11 P. M. on WOR. Hudson Motor Car Co. sponsors, through Brooke, Smith, French & Dorrance. BANNER.

CBS and NBC In AFM Accord

CBS and NBC have reached an accord with the A. F. of M. for an agreement governing the number of musicians to be employed by the network key stations in cities such as New York, Chicago, and Los Angeles. The details of the agreement have not been made available to date.

Joseph N. Weber, A. F. of M. president, is now in Denver attending the A. F. of L. convention. While there he will meet with the broadcasters of that region, it is believed.

Alan-Scott—"This and That"

PHILADELPHIA, Oct. 7.—Alan Scott is quite a figure along Philadelphia's radio row and, in the past, has tangled with city officials regarding his air remarks. At the show caught, which was his second for Gulf Oil, in the main he lived up to his reputation as a news commentator with a truly different style. He uses, and very effectively, the "You and Me" attitude toward his listeners. And when he sticks close to home in his subject matter, Scott is at his best. He has a tendency to go slightly overboard when he tackles foreign and international topics. His voice is of the better microphone variety, the result of a five year stretch as a radio announcer.

During last night's broadcast, he discussed the Philadelphia grand jury vice probe and then handled F.D.R.'s "aggressor nation" speech. He was speaking in front of 500 Gulf dealers, gathered at a midtown hotel for a bit of agency palaver.

Scott tied a bit of commercial spiel into his script, while announcer Vernon Crawford did the closing commercial. It stressed Gulf dealers courteous and efficient service, but the copy was not too smartly written.

Listeners in these parts consider Scott the top news commentator—and from a local angle that includes Boake Carter.

Presented Monday through Friday over WFIL at 10:30 to 10:45 P.M. The agency is Young and Rubicam. B.

Lever Bros. Plan New Series

HOLLYWOOD, Oct. 7.—Edward G. Robinson and Claire Trevor have been signed by Lever Bros. for a new series to begin over CBS Oct. 19. The program title has not been selected as yet. The series will be heard Tuesdays from 8 to 8:30 P. M. Ruthrauff & Ryan is the agency. The new program will give Lever Bros. a full hour's time Tuesdays on CBS, the same company sponsoring the Al Jolson series from 8:30 to 9 P. M.

Darnell Goes to WNEW

Bill Darnell, formerly of WTAM, Cleveland, has been engaged as soloist on the new WNEW screen program, "Sound Track." Darnell, baritone, is heard each weekday afternoon.

ARTA Union Drive Active in Oklahoma

OKLAHOMA CITY, Oct. 7.—A drive by the American Radio Telegraphers' Ass'n to unionize the communications industry in Oklahoma from three directions, broadcasting stations, telegraph companies and aviation wireless, has been instituted here.

The A.R.T.A., a C.I.O. affiliate, has made demands for a contract with KFXR here, and Joseph Harris, union organizer directing the drive, said that the 13 state broadcasting stations are organized practically 100 per cent.

Reports that the A.R.T.A. had made demands for a contract of KFXR were confirmed by the organizer, but he refused to reveal whether negotiations are in progress with other stations. It has been reported here, however, that KOMA and WBBZ, Ponca City, have signed. No confirmation of this report is available.

Shirer Goes to CBS As Agent in Europe

William L. Shirer, foreign correspondent for Universal News Service, has resigned his newspaper position to become Central European representative for CBS. Shirer will made his headquarters in Vienna, and will operate under the direction of Edward R. Mororw, CBS European director.

Shirer has been with Universal News Service since 1933. Prior to that he was correspondent for the *Chicago Tribune* in various European capitals.

"Mr. Keen, Tracer" New Series

"Mr. Keen, Tracer of Lost Persons," is the novel title of a new dramatic serial which will be presented over the NBC-Blue every Tuesday, Wednesday and Thursday from 7:15 to 7:30 P. M., beginning Oct. 12.

The series will be offered under sponsorship of the American Home Products Corp., through Blackett-Sample-Hummert. Air Features, Inc., will produce.

F. & F. to Have New Series

F. and F. Coughdrops will sponsor a new script series titled "Jennie Peabody" over CBS starting Oct. 18. The programs will be offered Mondays, Wednesdays, and Fridays from 3:30 to 3:45 P. M., over 41 stations of the network. Blackett-Sample-Hummert is the agency.

Herb Morrison to WOR

Herb Morrison, WLS, Chicago announcer who won air fame by making an on-the-scene transcription of the explosion of the Hindenberg, has resigned to join the announcing staff of WOR in New York. He will begin his new duties Monday.

C. J. Schuepbach to Marry

DENVER, Oct. 7.—C. J. Schuepbach, of the KLZ sales staff, Denver, and Catherine Lipske will be married in St. Louis Oct. 11.

Yasha Davidoff Signed by WOR

Yasha Davidoff, basso, has been signed for a series of sustaining programs on WOR. He will be heard Thursdays from 4:30 to 4:45 P. M. beginning Oct. 14.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 85 NEW YORK, SATURDAY, OCTOBER 9, 1937 TEN CENTS

No Change in G.B. Control For 6 Months

Payment of Preference Dividend Reason

By BRUCE ALLAN

LONDON, Oct. 8.—Paying the half-year's preference dividend, Gaumont British made impossible for another six months any change in the control of the company by means of preference votes, which only become operative in the event that the dividend is passed.

On the payment of the half-year's dividend due in March there was a split in the G. B. directorate, the decision for payment being carried by the Ostrers against the votes of John Maxwell, Sidney R. Kent, Dixon Boardman and O. H. C. Balfour. The Ostrers and their nominees had five votes.

Later the legality of the preference payment was tested in the courts by the Nordon Committee of G. B.

(*Continued on page 3*)

Stuart Doyle Plans 100-Theatre Circuit

LONDON, Sept. 29.—Stuart F. Doyle, the Australian film executive, on his arrival here from New York, outlined a "five-year plan" for the creation of a circuit of 100 super-theatres in key cities of the British Empire. Such a circuit, he said, was necessary to put British films on the map, and he hoped to organize it through a private company.

Doyle also will engage in British production, he stated, and has selected his first subject, but he refused to discuss details, though admitting he has discussed cooperation with existing British companies.

The Doyle theatre-film center in Lower Regent St. here will be opened in the spring of 1938, declared Doyle.

ABP Denies Part in KRS Rental Policy

LONDON, Oct. 8.—Arthur Dent today issued a statement disassociating Associated British Pictures from the Kinematograph Renters' Society (distributors) new policy of restricting the rental by contract of all "A" feature to percentage deals.

At the same time Dent revealed that A. B. P. is not a member of the K. R. S. The membership of Wardour Films lapsed on the absorption of the company by A. B. P. and the latter did not join.

Goldwyn Will Come East to Meet Korda

Samuel Goldwyn is due from Hollywood about Nov. 1 for conferences with Alexander Korda on exercising the options for purchase of the U. A. stock interest of Charles Chaplin, Mary Pickford and Douglas Fairbanks for $6,000,000.

After a few days here they will leave for the coast to discuss final details for assuming control of the distributing company. Korda will spend six weeks in this country. He is expected to be accompanied from England by David Rose, vice-president and financial adviser for Samuel Goldwyn, Inc.

Goldwyn is planning a day-and-date opening at the Carthay Circle on the coast and the Astor on Broadway for "Hurricane" the early part of the month. He will attend the local premiere.

Present plans for the Carthay Circle opening call for the construction of a Tahitian village, which was used in the picture, and which will be located near the coast theatre.

Korda's departure from London is indefinite, according to his local office. Preliminary reports have it he will sail Oct. 16 with Rose and Maurice Silverstone, head of U. A. in the United Kingdom. Emanuel Silverstone, American representative for Korda, has returned from a tour of key cities.

Finkelstein Leaves Midwest; to Produce

KANSAS CITY, Oct. 8.—Martin Finkelstein, district manager of Fox Midwest theatres in Greater Kansas City, has resigned to join Ed Shanberg, formerly district manager, in the formation of a company that has announced it will make a picture featuring heavyweight champion Joe Louis. Shanberg is president, Finkelstein vice-president. He will go to New York Oct. 16.

Lon Cox, film buyer for Fox Midwest, and assistant to Elmer C. Rhoden, circuit head, will handle city theatres in addition to his other duties.

Variety Club will hold a farewell dinner for Finkelstein Oct. 13.

Ruling Reserved on Penn Censor Appeal

PHILADELPHIA, Oct. 8.—Decision was reserved by Judge Louis E. Leventhal today on the appeal from the censor board ruling prohibiting the public showing of "Spain in Flames."

Since Governor Earle yesterday ordered a lifting of the ban on "Spanish Earth," it is regarded as not improbable that "Spain in Flames" may re-

(*Continued on page 3*)

"Dying Duck"

Hollywood, Oct. 8.—A reporter of *Motion Picture Daily* who today tried in vain to elicit from Hal Roach a statement concerning the current status of the "RAM" deal with Vittorio Mussolini, approached a Roach representative with the query, only to be answered, "Why bring up a dying duck?"

Extension Granted In No. Dakota Case

BISMARCK, Oct. 8.—The Federal court here has granted North Dakota officials an extension of time to Oct. 14 in which to file their answers to Paramount's action to enjoin the state from enforcing the circuit theatre divorce measure which was enacted at the last session of the legislature.

Say Films Are Part Of Interstate Trade

HOLLYWOOD, Oct. 8.—More than 200 exhibits which, the Government claims, show the effects of the industry on interstate commerce as well as the employe-employer relationship of writers to producers were offered today as exhibits in the Screen Writers' Guild hearing before the Regional Labor Board petitioning for an election to determine the collective bargaining agency for film writers. Exhibits included excerpts from *Motion Picture Herald* and at the next session will comprise extracts from *Motion Picture Almanac.*

Meeting the opposition from respondent companies, William J. Walsh, labor board attorney, asked Trial Examiner William Ringer to recess until Monday to give all counsel the opportunity to examine the exhibits, the materiality of which had been questioned.

The recess came when Dr. David Saposs, chief economist of the labor board, took the stand to wind up the Government's side of the action and submitted his testimony which was was based on Federal reports, Congressional investigations and trade publications.

No. America Radio Pact Sought by U. S.

WASHINGTON, Oct. 8.—T. A. M. Craven of the F. C. C. today said the United States delegation to the Inter-American radio conference at Havana would seek a general North American agreement concerning the allocation of broadcast frequencies, in addition to a Pan-American agreement on the band between 1,400 and 1,600 kilocycles.

AFL Decides To Unionize Office Help

Move Aimed to Forestall Extensions by CIO

DENVER, Oct. 8.—Extension of its activities to white collar workers, in opposition to the C.I.O., was decided upon today by the A. F. of L. in convention here.

President William Green has summoned leaders of the A. F. of L. office workers to convene here tomorrow when plans will be discussed for forming a national council and eventually an international union.

Up to the present, the A. F. of L. has sponsored only local organizations of office workers.

Sol A. Rosenblatt, former NRA administrator, addressed the convention and stressed the significance as regards labor today. He said the responsibility of labor was to itself, the employer and to the public. He referred to radio by mentioning the 12 weeks' work with Joseph Weber in New York in negotiating an agreement with radio for musicians.

Rosenblatt and Weber conferred for several hours this afternoon, but

(*Continued on page 2*)

Makeup Men Pact Brings 30% Raise

HOLLYWOOD, Oct. 8.—The makeup men's local of the I.A.T.S.E. represented by William Bioff, west coast I.A.T.S.E. head and Vernon Murdock, business agent, today signed with the producers a contract calling for a 30 per cent increase in salaries, time and a half for overtime and double time on Sundays and holidays.

Under the pact, top makeup men will

(*Continued from page 2*)

Suit Against Floyd Gibbons Dismissed

Justice Ferdinand Pecora dismissed the $250,000 slander suit of Charles Locke against Floyd Gibbons in the N. Y. Supreme Court yesterday, since Locke had failed to set forth any actual damages in his complaint. Justice Pecora ruled that the statements allegedly made by Gibbons were not slanderous in themselves and that a

(*Continued on page 4*)

More Radio — P. 4

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Navy Head Sees Film

WASHINGTON, Oct. 8.—Secretary of the Navy Claude A. Swanson and Assistant Secretary Charles Edison headed a large delegation of senior officials and officers of the U. S. Navy Dep't at one of the opening performances of "Annapolis Salute" at the Earle tonight, as guests of General Zone Manager John J. Payette and Manager Charles V. Grimes.

Television for SMPE

The Society of M. P. Engineers has arranged with RCA for two television demonstrations during the S. M. P. E. convention which opens on Monday at the Hotel Pennsylvania. The two demonstrations will be held Thursday evening on the 62nd floor of the RCA Bldg., with Dr. B. E. Shackelford of RCA in charge.

Jameson Goes Hunting

KANSAS CITY, Oct. 8.—Earl Jameson, president of Film Delivery, left Kansas City today in his own airplane for Denver, accompanied by two Kansas City friends. They will hunt elk, bear, and deer around Meeker, Col., for a week.

Purely Personal

RUTH G. HATRICK, of Larchmont, elder daughter of ED and MRS. HATRICK, will be married Oct. 28 to GREGORY C. DRADDY of New Rochelle at the Larchmont Avenue Church. A reception will follow at the Westchester Country Club.

•

HARRY GOLDBERG, Warner theatre advertising head, spoke yesterday to the faculty of students of Franklin and Marshall College, Lancaster, Pa., on "The Life of Emile Zola." He also was a speaker at the Millersville Teachers' College.

•

TONY MARTIN, who has been lingering in town to take in some of the World Series games, leaves today for the coast to resume work for 20th Century-Fox. His wife, ALICE FAYE, is due here next week.

•

NATALIE KALMUS sailed last night on the *Bremen* to supervise the color direction of a number of films to be made abroad. The first, "Over the Moon," will be made by London Films in the south of France.

•

ARTHUR DRISCOLL of the law firm of O'Brien, Driscoll & Raftery, sails today on the *Santa Rosa* for the coast. Also sailing on the same ship is W. B. COKELL, Paramount treasurer, and Mrs. COKELL.

•

MAURICE CONN, president of Ambassador Pictures, has delayed his departure for the coast until today. He will return to New York next Thursday, he said yesterday.

•

J. CHEEVER COWDIN and WILLARD MCKAY have postponed their departure from the coast and are not expected back in New York until the middle of next week.

•

EMIL COLEMAN and his orchestra chartered a special American Airlines plane for Detroit yesterday and today will leave for Boston.

•

GEORGE WEEKS will be tendered a testimonial luncheon at the Astor today by the G. B. home office and local exchange sales force.

•

PAUL MUNI will make a personal appearance Wednesday night at Madison Square Garden for the fourth annual production of "Night of Stars."

•

GEORGE J. SCHAEFER, general sales manager for U. A., will arrive from the coast today.

•

FRANK C. WALKER leaves tomorrow with Postmaster General FARLEY on a trip through the northwest.

•

EDWIN KNOPF, M-G-M story editor on the coast, plans to return to Hollywood the end of next week.

•

TOM WALLER of the Paramount home office publicity department, left for the coast studios yesterday.

•

ARTHUR A. LEE, G.B. vice-president, returned yesterday by plane from Boston.

•

SOPHIE STEWART, who recently completed work in "The Scarlet Pimpernel," will arrive Tuesday on the *Aquitania*.

•

MARGOT GRAHAME is due from the coast shortly. While in town she will consider various stage offers.

•

JOE BREEN is planning to return to Hollywood Monday.

•

SPYROS SKOURAS was in Athens yesterday.

•

RICARDO CORTEZ finally got away yesterday for the coast by plane.

•

STAN TRUE is due back over the weekend from Boston.

•

GEORGE BURNS and GRACIE ALLEN arrive Monday from Hollywood.

"Stage Door" Hit

Garnering $13,900 on the opening day, "Stage Door" is expected to gross between $100,000 and $110,000 for the first week at the Music Hall. Approximately 23,000 saw the picture the first day. At 3 P. M. yesterday the take was about $500 better than the opening day at the same hour.

Allied Asks Support Of Film Legislation

WASHINGTON, Oct. 8.—Allied States, in its most recent bulletin from the exhibitor organization's headquarters here, urges all independent exhibitors to give concrete evidence of their support for film legislation in the next session of Congress.

The bulletin suggests that it is the obligation of every local exhibitor leader to ascertain the wishes of independents relative to such legislation. The bulletin queries exhibitors on their wishes in the matter of Congressional action on the Neely-Pettengill bill prohibiting block booking and blind selling, the Hobbs resolution for an investigation of the industry, and a Guffey Act for the industry.

Exhibitors are asked if they will come to Washington during the special session next month to assist in the organization of a steering committee and to testify before committees regarding the need of such legislation.

The bulletin reviews the recent court decisions in Philadelphia and Dallas, concerning Paramount and the United M.P.T.O in Philadelphia, and the U. S. against the Interstate Circuit in Texas. The bulletin points out that although the two decisions are favorable "so far as immediate results are concerned, they actually do not shed a great deal of light as regards exhibitor rights."

Roach, Stan Laurel Sign for Two a Year

HOLLYWOOD, Oct. 8.—Hal Roach and Stan Laurel today got together on a new production deal calling for Laurel and Oliver Hardy to appear in two pictures per year for two years. Productions will be made by Roach and will not have the designation as Stan Laurel Productions. Budgets will be considerably increased for the pictures, thus ending the long feud between Roach and Laurel over business matters.

AFL Decides To Unionize Office Help

(*Continued from page* 1)

both refused to divulge the nature of the discussion.

Members of the United Office and Professional Workers of America have been petitioning employes of all major companies for the past few months to join. The organization is an affiliate of the C. I. O.

Reports from home office indicate that the white collar union has not made much progress in lining up stenographers, clerks and bookkeepers, although there are a number of employes in each of the eight major companies who have joined the U.O.P.W.A.

On July 12 last, MOTION PICTURE DAILY reported that executives of major companies have been considering plans for recognizing a "white collar" union as soon as negotiations were completed with locals throughout the country representing "back room" employes. These unions with which agreements have been signed are A. F. of L. members.

Theatre union help employed by major circuits in all instances are identified with the I.A.T.S.E., also affiliated with the A. F. of L. With the A. F. of L. now taking steps to extend its sphere to white collar help, it is likely that if, and when, major companies decide to recognize a union for this type of worker negotiations will be carried on with the William Green affiliate.

Makeup Men Pact Brings 30% Raise

(*Continued from page* 1)

get a minimum of $115 per 60-hour week. The Class B group, who can work only on extras, will receive $85 per week; body makeup women $60 per 54-hour week and hairdressers $65 per 54-hour week. All hiring will be done through the local's offices; weather-permitting calls will bring a half-day check if the worker reports to the studio and then the call is cancelled.

Makeup men making over the minimum wage will get a 10 per cent increase and their overtime pay will be computed on the raised basis.

B. C. Independents Sign Pact

VANCOUVER, Oct. 8.—Independent theatres here today agreed to union demands and projectionists thereby will receive a salary increase of five per cent for this year and an additional five per cent for the next two years. The houses opened again tonight.

Flash Previews

"Wallaby Jim of the Islands"—An impressive, Joseph Conrad type of story of a group of white people in the South Seas.

"Casta Diva"—Picturization of incidents in the life of Vincenzo Bellini, famous Italian composer.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

No Change in G.B. Control For 6 Months

(*Continued from page* 1)

shareholders, the decision going in favor of the Ostrers.

On the present occasion the dividend payment was unopposed in the board.

An action by John Maxwell, for Associated British Pictures, against the Ostrers is pending. He alleges that the sale to him of shares in Metropolis and Bradford Trust, controlling G. B., was obtained by false pretenses. Maxwell is claiming damages. Stories that the action had been settled by the return of its money to A. B. P. have been denied by the Maxwell interests.

The *Financial Times,* in a leading article this morning, launched a sharp attack on the Gaumont British financial report. Especially criticized was the absence of a consolidated balance sheet, which was forced last year by the stockholders at the annual meeting.

The *Financial Times* said, "The company's affairs are far worse than this time last year, but the board has persisted in an attempt to satisfy stockholders with meager details. The group which uses the methods of dictatorship and presents such a record of inefficient management, owns directly less than one per cent of the equity in the company."

Theatres Thought Overvalued

Also attacked was the abandonment of production by the company, and the suggestion was made that the company's theatres are overvalued. "Suspicion must again arise that the preference dividend was paid in order to prevent the preference stockholders from exercising their vote," the article said, and continued, "There is now a need for active intervention by the shareholders."

The newspaper declared that the figure used for theatre depreciation is insufficient and that a slight increase would have made the preference dividend unearned. It is expected that the Nordon group again will move for adjournment of the annual meeting pending the preparation of a full balance sheet, and will intensify its campaign for an investigation by the Board of Trade.

Ruling Reserved on Penn Censor Appeal

(*Continued from page* 1)

ceive similar official treatment. The board originally disapproved the latter picture in February on the grounds that it was propagandistic and improper.

No witnesses were called at today's hearing although Mrs. A. Mitchell Palmer, chairman of the censor board, Civil Liberties Union were among those present.

Book "Spanish Earth"

"The Spanish Earth," documentary film emphasizing the Loyalists' side of the conflict in Spain has been booked into the Europa, Philadelphia and the Art Cinema, Pittsburgh.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Heidi"

(20th Century-Fox)

HOLLYWOOD, Oct. 8.—The consummate artistry of the young queen of the stars, Shirley Temple, is once again amply demonstrated in this screen adaptation of the well known story, "Heidi," by Johanna Spyri. It is a simple, sentimental tale of a child and her grandfather, perfectly suited to the unquestioned talents of Shirley, and the result is made-to-order family entertainment and a holiday for showmen.

Production values are high, including occasional flashes of beautiful scenic effects in the Tyrolean Alps. The screenplay and direction, the former by Walter Ferris and Julien Josephson, and the latter by Allan Dwan, are smooth and geared to display the child star to best advantage, and the supporting cast, headed by Jean Hersholt, is all that could be required. Arthur Treacher, Helen Westley, Pauline Moore and Sidney Blackmer are featured.

A pleasing interlude is the little Dutch scene, in which a picture comes to life and Shirley, surrounded by boys and girls, sings and dances delightfully. Lew Pollack and Sidney D. Mitchell wrote the song, "In Our Little Wooden Shoes," sung by Shirley.

There are times, perhaps, when the film becomes overly sentimental and undoubtedly it will draw tears from the eyes of the feminine element in the audience. But that has never been any obstacle to substantial attendance.

Shirley is brought to the hermit-like old man who is her grandfather by an aunt who desires to be rid of her. The child restores Hersholt to his former place in the hearts of the townspeople and is herself ideally happy in the mountains. Then the aunt suddenly snatches her away, virtually selling her to be companion to a crippled girl in the big city many miles away, while the old man hikes in search of her. The child is torn between her desire to stay with the girl, her wish to return to her grandfather and her suffering under the harsh treatment of the housekeeper.

Excitement enters as the grandfather seeks her frantically, the discharged housekeeper tries to sell her to gypsies, and they are all arrested. Peace comes at last, and happiness is hers again in the mountain cabin.

Running time, 87 minutes. "G."

"Stage Door," which opened Thursday morning at the Radio City Music Hall, was previewed by wire from the coast on Sept. 9.

"Life Begins in College," opener at the Roxy yesterday, was reviewed by wire on Sept. 24 from Hollywood.

"This Way Please," now current at the Criterion, was previewed by wire from Hollywood on Sept. 13.

"High, Wide and Handsome" at the Paramount and "Good Earth" at the Capitol are holdovers, as is "Back in Circulation" at the Strand.

"Wife, Doctor and Nurse," reviewed by wire from the coast Sept. 2, is scheduled to open this morning at the Rivoli.

Knox Avoids Hart Suit

Federal Judge John C. Knox, declared himself disqualified from hearing the motion made by United Artists to dismiss the $185,000 suit of William S. Hart and Mary Hart in the U. S. District Court yesterday. Judge Knox declared that he had held private conversations about the suit and refused to hear the motion. He referred the case to Federal Judge John W. Clancy for hearing on Oct. 19. Hart is suing for the return of $185,000 which United Artists retained as its share of the gross receipts of the Hart picture, "Tumbleweeds" which was produced in 1925 and distributed by United Artists.

Nuovo Mondo Assets $48,658

Assets of $48,658 and liabilities of $23,833 were shown in the schedule filed by Nuovo Mondo Motion Pictures, Inc., in the U. S. District Court yesterday in the involuntary bankruptcy proceedings against the corporation. The assets consist principally of 200 films and prints, although the originals are owned by an Italian corporation, identified only by the initials UNEP. Secured creditors who hold films and security for their debts are Consolidated Film Industries, $6,027; DeLuxe Laboratories, $2,047; DuArt Laboratories, $1,854; Film Service Laboratories, $841, and National Precision Co., $636.

Loeb Appeal Is Denied

The Appellate Division of the N. Y. Supreme Court yesterday denied John L. Loeb, a stockholder of Columbia Pictures Corp., permission to appeal to the N. Y. Court of Appeals from an adverse decision dismissing his $201,600 suit against Columbia Pictures, Joe Brandt and Harry and Jack Cohn. Loeb claimed damages as the result of an alleged destruction by the defendants of the value of certain options he had been granted to purchase stock. The options had been allegedly used jointly by the individual defendants and voting trustees and by Columbia. His complaint was dismissed on the ground that it failed to state a cause of action.

Electricians Injured

Two electricians were injured yesterday when they fell off a ladder while fixing the Mayfair marquee.

Variety Club

Washington

WASHINGTON, Oct. 8.—The 1937-'38 season of Tent No. 11 got under way with a luncheon presided over by SAMUEL A. GALANTY, ALVIN NEWMEYER and TOM O'DONNELL, as the kings-for-a-day.

CLARK GRIFFITH, president and owner of the American League baseball club, was presented an honorary life membership in Variety for his efforts in the recent boxing show. The presentation was made by Welfare Committee Chairman RUDOLPH BERGER, who also reported on charitable activities.

The next luncheon will be Oct. 11, with HARDIE MEAKIN and HARRY S. BROWN the kings.

CARROLL H. DIKEMAN, a local restaurateur, has been elected to membership.

V. F. CALVERTON, editor of *Modern Monthly,* will be the speaker at the second luncheon of the new season Oct. 11 at 1 P. M.

The affair will have HARDIE MEAKIN and HARRY S. BROWN as kings-for-a-day. CALVERTON will take for his subject "Selling Naziism—the World's Greatest Advertising Campaign."

Arnspiger to Coast

Dr. V. C. Arnspiger, vice-president and director of research of Erpi Picture Consultants, Inc., will leave for the coast today to deliver a series of talks before the Los Angeles County Institute, addressing various groups of school teachers from Oct. 19-23. Demonstrations will accompany the talks on the use of the screen in education.

Annabella Due Shortly

LONDON, Sept. 29.—Annabella will sail for New York and Hollywood on Oct. 9 on the *Normandie.* She has been cast opposite William Powell in "Jean" which will be produced by 20th Century-Fox.

Wall Street

Board Shrinkage Continues

	Open	High	Low	Close	Net Change
Col.	19½	20	19	19	— ¼
Cons.	2	2	2	2	.....
Cons., pfd.	8½	8½	8½	8½	— ¼
E. K.	166	167	163	167	—3¼
G. T. E. ..	17¾	17¾	17⅝	17⅝	— ⅜
K.A.O. pfd.	85	85	85	85	.....
Loew	70	70¾	67	67¼	—2⅞
Loew, pfd..	105¾	105¾	105¾	105¾	— ⅛
Para.	16⅝	17¼	16	16	— ¾
Para. 1....	116	116	112	114⅝	—4⅜
Para. 2....	15⅛	15½	14½	14½	— ⅝
Pathe	7¾	8	7½	7⅝	— ⅛
R.K.O.	5¾	6⅛	5½	5½	— ⅜
20th Fox ..	28¼	28¾	27½	27½	— ½
Univ. pfd....	34	34	33	33	—1
W. B.	10	10¼	9¼	9½	— ½

Fractional Curb Losses

	Open	High	Low	Close	Net Change
G. N.	1⅞	1⅞	1⅞	1⅞	— ⅛
Mono.	2	2	2	2	.....
Sonotone ..	1⅞	1⅞	1¾	1¾	— ⅛
Tech.	23	23½	22¾	23	— ¼
Trans-Lux	3¼	3¼	3⅛	3⅛	— ⅛

Bonds in Decline

	High	Low	Close	Net Change
Keith 6s '46.....	95¼	95	95	— ½
Loew 3½s '46.....	99	99	99	+ ¼
Para. B'way 3s '55	66½	66½	66½	—1
Para. Pict. 6s '55	99¾	99¾	99¾	.....
Para. Pict. '47 ...	82½	82½	82½	— ½
W. B. 6s '39.....	84	84	84	—1

(Quotations at close of Oct. 8)

Radio Personals

IRWIN NATHANSON of Tom Fizdale, Inc., which recently bought Robert Taplinger, Inc., will fly to Chicago today for a business conference with Tom Fizdale. He will return Wednesday. . . . Haven MacQuarrie, producer and director of "Do You Want To Be an Actor?" is en route to New York to search for Manhattan screen talent. Rumors that his program will return persist. . . . Irving Rubine of the Taplinger office finally cracked the *New Yorker*. The check is for one dollar. . . . And he excitedly informed this department that a Frank Tisdale had bought the Taplinger business.

+

Al Goodman leaves for the coast Nov. 8 after completing his "Lucky Strike Hit Parade" series. M-G-M and Warners are negotiating with Goodman about a contract. . . . Peter Kent will open at the Congress Hotel, Chicago, Oct. 9, with an NBC wire in the offing. . . . Aileen Stanley will return here abroad the *Queen Mary* Oct. 13.

Work Is Started on WHAM's New Unit

ROCHESTER, Oct. 8.—Work has been started here on a new radiator vertical antenna for WHAM. The new spire will replace WHAM's present antenna system and will aid greatly in the transmission of programs by cutting down fading and increasing the station's day and night coverage.

Approximately seven weeks will be required to complete the undertaking.

Bob Elliot Leaves NBC for Job at WGY

Bob Elliot, assistant to NBC night executive John Almonte for the last five years, is leaving the New York headquarters to become associated with the local sales staff at WGY, NBC's station in Schenectady, Oct. 15.

The move follows Almonte's promotion as assistant to Lohr, NBC president. Elliot will live in Schenectady.

To Revise "Swingtime"

The Mutual network "Fun in Swingtime" series starring Tim and Irene will undergo a revision beginning with the program of Oct. 17, at which time a new orchestra and vocalist will replace the present incumbents. The newcomers will be D'Artega's orchestra and Hal Gordon, vocalist. The title for the program will also be changed. Charles Gains of World Broadcasting will become the new producer.

Industry Program to Return

"The Story of Industry," a series presented by CBS in cooperation with the Dep't. of Commerce, will return to the air Oct. 19. The programs will be heard Tuesdays from 4:30 to 5 P. M. Harry R. Daniel again will preside.

Murfree WJSV Announcer

WASHINGTON, Oct. 8.—Bill Murfree, formerly of the American Radiator Co., has joined the announcing staff of WJSV here.

NAB Board Meeting Set Here Tomorrow

WASHINGTON, Oct. 8.—President John Elmer of the National Ass'n of Broadcasters has notified officers and directors that a meeting of the board will be held in New York Sunday at 10:30 a.m., at the Waldorf-Astoria. The N.A.B. membership meets Oct. 16.

A joint meeting of the board and the State Committee will be held at the same place on the following day at 10:30 A. M., to be followed in the afternoon by a second meeting of the board.

WLW to Resume Its Educational Series

CINCINNATI, Oct. 8.—The Nation's School of the Air will inaugurate its 10th consecutive season over WLW on Oct. 11, according to Powell Crosley, Jr. This year's classes will include five one-hour broadcasts weekly from October to June, 1938.

Federal, state and local educational agencies will cooperate, and material will be presented to many hundreds of schools in Ohio, Michigan, Indiana, Kentucky, West Virginia, Tennessee and other central and southern states which would not be available through any other channel, Crosley said.

Suit Against Floyd Gibbons Dismissed

(*Continued from page* 1)

general statement of damage was not sufficient.

Locke prepared the script for a broadcast by Gibbons over Station WLEW giving a description of the Cincinnati flood scenes in January of this year. He alleges that Gibbons interpolated misleading descriptions of scenes which did not occur in order to lend a realistic atmosphere to the broadcast. As a result, the plaintiff claims his reputation as a script writer was seriously damaged and that he has been unable to secure employment. Justice Pecora stated in his opinion that the question whether a false radio broadcast constitutes libel or slander has not been settled in the N. Y. courts. However, he ruled that since Gibbons did not read from a script, the broadcast could not be held as libel and that the action was for slander and special damages must be proven. Locke was allowed 20 days to file an amended complaint.

FCC Considers WMBQ Pleas

WASHINGTON, Oct. 8.—The F. C. C. has taken under consideration three applications for the facilities of WMB Q, Brooklyn. Two of the applicants are Paul J. Gollhofer and Lilian E. Kiefer, former partners in the Metropolitan Broadcasting Corp., which operates WMBQ. The third applicant is the Long Island Broadcasting Corp., which operates WWRL. The Metropolitan Broadcasting Corp. is seeking a renewal of its license to operate on 1,500 kilocycles.

MacMurray, Tamiroff on Air

Fred MacMurray and Akim Tamiroff will appear in an air adaptation of "The General Died at Dawn" on the Lux "Radio Theatre" over CBS Oct. 18.

New Shows On the Air

Kraft "Music Hall"

Bing Crosby, after an absence of several months, returned to the Kraft "Music Hall" Thursday evening and whatever temporary let-down the series may have suffered during his absence was entirely eradicated. The show, guided by the easy-going crooner, is the best variety program in radio.

Crosby, of course, doesn't do it himself. He has swell help from bazooka-playing Bob Burns, Johnny Trotter's orchestra, and the screen players and opera singers who usually comprise the guest talent on this series. Thursday night's was Beatrice Lillie.

One of the chief charms of this program is the informal behavior of its players. On the surface this may not seem important, but compare it to the stiff manner in which other programs are handled and its importance should become obvious. All credit for this belongs to Crosby.

The show is heard Thursdays from 10 to 11 P. M. on the NBC-Red. Kraft-Phenix Cheese Corp. sponsors, through J. Walter Thompson.

"We, the People"

"We, the People," introduced last year over the networks by Philip H. Lord, is back again this season under sponsorship of the General Foods Corp. for Sanka Coffee. This time Gabriel Heatter serves as the commentator instead of Lord.

Since its original introduction the novelty of such programs, which brings people with unusual experience to the microphone, has worn off. And again, the guests presented on the opening show were nothing to boast about. Their experiences, in the main, were quite prosaic and, as a consequence, the show moved at a slow and sluggish pace.

Heard on the inaugural was a man who knew Mrs. O'Leary's cow personally, who said quite positively that it was a libel to blame the great Chicago fire on such a fine and faultless animal; an Idaho farmer whose farm is sinking out of sight; a Minneapolis librarian who gave some amusing twists on book titles; an unfortunate woman who served a jail sentence for a crime she did not commit. Most interesting was Al Mingalone, Paramount newsreel camera man who experienced a quite unwelcome balloon ascent; and a veteran of the Argonne Forest who related an experience while attempting to break through the German lines. Helen Hayes, as guest, spoke briefly from Boston, where she is playing "Victoria Regina." The series is heard Thursdays from 7:30 to 8 P. M. over CBS. Young & Rubicam, the agency.

BANNER

Williams Joins Ferris

HOLLYWOOD, Oct. 8.—Coy Williams, former sports editor of the *New York World-Telegram* and also with the *Cleveland Press* and *Los Angeles Examiner*, has joined the staff of Earle Ferris Feature Service as an account executive. He will make his headquarters in the Hollywood office, where Carroll Nye, former west coast radio editor, will handle the editorial department.

WNEW Sues Barney Over Use of Record

The WNEW Artists Bureau, Inc., and Martin Block, announcer, filed suit in the N. Y. Supreme Court yesterday against Barney's Clothes, Inc., for $147,090 damages for an alleged "piracy" of a sound record of Block's announcement "Calling All Men to Barney's." Emil K. Ellis, attorney for the plaintiff, stated that the suit was the first of its kind. The plaintiff alleged that Block made a record which was to have been used exclusively on WNEW and that Barney's used it on other stations 14,709 times. Ten dollars is asked for each alleged unauthorized use of the record.

The complaint states that the "widespread and unauthorized use" of the record lessened the value of the announcer's voice. The suit is a reply to Barney's action against the WOB Broadcasting Co., operators of WNEW, for $105,000 damages.

Barney claimed that his programs were cut from one to four minutes without his knowledge and that on certain occasions only eight spot announcements were broadcast, although 12 were contracted for. Ellis stated that Barney's failed to take into account the time taken for theme music and station announcements. He declared that the script furnished by Barney's was broadcast in full. The number of spot announcements was reduced, according to Ellis, by agreement whereby more favorable locations were given to the announcements.

Ed Obrist Joins Jones Agency

CINCINNATI, Oct. 8.—Ed Obrist, supervisor of production, commentator and announcer of special features, who has been with WBEN, Chicago, for nearly eight years, has joined the Ralph H. Jones Advertising agency here, to specialize in radio production. He expects to continue writing scripts, which will be aired over the Chicago station by a member of the staff.

Deny Merger of Agencies

Charles Presbrey of the Frank Presbrey Co., and Howard D. Williams of the William Esty Co., both stated yesterday that no consolidation of the two agencies would take place. Reports that a merger of the agencies was imminent have been current for the past two weeks.

Plan Foreign Film Comment

WBNX, in order to acquaint listeners with foreign film fare, will present the "International Film Review" Tuesdays at 5:30 P. M. Bob Stokes, who will serve as commentator, is a member of the National Board of Review of Motion Pictures.

Butcher Back in New York

Blayne Butcher, of the Lennen & Mitchell office, has returned to the New York office from Hollywood, where he supervised production of the Walter Winchell and Tyrone Power programs. He will serve on the local shows handled by his agency.

B. L. Cohn Goes to Agency

MEMPHIS, Oct. 8.—Bernard L. Cohn, for the past year commercial manager of WREC, has been appointed general manager of the Thomas W. Briggs Co., advertising agency.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 86 NEW YORK, MONDAY, OCTOBER 11, 1937 TEN CENTS

SupremeCourt To Give First Listing Today

May Make Known Status Of Three Film Suits

By BERTRAM F. LINZ

WASHINGTON, Oct. 10.—The Supreme Court tomorrow will make its first announcement as to cases to be heard during its new term and may make known whether it will take up any of the three film suits now pending before it.

More than 450 cases are awaiting the court's consideration. Only a comparatively small proportion of appeals are accepted by the court, the majority being refused either because they involve issues which have been decided in previous cases or do not involve a Federal question.

The three suits of interests to the film industry involve the right of state authorities to ban exhibition of a foreign picture permitted to enter the country by the Federal authorities; the extent to which a patent owner can control the use to be made of an article manufactured under the patent after it has passed into the hands of a purchaser, and whether organizations charged with conspiracy in restraint of trade shall have access to the books and records of the complainant in order to refute his charges that he was damaged by the alleged conspiracy.

Milwaukee Epidemic Ban Is Lifted Today

MILWAUKEE, Oct. 10.—Approximately 25,000 children under seven years of age will return to school tomorrow with the lifting of the infantile paralysis ban, which has been in effect here since Sept. 6.

Suburbs have also amounced that their bans would be lifted on that day. Local theatres reported decreased receipts, especially at neighborhood houses, during the ban.

Eckman Denies KRS Rental Fixing Plan

By BRUCE ALLAN

LONDON, Oct. 10.—Sam Eckman, M-G-M head in England, in an unofficial reply to the statement of Arthur Dent dissociating Associated British Pictures from the new policy of the Kinematograph Renters' Society (distributors) to sell "A" fea-

(*Continued on page 8*)

Try Newsreels to Stimulate Attendance at P. E. Church

CINCINNATI, Oct. 10.—An experiment to discover whether a more graphic presentation of ordinary sermon material through the use of regular newsreels will attract more people to churches is being conducted here during the sessions of the Triennial Convention of Protestant Episcopal Churches.

Through the combined efforts of the publicity department of the National Council of Churches and Very Rev. Charles E. McAllister, dean of the Cathedral of St. John the Evangelist, Spokane, five showings of regularly-released newsreels are being shown at the Mayfair, normally dark, at the convention. A lecture stressing the social implications of the newsreels will accompany each showing, the whole being set in a frame of prayer and praise to resemble, somewhat, a regular church service.

In explaining his idea, Dean McAllister quoted from a message which will be given at the conclusion of each reel:

"Like it or not, the church is faced with the fact that motion pictures are one of the most powerful influences in the world today. Aware that 80 per cent of what man learns comes through his eyes, educators in recent years increasingly have stressed the need of visual education. Today there

(*Continued on page 6*)

Buying Strike Ruling Scores Boycott Plans

The proper legal remedy of exhibitors with contract grievances against a distributor is an action at law for breach of contract, and not a concerted effort at boycott, Federal Judge Gunnar H. Nordbye maintains in his opinion handed down in connection with this granting of an injunction to Paramount against exhibitors in the Minneapolis territory who were charged with participating in the "buyers' strike" against the company. Copies of the Federal jurist's opinion were received in New York coincident with the signing by Judge Nordbye of the decree giving effect to the decision.

The decree, which remains in effect until a hearing has been held on Paramount's petition to have the injunction made permanent, restrains the Minneapolis exhibitor defendants from effectuating the "buyers' strike" even by methods of so-called "peace-

(*Continued on page 8*)

Walkout Threat in Mexico City Again

By JAMES LOCKHART

MEXICO CITY, Oct. 10.—The respite from labor troubles of the major American distributors here was apparently short lived. The national film workers' unions have served notice on 20th Century-Fox and M-G-M that a strike will be called six days from yesterday unless the companies desist

(*Continued on page 8*)

SMPE Meet Opens Today; 300 Expected

The Society of M. P. Engineers today will open its 42nd semi-annual convention at the Hotel Pennsylvania here. More than 300 screen engineers are expected to gather for the meeting, which will run through Thursday afternoon.

Approximately 50 papers on various subjects concerned with screen technique will be delivered during the four-day convention, all designed to emphasize and demonstrate the most recent advances in the technical development of the industry. Special sessions will be devoted to photography and laboratory practice, sound recording and reproduction, engineering practice, lighting and studio technique, projection practice and an apparatus symposium, and manufacturers' annonuncements.

This evening, at the Bell Laboratories, Erpi will demonstrate for the first time in history a new Western

(*Continued on page 6*)

Sale of Audubon for $650,000 Sanctioned

Sale of the Audubon Theatre and office building at 165th St. and Broadway for $650,000 by the Broadway and 165th St. Realty Co., a Fox Theatres Corp. subsidiary, to the Audubon Amusement Co., Inc., was approved by U. S. Circuit Judge Martin T. Manton in the U. S. District Court on Saturday. The property consists of

(*Continued on page 6*)

Dangers from New Laws Seen By Kuykendall

Predicts "Drastic" and "Far-Reaching" Moves

Sounding a warning that "drastic and far reaching legislation aimed at motion pictures" is impending, an M.P.T.O.A. bulletin issued yesterday over the signature of Ed Kuykendall, president, calls upon exhibitors to improve their organized front to resist it and the threat of "heavy taxes."

Kuykendall is scheduled to arrive in Los Angeles today in the course of a coast-to-coast visit to local exhibitor organizations. The trip began in New York on Oct. 1 and was followed by visits at Philadelphia, Memphis and New Orleans. The major purposes of his trip are listed as the obtaining of information on the plans and activities of local exhibitor organizations, on trade practice complaints and proposals, on measures for the defense of theatres from adverse legislation and tax burdens, the actual effect of radio broadcasting by film stars on the box-office, on plans to improve business and theatre management, on cut-rate competition and business conditions, on the public relations in the community of local theatres and to plan for the next M.P.T.O.A. national convention.

Kuykendall plans to submit his

(*Continued on page 8*)

Films Not Target of Change in Trust Law

By CLARENCE LINZ

WASHINGTON, Oct. 10.—Attorney General Cummings' request for a study of the anti-trust law with revision in view is not regarded here as having any direct application to the film industry.

Cummings' suggestion was based on

(*Continued on page 8*)

Busy Hearing Week Lined Up by F.C.C.

WASHINGTON, Oct. 10.—The F. C. C. has set its calendar of hearings for the current week as follows:

Oct. 11, before an examiner: Applications of Harwell V. Shepard for a 1,420-kilocycle, 100-watt daytime station, at Denton, Tex., and KGAR, Tucson, Ariz., for change of frequency from 1,370 to 1,340 kilocycles

(*Continued on page 8*)

More Radio—Pp. 7-8

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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: Via Lovanio 1; Vittorio Malpassuti, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

Entered as second class matter January 4, 1926, at the Post Office at New York City, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Reorganize Avramenko

Avramenko Film Prod., Inc., has been reorganized and has been changed to Ukrafilm Corp. The company will produce only musicals here for the European market and the schedule calls for three features, "Katerina," "Christmas Eve" and the opera "Mazepa." The pictures will be made at the Producers' Service Studios under the supervision of Michael J. Gann.

Set Warner Club Dance

The Local Warner Club will hold a masquerade Hallowe'en dance on Oct. 22 at the clubrooms at the home office. Harry Mayer is chairman of the arrangements committee.

Ampa in New Quarters

Future meetings of the Ampa will be held at the International Casino. A private room has been hired, with accommodations for 200.

Criterion to Dual

Starting Oct. 16, the Criterion will double feature "Over the Goal" and "Nation Aflame."

Looking 'Em Over

"Casta Diva"

(*Cine Lux Corp.*)

Of the life and romance of Vincenzo Bellini, famous Italian composer, the Cine Studios in Rome have made an effective, at times moving, film in "Casta Diva." In Italian, and without benefit of English subtitles, the story presents no difficulty to the understanding of the patron lacking a knowledge of the language, but considerable is necessarily lost in the attempt to follow the story from action alone.

As the young and brilliant student at the Conservatory of Naples, and later as the successful composer, Sandro Palmieri offers a good characterization, but performing honors go to Marta Eggerth, European film and opera star, whose work as the sweetheart of Bellini, who sacrifices her love, and finally her life for his career, is outstanding. Her performance is warm and touching, and her voice is splendid.

Carmine Gallone directed from a screenplay by Corrado Alvaro. The famed Paganini, first disturbed by the presence of Bellini, becomes his friend. Bellini meets and falls in love with Miss Eggerth, who is betrothed to the King's secretary. He accepts a proposal to be the private composer of a celebrated singer, intending to elope with Miss Eggerth. But she sacrifices her love for the advancement of his career. When an opera of his is a failure, she brings him the song he wrote for her and, as he is restored in the public eye, she dies.

Running time, 90 minutes. "G."

Honor George Weeks At Farewell Lunch

Several home office, local and out-of-town exchange personnel of G. B. on Saturday tendered George Weeks, retiring sales manager, a testimonial luncheon at the Astor. Weeks expressed his appreciation to the men for the support they have given him during his time with the company.

Among those who attended the luncheon were Arthur Lee, American vice-president for the company; Clinton M. White, Arthur Greenblatt, William Barrett, Claude Macgowan, C. E. Schwengeler, Al Selig and Al Margolies, of the home office; Herbert Given, branch manager at Philadelphia; Charles Leach, New Haven; Irving Gumberg, Sol Kravitz, Irving Landes and Rudolf Bach of the New York exchange.

Kenneth Hodkinson and Charles Penser, formerly with the company, also were on hand.

M. P. Academy Lists 149

HOLLYWOOD, Oct. 10.—The ninth quarterly issue of the Academy of M. P. Arts and Sciences Technical Credits Bulletin shows that 149 pictures were completed between May 1 and Aug. 31. The number by studio is: Central, two; Colony, one; Columbia, 10; Condor, two; Darmour, three; Grand National, four; Roach, one; Major, two; M-G-M, 12; Monogram, nine; Paramount, 16; Republic, 14; RKO, 14; Goldwyn, two; Schulberg, two; Stone, one; 20th Century-Fox, 17; Universal, 12; Wanger, four; Warners, 20: Zeidman, one.

G. N. to Handle Six

LONDON, Sept. 30.—Grand National will distribute six pictures made by A. T. P. in the new season, stated R. P. Baker on his arrival here.

"100 Men" Gets $157,250

"100 Men and a Girl" tallied $157,250 for the three weeks the picture played at the Roxy. The first week ended with $66,500, the second, $50,000 and the third and last week, $40,750.

Legion Approves All Of 19 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved, either for general patronage or adults, all of the 19 new pictures reviewed. A total of 14 were classed as unobjectionable for general patronage, and five for adults. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Breakfast for Two," "A Bride for Henry," "Bulldog Drummond Comes Back," "Casta Diva," "Fit for a King," "Lancer Spy," "Life Begins with Love," "Love Is on the Air," "Over the Goal," "The Perfect Specimen," "65,68 och Jag," "Stars Over Arizona," "Thunder Trail," "Youth on Parole." Class A-2, Unobjectionable for Adults—"The Bride Wore Red," "Dangerously Yours," "Ebb Tide," "La Llaga," "The Westland Case."

Major Has Six Scripts

HOLLYWOOD, Oct. 10.—Six scripts are being prepared by Major Pictures for Paramount release to follow production of "Every Day's a Holiday," the Mae West vehicle, and "The Badge of Policeman O'Roon," Bing Crosby picture.

They are: "Star of Sahara," an original by Hazel Christine MacDonald; "Two Weeks with Pay," an original by Jesse Lasky, Jr., and Doris Malloy, tentatively set for John Payne and Katherine Kane; "Man in Evening Clothes," from the play by Andre Picard and Yves Mirand, which will have Grant Richards in the leading role; "Call Back Love," story by Rose Franken and William Brown Meloney, to feature four-year-old Kitty Clancy; "Free Woman," original by Leonard O. Ross for Stella Ardler; "Eight Hours," by Quentin Reynolds, to feature Mady Correll.

Film Folk on Normandie

LONDON, Oct. 10.—Aboard the *Normandie*, which left England yesterday, were Annabella, Rouben Mamoulian, Lothar Mendes, John Loder and Max Reinhardt. The ship is due to arrive in New York on Thursday.

Purely Personal

LOUIS GOLDSTEIN, Columbia manager in Brazil, is in New York for a combined business and vacation trip after three years in South America. He will leave Nov. 10.

•

JOSEPH GREEN, president of Sphinx Films, will arrive from Poland on the *Normandie* Thursday with a print of his latest Yiddish musical film, "The Jester."

•

Y. FRANK FREEMAN, Paramount theatre head, who left for Dallas over the week end, is expected back in New York toward the end of the week.

•

WILLIAM J. KUPPER was in Oklahoma City over the weekend to close a deal for 20th Century-Fox with the Joe Cooper circuit.

•

HARRY M. WEINBERG, general manager of Central States Theatres, is here for Warner conferences with CARL LESERMAN.

•

NEIL F. AGNEW, vice-president in charge of distribution for Paramount, is on a trip to Atlanta, New Orleans and Dallas.

•

RAY DUPORT, new sales manager for the Forest Mfg. Corp., Belleville, N. J., has left for the south on a business trip.

•

GORDON SAWYER, U.A. sound technician, is in town supervising the final printing of "52nd Street" and "Stand-In."

•

SIDNEY SAMSON, Albany manager for 20th Century-Fox, has returned to his exchange after a home office visit.

•

ANTHONY QUINN and KATHERINE DEMILLE, who were recently married, are planning a New York honeymoon.

•

FRANCISKA GAAL, Paramount player, plans to leave the coast by boat Oct. 14.

•

IRA COHN is back in Pittsburgh after conferences with BILL SUSSMAN.

Wall Street

Light Board Rise

	Open	High	Low	Close	Net Change
Col.	18⅝	18⅝	18⅝	18⅝	— ⅜
Cons.	2	2⅛	2	2⅛	+ ⅛
Cons., pfd.	8¼	8¼	8¼	8¼	— ¼
Loew	67¼	67¾	67⅛	67¼	.....
Para.	16⅛	16½	16	16	.....
Para. 2	14⅞	14⅞	14½	14⅝	+ ⅛
Pathe	7⅝	7⅝	7⅝	7⅝	.....
R.K.O.	5⅝	5⅝	5½	5⅝	+ ⅛
20th Fox	28½	28½	28	28	+ ½
W.B.	9½	9⅝	9⅜	9½	.....

Curb Generally Off

	Open	High	Low	Close	Net Change
G.N.	1⅞	1⅞	1¾	1¾	— ⅛
Sonotone	1⅝	1⅝	1⅝	1⅝	— ⅛
Technicolor	22⅝	23¼	22⅝	23¼	+ ¼
Univ. Corp.	2¼	2¼	2	2	— ⅜

Little Bond Movement

	High	Low	Close	Net Change
Loew 3½s '46	99	98¾	98¾	— ¼
Para. Pict. '47	82	82	82	.....
W.B. 6s '39	84	84	84	.....

(Quotations at close of Oct. 9.)



BRIAN AHERNE
and
OLIVIA de HAVILLAND
in
"THE GREAT GARRICK"
with
EDW. EVERETT HORTON
MELVILLE COOPER • LIONEL ATWILL
Luis Alberni • Lana Turner • Marie Wilson • A James Whale
Production Personally Supervised by
MERVYN LEROY
A Play for the Screen by Ernst Vadja
A WARNER BROS. PICTURE

They all sa

DAILY NEWS

Rave

"The Music Hall has a hit in 'Stage Door.' . . . One leaves the theatre with a feeling of satisfaction at having witnessed a perfectly grand show . . . All the performances are so absolutely right that it is hard to choose among them . . . Ginger Rogers is superb in the handling of the snappy, incisive dialog which keeps the audiences in stitches . . . Miss Hepburn rises to dramatic moments with a fine show of histrionics . . . One of the most entertaining pictures of the Fall season." —Kate Cameron

N. Y. TIMES

Rave

"Not merely a brilliant picture, but as well a magnificently devastating reply on Hollywood's part to all the catty little remarks that George Kaufman and Edna Ferber had made about it in their play. . . . It is wittier than the original, more dramatic than the original, more meaningful than the original, more cogent than the original." —Frank S. Nugent

HERALD-TRIBUNE

Rave

"Brilliantly written, directed and acted . . . a far more satisfying entertainment than the play . . . it has such a burden of emotional power that it betters its stage prototype as an exciting and moving tribute to the abiding fascination of the theatre . . . A brilliant, witty and moving show." —Howard Barnes

DAILY MIRROR

Rave

"Startling in its daring, the idea of teaming arty Katharine Hepburn and realistic Ginger Rogers in the Ferber-Kaufman 'Stage Door' has proved an inspired one. Their roles might have been written for them. Backed by a great cast which includes Adolphe Menjou, the co-stars give the show of their lives . . . All the fans will relish 'Stage Door.' . . . In acting, directing, writing, it represents the finest flower of movie craftsmanship." —Bland Johaneson

"STAGE DOOR"..NOW PACK

the same!

WORLD-TELEGRAM

Rave!

"RKO has kicked over most of the traces of Edna Ferber and George S. Kaufman's 'Stage Door' and remodeled the essential idea into one of the liveliest and most ingratiating talkies of the season . . . A vastly entertaining picture, and one that moviegoers, as well as playgoers, will underwrite as a Hollywood triumph over Broadway." —George Ross

JOURNAL-AMERICAN

Rave!

"A stimulating, hugely entertaining picture . . . It brings Katharine Hepburn back to the spot she occupied . . . It brings new laurels to Ginger Rogers . . . It brings still more applause to Adolphe Menjou. . . . Under the expert guidance of Director Gregory La Cava 'Stage Door' takes its place as one of the season's best." —Rose Pelswick

N. Y. SUN

Rave!

"One of the funniest, best-made films that has come along for quite a while. The Music Hall, accustomed to fine pictures, can make 'Stage Door' quite at home, which is just as well. This is a picture that should remain at the big theatre for two or three weeks . . . It would be missing a lot to miss this one." —Eileen Creelman

N. Y. POST

Rave!

"If you are thinking of going to the movies once in the next three weeks, this is it! . . . It's the top in entertainment . . . The picture gives just about everything you want for ninety-one minutes. Whereupon you can sit back and wish that all the other pictures attempting the hill-and-dale run from comedy and tragedy, and return, could achieve the same balance." —Archer Winsten

RKO RADIO PICTURES

RADIO CITY MUSIC HALL!

I should like to take this opportunity of thanking all those members of the American Film Industry for their very hospitable reception and hope I may have the pleasure of meeting them again in London or America in the near future.

R. S. Liddle

ILFORD LTD.

Manufacturers of Sensitized Film

CINE DEPT.

60 WARDOUR ST., LONDON W. 1.

ENGLAND

SMPE Meet Opens Today; 300 Expected

(*Continued from page* 1)

Electric development wherein "stereophonic" or third dimension sound, is said to have been achieved.

A special luncheon will be held today at which the speakers will be Louis Nizer and Martin Quigley. Quigley will speak on "Propaganda, Education and the Entertainment Film."

The semi-annual banquet will be held Wednesday evening, with prominent industry figures scheduled to speak, and when presentations will be made of the annual Progress Medal and Journal Award.

Today's program:

9:00 a.m.—Salle Moderne; Registration.

10:00 a.m. to 12:00 p.m.—Salle Moderne; Business and General Session.

Opening Remarks by President S. K. Wolf.

Report of the Convention Committee; W. C. Kunzmann, Convention Vice-President.

Report of the Membership Committee; E. R. Geib, Chairman.

Society Business; Election of Officers and Other Business.

"Hunting with a Microphone the Songs of Vanishing Birds"; P. Kellogg, Laboratory of Ornithology, Cornell University.

"Safeguarding and Developing Our Film Markets Abroad"; N. D. Golden, Motion Picture Section, U. S. Department of Commerce, Washington.

"High-Speed Motion Picture Photography Applied to the Design of Telephone Apparatus"; W. Herriott, Bell Telephone Laboratories, Inc.

12:30 p.m.—Roof Garden; Informal Luncheon.

Address by Louis Nizer, secretary of the New York Film Board of Trade.

Address by Martin Quigley, president of Quigley Publishing Co., Inc.

2:00 p.m. to 5:00 p.m.—Salle Moderne; Photographic and Laboratory Session.

"Producing an Industrial Film"; J. A. Norling, Loucks & Norling Studios, New York.

"Further Progress in Film Storage"; Capt. J. G. Bradley, National Archives, Washington.

"The Effect of the Composition of An MQ Developer on Its Reduction Potential"; R. M. Evans and W. T. Hanson, Jr., Kodak Research Laboratories.

"A Modern Motion Picture Laboratory"; C. L. Lootens, Republic Productions.

"Demonstration of Polaroid Three-Dimensional Motion Pictures"; G. W. Wheelwright, 3d, Land-Wheelwright Laboratories, Boston.

8:00 p.m. to 10:30 p.m.—Auditorium, Bell Telephone Laboratories; Special Sound Session.

"Distortion in the Reproduction of Hill-and-Dale Records"; M. J. DiToro, Thomas A. Edison, Inc., Orange, N. J.

"Recent Developments in Hill-and-Dale Recorders"; L. Vieth and C. F. Wiebusch, Bell Telephone Laboratories.

"Nomenclature and Specifications Including Description of the Various Types of Movietone Release"; J. K. Hilliard, M-G-M Studios.

"Film Perforation and 96-Cycle Frequency Modulation in Sound-film Records"; J. Crabtree and W. Herriott, Bell Telephone Laboratories.

"Push-Pull Recording"; J. G. Frayne and H. C. Silent, Erpi, Hollywood.

"Stereophonic Recording and Reproduction from Motion Picture Film Records"; Introductory Remarks by J. P. Maxfield, Erpi, New York.

G. N. Sales Gaining

Grand National accounts are approximately 75 per cent ahead of last year, according to Edward L. Alperson, president. The present aim of the company is 7,500 accounts, Alperson said. Seventeen of the Grand National schedule of 65 features have been completed.

Try Newsreels To Stimulate Church Going

(*Continued from page* 1)

is scarcely a large public school system without motion picture equipment.

"There are 200,000 churches in the United States with an enrolled membership of 62,000,000, of which number about 40 per cent are definitely active. Recent studies suggest that church attendance, especially among Protestants, averages not more than 10 per cent of the enrolled membership each week. Something is obviously wrong.

"This experiment is to discover whether a more graphic presentation of what is ordinarily sermon material, if only it were used, will attract some of the 90 per cent now non-church going to our places of worship.

"If any progress can be made toward proving such a proposition, further steps will be taken to see whether a new organization or existing organizations or groups will not cooperate to expand this experiment into a permanent organization."

Sale of Audubon for $650,000 Sanctioned

(*Continued from page* 1)

a theatre seating 2,400 and an office building. The sum of $11,250 will be paid in cash when the purchaser takes the property subject to a consolidated first mortgage of $638,750.

Milton C. Weisman, equity receiver for Fox Theatres, stated in his petition for approval of the sale that he has been carrying the building for several years in an effort to find a purchaser, and $41,270 will be required to continue holding the building until 1942 when the mortgage falls due.

The property is assessed at $650,000, but Weisman in a tax reduction petition appraised it at $537,240. The book value is $512,877. Weisman also stated that the equipment is 15 to 25 years old. The theatre is now under lease to the purchaser until February, 1945, at a minimum annual rental of $25,000 plus 17½ per cent of the gross receipts over $25,000. The offices are also under lease at $13,250 annual rental with 50 per cent of the income over $16,500.

Beekman Details Ordered

The Beekman Film Corp. was ordered to file a bill of particulars by Federal Judge John C. Knox in the U. S. District Court on Saturday in connection with his copyright infringement suit against Warners. Beekman alleges that "This is America" was seen by Jack L. Warner, vice-president in charge of production, and other employes of the defendant and that the picture was thereafter infringed in "The Yanks are Coming."

Judge Knox ordered the plaintiff to set forth the names of all the employes who allegedly viewed the picture together with dates and places.

Sell W. Pa. Rights

Monarch Pictures Co. has acquired Western Pennsylvania rights to "Thunder Over the Orient" from Criterion Pictures.

New Shows On the Air

"Grand Central Station

"Grand Central Station" started out with a grand idea, but the execution of the idea was a bust.

Offering dramatic sketches built around the folks who daily arrive and depart from the vast railroad terminus, the opening theme was the old and trite story of the prizefighter and the lady. The flat theme was matched by an equally flat performance by the cast.

Bill Town arrives in the terminal as the middleweight champion of the world and brings with him as a surprise, a wife, a chorine with a somewhat shady past. His manager, a grasping individual out to make as much as he can out of his fighting property, knows all about Mrs. Town's past and threatens to expose her unless she remains very much in the background and permits him to manage Billy as he sees fit.

Follows the usual developments—the champ is knocked out when he is rushed into battle too soon; Mrs. Town's interference; the exposure of her past by the manager; the domestic breakup; the decline of Town as a prizefighter; the exposure of the manager when he wagers on Town's opponent, and the final clinch when Billy penitently and humbly returns to his love.

"Grand Central Station" is sponsored by Listerine and is presented Fridays from 8 to 8:30 P. M. on the NBC-Blue. Lambert and Feasley, the agency.

"Let's Play Games"

"Let's Play Games," sponsored by the Vapex Co., is an audience participation program in which the principals, under the guidance of Jane Martin, vie for a $25 cash prize by struggling with tongue twisters, riddles, and tricky games. The players are unrehearsed.

Like all shows of this type, plenty of laughs are guaranteed for the listeners who dial to it. Miss Martin guides her unrehearsed players in skillful manner.

The series is broadcast Fridays from 8:45 to 9 P. M. over WOR. Small & Seiffer is the agency.

BANNER

Cincinnati Conservatory of Music

Admirably performed renditions of Mozart's "Symphony Concertant" and Haydn's D Major Symphony were featured in the first program by the students of the Cincinnati Conservatory of Music on Saturday. It was the initial program of the fourth year of these Saturday morning concerts.

The programs seem to this listener to be a little heavy for the time of the day when they are to be heard. Otherwise, like most of the works of the better known composers, they give a good degree of musical entertainment. Alexander Von Kriesler conducted.

The period is a sustainer heard every Saturday from 11 A. M. to noon over CBS, emanating from KRC in Cincinnati. P

More Radio—P. 8

Name Braucher WOR Sales Vice-President

Frank Braucher, formerly vice-president and director of the Crowell Publishing Co., has been appointed vice-president in charge of sales of WOR. Braucher will assume his new duties Oct. 18.

Braucher, after having been western manager of *Scribner's,* came to New York to accept a position on the *Woman's Home Companion.* After four years with this latter publication he was promoted to eastern manager for the Crowell publications and later advanced to advertising director of the entire Crowell group.

CBS Series to Have U. S. Education Aid

Beginning Nov. 1, a new series arranged by CBS in cooperation with the U. S. Office of Education, will be presented each Monday from 10:30 to 11 P. M. over the CBS network. The program, designed to promote further friendly relations of this country with Latin America, will be developed in 26 episodes. The entire series will be carried to the Latin Americans over W2XE, CBS short wave station.

The series will be titled "Brave New Worlds." Irving Reis will produce the programs. U. S. Commissioner of Education John W. Studebaker will prepare the scripts, and Dr. Samuel Guy Inman will act as educational director. The Pan American Union and other similar groups are cooperating.

New Station Sought For Lufkin, Texas

WASHINGTON, Oct. 10.—Authority for the construction of a new broadcasting station to operate daytime only on 1,310 kilocycles with 100 watts power was today asked of the F. C. C. by Radio Enterprises, Inc., Lufkin, Tex.

The commission also received applications from the Panama City Broadcasting Co., Panama City, Fla., seeking a new station to operate daytime only on 1,500 kilocycles, for an increase in power from 100 to 250 watts, and from WAIR, Winston-Salem, N. C., asking for an increase of time so as to operate at night.

A change of frequency from 1,500 to 1,240 kilocycles and an increase of power from 100 watts night, 250 watts day to 1,000 watts night and day, has been asked of the F. C. C. by WRDW, Augusta, Ga., and an increase of power from 500 to 1,000 watts is sought by WJBO, Baton Rouge, La.

Jack Barry on Football

PHILADELPHIA, Oct. 10 — Jack Barry, WIP sports announcer, has been assigned to present the weekly football forecasts for Atlantic Refining Co., carried by the Quaker State regional network originating here at WFIL. Barry is also handling the play by plays of the Temple football games for Atlantic on WIP.

Pantages' Time Is Changed

"Lloyd Pantages Covers Hollywood," sponsored by Raymonds, Inc., will be broadcast each Sunday afternoon from 1:45 to 2 P. M., instead of 2:30 to 2:45 P. M., as previously announced. The starting date is Oct. 17.

Dobberteen Is Made B. & B. Media Head

H. H. Dobberteen has been appointed director of media for Benton & Bowles. He has been a member of the agency's media department for the past two years, prior to which time he was associated with Brooke, Smith and French of Detroit.

Dobberteen succeeds A. M. Lewis in his new post. Lewis has resigned to accept a position with Pedlar & Ryan.

To Start Theatre Program

OMAHA, Oct. 10.—Manager Eddie Forrester of the Omaha will start a weekly 15-minute program at 11 A. M. next Wednesday over WOW for local Tri-States theatres, which also includes the Orpheum.

Forrester does a Tony Wons style of program, using mostly original script written by himself. Also on the program will be Fred Kroll, the Omaha's singing usher, and Fred Boucher, organist for both the Orpheum and WOW.

Don Austin Goes to KMPC

PORTLAND, Oct. 10.—Don Austin, formerly of KGW-KEX, has been named program manager of KMPC in Beverly Hills.

AFRA Starts First Labor Board Action

CINCINNATI, Oct. 10.—The American Federation of Radio Artists, an Actors' Equity affiliate, has filed a complaint with the National Labor Relations Bureau charging CBS and WKRC with violation of the Wagner Act. The complaint is based on the discharge of William Seymour, a WKRC news writer, who was discharged for alleged union activities.

Seymour was discharged last Sept. 30, the complaint alleges, because of activity on behalf of the union.

CBS officials have refused to reinstate Seymour, according to Mrs. Emily Holt, national secretary, who quoted them as saying that it would be a "tacit admission" that they were wrong if they were to return Seymour to his job.

According to Phillip G. Phillips, regional director for the N. L. R. B., this is the first case of its kind to be filed against a network.

Gene Baker Joins Agency

PORTLAND, Oct. 10.—Gene Baker, formerly of KOIN and more recently with KIRO, has been named manager of the Weco advertising agency in Seattle, handling transcriptions.

STATION WOR

IS PLEASED TO ANNOUNCE

THE APPOINTMENT OF

FRANK BRAUCHER

AS VICE PRESIDENT

IN CHARGE OF SALES

AFTER OCTOBER EIGHTEENTH

AT 1440 BROADWAY

Radio Personals

HARRY SALTER has been signed for his third "Hit Parade" orchestra stint. He will begin Oct. 13 over NBC. . . . Buddy Manners is the newest addition to Don Albert's staff. . . . Margaret McGuirk, formerly of the Charles Dallas Reach agency, has joined the WOR sales promotion staff as assistant to Joe Creamer. . . . Kay Kyser opens at the Blackhawk in Chicago Oct. 13, with a Mutual wire. . . . W. C. Handy will be tonight's guest star on "20 Years Ago —and To-day" over WOR. . . . Dave Schooler takes over the band assignment on the "Music By—" program over WOR Thursday. . . . The Curtis String Quartet will make its last appearance over CBS before leaving for an extended European tour when it presents the first of a new series of concerts over CBS Wednesday at 4 P. M. . . . Andre Kostelanetz will have Elisabeth Rethberg as his guest Wednesday. . . . Walter Connolly will head the Vallee guest list Thursday. . . . Gertrude Lawrence will offer some scenes from "Susan and God" on the Kate Smith show Thursday. . . .

Busy Hearing Week Lined Up by F.C.C.

(*Continued from page* 1)

and increase of night power from 100 to 250 watts.

Oct. 12, before an examiner: Applications of W. C. Irwin for a 1,500-kilocycle station at Amarillo, Tex., 100 watts night, 250 watts day; Northwestern Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Vernon, Tex., and KFDM, Beaumont, Tex., for assignment of license from Sabine Broadcasting Co. to Beaumont Broadcasting Co.

Oct. 13, before an examiner: Application of Burl V. Hedrick for a 1,340-kilocycle, 1,000-watt daytime station at Salisbury, N. C.

Troy Group Wants Station

Oct. 14, before the broadcast division: Applications of Troy Broadcasting Co. for a 950-kilocycle, 1,000-watt daytime station at Troy, N. Y.; Curtis Radicasting Corp. for a 1,500-kilocycle station at Indianapolis, 100 watts night, 250 watts day, and Beaumont Broadcasting Ass'n. for a 1,420-kilocycle, 100-watt station at Beaumont, Tex.

Oct. 14, before an examiner: Applications of Tri-City Broadcasting Co., for a 950-kilocycle, 1,000-watt station at Schenectady, and WAAB, Boston, for increase of night power from 500 to 1,000 watts.

Oct. 15, before an examiner: Applications of C. Bruce McConnell for 1,500-kilocycle station at Indianapolis, 100 watts night, 250 watts day; John P. Harris for a 710-kilocycle, 1,000-watt daytime station at Hutchinson, Kan., and KTUL, Tulsa, Okla., for increase of power from 500 watts night, 1,000 watts day to 1,000 watts night, 5,000 watts day.

Floyd Rogers Joins WIS

COLUMBIA, S. C., Oct. 10.—Floyd D. Rogers, Jr., has joined WIS as news editor.

Dangers from New Laws Seen By Kuykendall

(*Continued from page* 1)

findings to a meeting of the M.P.T.O.A. board of directors to be called early in December.

In the M.P.T.O.A. plea for a better organized exhibitor front, the bulletin addresses itself in particular to the small, unaffiliated local circuits which, it declares, are now found to be frequently "working against each other in matters that affect the entire industry." If these "do not work together through a representative exhibitor association," the bulletin says, "not much is accomplished in the way of effective protection of their own business."

The bulletin declares that while circuit theatre operation has become "more prevalent" in the past several years, there "has been no marked expansion on the part of the five affiliated circuits in the past seven years."

Two Reports Conflict

The statement is at variance with an official report given to MOTION PICTURE DAILY by Paramount on Aug. 5, which showed that that company's theatre interests had increased by 400 houses during the past three years.

The bulletin attributes the threat of new industry taxes to the increasing use of "dollar publicity" by production and distribution companies. It reports that the M.P.T.O.A.'s 10-point trade practice program is now at a standstill for two reasons, the first, failure of distributors to respond to the organization's request for a reconsideration of the points which were rejected in whole or in part, and, second, failure or refusal of the distributors to take the initiative in establishing the local conciliation boards to make effective seven of the 10 proposals.

Eckman Denies KRS Rental Fixing Plan

(*Continued from page* 1)

tures on a percentage basis only, denied the plan is designed to fix rentals.

Eckman declared the K.R.S. has no intention of establishing a combination for rental fixing, but that the resolution was designed merely to reduce overlong theatre programs, and eliminate the use of two "A" films on the same bill.

He said that he personally was willing that conferences be held with the Kinematograph Exhibitors' Ass'n. but that there could be no discussion of price fixing, which is a matter for individual attention.

Arrested on Game Charge

RACINE, Wis., Oct. 10.—Albert von Strongtroff, associated with the Racine Novelty Co., has been arrested on charges of violating the state trading stamp law in connection with the sale of Bank Night guarantee tickets. He has been released on $500 bail and the case is scheduled to come before Court Commissioner Elmer Goodland later in October.

Buying Strike Ruling Scores Boycott Plans

(*Continued from page* 1)

ful persuasion." They are enjoined from picketing either the Paramount Minneapolis exchange or any theatre showing the company's pictures; from "intercepting" either employes or patrons of the exchange or theatres, and from the use of "intimidation, threats, force, fraud or defamatory publications" to induce employes to leave their work, theatre patrons to withhold their patronage or other exhibitors to refrain from buying the company's product. They are also enjoined from "advising or requesting" anyone not to do business with the company or its customers under implied threats or intimidation.

Three Points Raised

Judge Nordbye's opinion holds that three primary questions are involved in the case. They are whether the court has jurisdiction over the case, whether Paramount is guilty of fraudulent or unconscionable conduct in its dealings with the defendants, and whether, if Paramount comes into court with "unclean hands," it should be denied equitable relief.

On the first question, Judge Nordbye disagrees with Federal Judge Oliver B. Dickinson of Philadelphia who ruled in the Paramount buyers' strike case there that the court was without jurisdiction.

"The very intent of the entire plan and scheme (the buyers' strike) of these defendants," Judge Nordbye declares, "in entering into the conspiracy is to accomplish the restraint and limitation of complainant's films in interstate commerce."

He adds that even if the interstate commerce angle did not give the Federal court jurisdiction in the case, that "it is entirely probable that this court would not be justified in refusing to assume jursidiction" as "a diversity of citizenship exists and the sums involved are sufficiently large to establish a legal action of conspiracy to boycott."

Not Judging "Bad Faith"

On the last two questions Judge Nordbye held that "it would be presumptuous for the court to conclude on the conflicting affidavits (of the complainant and defendants) and their assertions that the complainant does not come into court with clean hands. The court cannot say that the showing as to bad faith or other inequitable conduct preponderates in the defendants' favor. If it be true that the license contracts were procured by fraud or misrepresentations, the controversy herein or the relief granted by the court does not affect or limit the defendants' rights thereunder. But it may be doubted that defendants' rights or grievances under these license contracts will justify a court of equity in refusing to enjoin a conspiracy which proposes to induce, restrain, or prevent or repress exhibitors, whether aggrieved or not, from dealing or contracting with complainant in connection with the exhibition of its motion pictures."

"If contracts have been violated," Judge Nordbye concludes, "if legal rights have been flaunted, and such matters are collateral to the controversy, it would seem that defendants must resort to the law and have these wrongs redressed and not indulge in open violation of the laws of this land to achieve that to which they assume they are entitled."

Judge Nordbye indicates, however, that the question of whether or not Paramount could have released the six pictures involved in the case under last season's contracts may be determined at the later hearing on the company's application for a permanent injunction. No date has been set yet for this hearing.

Walkout Threat in Mexico City Again

(*Continued from page* 1)

from their alleged "systematic violations of work contracts they have made with this union."

The two distributors are also accused of favoring enterprises that employ non-union workers. It is understood this dispute is not connected with demands for wage increases or other economic benefits.

Electricians on Strike

MEXICO CITY, Oct. 10.—The strike of workers at the Rex Cinema, de luxe theatre in Monterrey, important industrial center near the American border, threatens to deprive all of Monterrey of electricity. The electricians' union is arranging a sympathetic walkout in support of the strikers at the Rex. The Federal Labor Board is engaged in an effort to end the theatre strike.

Union Contract Signed

SHEBOYGAN, Wis., Oct. 10.—Warners have signed a three-year contract with the M. P. Operators' Union, Local 655, for its Sheboygan, Rex and Majestic Theatres here at an annual 10 per cent wage increase. Twelve projectionists are affected with wage increases reported totaling between $7,000 and $8,000 for the three-year period.

Films Not Target of Change in Trust Law

(*Continued from page* 1)

recent disclosures of identical bidding on the part of corporations seeking Government contracts which aroused the ire of Secretary of the Interior Ickes and Treasury officials.

Recommendations for the study of the trust laws were made to President Roosevelt some months ago, but the suggested investigating commission has not been appointed. However, it has been frequently rumored that Cummings would send recommendations for legislation to Congress when it convenes in January.

Salesmen Plan Party

The Motion Picture Associates, Inc., formerly known as the Motion Picture Salesmen, will hold their 18th annual charity Thanksgiving Frolic on Nov. 20 in the grand ballroom of the Hotel Astor. Morris Sanders is chairman of the arrangements committee.

New Chinese Film

"China Strikes Back," a three-reeler produced by Frontier Films for release through Garrison Film Distributors, opens at the Squire Tuesday.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 87 NEW YORK, TUESDAY, OCTOBER 12, 1937 TEN CENTS

Ascap Income 62% from Air; 21% Theatres

Breakdown Is Given In Society's Journal

Radio contributes 62 per cent of Ascap's total income, while theatres account for 21 per cent, according to a breakdown published in the first issue of the *Ascap Journal,* a house organ for the society which made its appearance yesterday.

Other sources of income are: restaurants, hotels and cafes, 12 per cent; dance halls, three per cent. and "miscellaneous," two per cent. Royalties and relief to domestic members account for 76 per cent of the organization's expenditures, according to the breakdown, while the cost of operation, including salaries and legal expenses, amounts to 17 per cent, and royalties to foreign affiliates, seven per cent.

In round figures, 584 radio stations

(*Continued on page* 10)

Additional developments in radio yesterday on pages 9 and 10

Lichtman to Leave Friday for England

Al Lichtman will sail Friday on the *Normandie* for England to supervise the development of M-G-M's British production activities. He will be gone several months.

Lichtman returned from the coast several weeks ago after spending the summer at the company's studios during the absence of Louis B. Mayer. When Mayer returned from England about 10 days ago, he conferred with Lichtman on both the coast and English production.

Mayer, on the eve of his departure for Hollywood, told MOTION PICTURE

(*Continued on page* 6)

"Stage Door" Pulls $71,000 in 4 Days

"Stage Door" tallied approximately $71,000 in the first four days at the Music Hall with indications yesterday that the initial week will end with $112,000.

"Life Begins at College" and a stage show at the Roxy took in $34,900 in the first three days with the management estimating a $65,000 week. The eighth week of "The Firefly" at two-a-day at the Astor ended with about $4,000.

SMPE Hears Sound Moving About Screen

'Stereophonic' Method Is Given Demonstration

A demonstration of "stereophonic" or third dimensional sound, through which method dialogue and sound effects come directly from the point of origin on the screen, rather than from a central point behind the screen, was the highlight of the technological developments described and demonstrated yesterday as the 42nd semi-annual convention of the Society of M. P. Engineers began at the Hotel Pennsylvania, with approximately 300 in attendance.

The stereophonic demonstration was conducted last night at the Bell Telephone Laboratories, with introductory and explanatory remarks by J. P. Maxwell of Erpi. Engineers of that company and the Bell Laboratories developed the new method. It was pointed out that whereas under the present method, only an illusion of sound coming from the point of origin is obtained, under the stereophonic development the sound actually is capable of traveling about the screen, coming directly from the point of origin. Two separate sound tracks and

(*Continued on page* 3)

Allied Leaders at Detroit Convention

DETROIT, Oct. 11.—Several national directors of Allied are here to attend the annual convention of Allied of Michigan, which opens Tuesday at the Statler and will continue through Wednesday. Abram F. Myers, general counsel, is expected to be one of the principal speakers.

One of the principal topics on the

(*Continued on page* 3)

Hays Denies Windsor To Take a Film Post

"There is no basis for the report," Will H. Hays volunteered yesterday in referring to a statement that the Duke of Windsor would be retained by the industry as an overseer of its international relations.

The statement was broadcast over a national radio network Sunday night by a Hollywood commentator and created little, if any, stir in informed film quarters. New York reaction, primarily was one of tolerant amusement at the ingenuousess of the idea.

Kansas City, Kan., Irked by Hays Reply

KANSAS CITY, KAN., Oct. 11.—The inability of Will H. Hays to intervene on behalf of Kansas City, Kan., in its campaign to obtain first run pictures day and date with Kansas City, Mo., was explained in a letter received here today by Ray T. Willette, manager of the Chamber of Commerce, who addressed Hays several weeks ago with a plea to help obtain film fare equality for the smaller city.

The Hays letter, which was signed by Gabriel L. Hess, M.P.P.D.A. attorney, declares that the character of the Hays organization prevents it from interfering with its members in matters concerning individual business policies and transactions, "such as contracts with first runs in Kansas City, Mo."

"The by-laws provide that the as-

(*Continued on page* 3)

Production Gains; 41 Films in Work

HOLLYWOOD, Oct. 11.—Production increased to 41 features before the cameras last week, a jump of two over the previous week's total. Nine started, seven finished, and 23 are in final stages of preparation. Sixty-nine are being edited.

The starting films are: "The Adventures of Marco Polo," Goldwyn;

(*Continued on page* 10)

GTP Granted An Appeal by Highest Court

Involves Vacuum Tubes; DeMille Case Dropped

By BERTRAM F. LINZ

WASHINGTON, Oct. 11.—The Supreme Court today granted the petition of General Talking Pictures Corp. for review of a decision of the Second Circuit Court of Appeals holding it to have infringed patents by use in talking picture projection equipment of vacuum tube amplifiers to which were attached license notices limiting their use to radio reception.

The company purchased the amplifiers from the American Transformer Co., which manufactured them under license from the so-called radio license pool, and contended a patent owner is without right to restrict the use of a device manufactured under the patent after the device has passed into the hands of a purchaser.

The court rejected an appeal of Eureka Prod. from a decision of the Federal District Court at New York refusing a restraining order to keep New York state officials from interfering with the showing of the imported picture "Ecstacy." The state censor board held the picture to be obsence and refused a license for its showing, and the company sought action from the Supreme Court on the

(*Continued on page* 3)

Columbia Regionals To Start at Chicago

Columbia will hold the first of a series of regional sales meetings at the Drake, Chicago, Saturday and Sunday with Abe Montague, sales manager, presiding.

The home office contingent will leave late this week. It will include Montague, John McConville, Rube Jackter, Jerome Safron, Louis Astor, Lou Weinberg, Max Weisfeldt, Hank

(*Continued on page* 10)

Directors' Guild in NLRB Hearing Plea

HOLLYWOOD, Oct. 11.—Frustrated in its attempts to bargain collectively with the producers as representatives for directors, assistant directors and unit managers, the Screen Directors Guild today filed a petition for certification as the bargaining agency for those crafts before the Regional Labor Relations Board. The petition, filed by Attorney Barry Brannon and signed by Lewis Milestone, acting

(*Continued on page* 6)

"Zola," Playing Few Spots Sets High Key Cities' Pace

Playing in comparatively few spots, "The Life of Emile Zola" forged to the front with especially high box-office takes in an estimate of grosses for the week at the leading theatres in key cities.

"Double or Nothing," "Thin Ice," "The Prisoner of Zenda" and "100 Men and a Girl" appeared to be in the top money in other spots.

At Cleveland, "Zola" went way over average at the Hippodrome, taking $21,250, against a house average of $12,000. "100 Men and a Girl" was $2,300 over par in its second week at the Allen.

"The Prisoner of Zenda," dualled with "Bad Guy," was tops in Indianapolis, over the $7,000 average by $3,000. "High, Wide and Handsome" was strong at the Circle and was

(*Continued on page* 10)

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London Films, Korda Settle Two Actions

Two infringement actions against London Films and Alexander Korda have been settled out of court, it was learned yesterday. The amounts involved in the settlements were not made known.

The first action was brought by Francis Hackett who charged that the film "The Private Life of Henry VIII" infringed material used in his biography of the British monarch. The second action was brought by Wallace Irwin, author, who alleged that the production, "The Ghost Goes West," infringed his story "Transplanted Ghost." Both settlements were negotiated by Schwartz & Frohlich, American attorneys for London Films.

Raft to Be at Ampa

George Raft, Robert S. Taplinger, William Frawley, Jack Buchanan and David Hutchinson, the latter two English actors, will headline the Ampa bill at the International Casino Thursday. A number of other people are being lined up for the meeting and will be announced later.

Purely Personal

NED E. DEPINET and RALPH ROLAN will accompany ANNA NEAGLE and HERBERT WILCOX to Ottawa tonight, where they will attend the premiere of "Victoria the Great." RICHARD HAESTIER, British press representative for Wilcox, also is in the party.

•

CHRIS DUNPHY, Paramount's coast publicity chief, arrived in town over the weekend. He will await the arrival of ADOLPH ZUKOR and head back to the coast with ZUKOR the latter part of next week.

•

HARRY C. ARTHUR left by plane yesterday for St. Louis. MATT SCHULTER, EDWARD ARTHUR, LOU ANSELL and BILL SCHNEIDER departed by train over the weekend.

•

JULES LEVY yesterday was cleaning his desk, preparatory to an exchange tour which will also take him to the RKO studio. He hopes to get away today.

•

W. G. VAN SCHMUS, managing director of the Music Hall, ruminating at large yesterday about a trip to Hollywood, said the time this year again looked like December.

•

S. BARRET MCCORMICK left last night for Ottawa to make preparations for the premiere there of "Victoria the Great."

•

J. CHEEVER COWDIN and WILLARD MCKAY of Universal plan to leave the coast for New York today by plane.

•

HERB CROOKER, director of publicity for Warners, left yesterday for a trip through Virginia to contact newspapers. He will return in a week.

•

GRACE ROSENFELD, eastern representative for HAL ROACH, is slated to return from a month's trip to Hollywood the end of the week.

•

EDWARD J. PESKAY, general sales manager for Grand National, is due to return from a swing of exchanges in two weeks.

•

HELEN JEPSON, who recently completed work in "The Goldwyn Follies," will return to New York tomorrow.

•

JULES GOLDSTONE of GOLDSTONE & BERGER, coast attorneys, is in town and will leave the end of the week.

•

DERRICK DE MARNEY, former G. B. player, arrives on the *Aquitania* today for a role in a Broadway play.

•

MRS. LEWIS MILESTONE and MRS. ROCKWELL KENT flew to Hollywood last night.

•

DONALD OGDEN STEWART, screen writer, will leave for the coast today via American Airlines.

•

EDWARD L. ALPERSON may leave for Hollywood the end of the week.

•

GREGORY LACAVA arrived in New York yesterday from Hollywood.

Motion Granted for Questioning Chaplin

Federal Judge John C. Knox granted the motion of Films Sonores Tobis, Societe Anonyme in the U. S. District Court yesterday to examine before trial in California Charles Chaplin, John B. Palmer, P. A. Swope and a witness identified as "Livesey" whose first name was not given.

Films Sonores is suing United Artists, Charles Chaplin and the Chaplin Film Corp. for a permanent injunction and an accounting based upon the alleged infringement of the plaintiff's "A Nous La Liberte" in "Modern Times." United Artists objected to the examination on the grounds that the nature of the questioning was not revealed and that Chaplin and his corporation have not yet been served as defendants in the action.

Leo Brecher Asks $3,000

Leo Brecher, independent operator of 10 theatres in the metropolitan area, filed a petition in the U. S. District Court yesterday for allowance of $3,000 in the Roxy Theatre reorganization.

Brecher stated that he has been in the business since 1910 and that he was requested to study the plan of reorganization and to appraise the Roxy for the Pound bondholders' committee. He spent 104 hours in studying the plan which included 24 hours spent testifying before Special Master Addison S. Pratt.

Foy Motion to Appellate Div.

ALBANY, Oct. 11.—The motion of Foy Prod., asking a review of its film, "Tomorrow's Children," previously denied a license, tonight was referred to the Appellate Division by Supreme Court Justice Francis A. Bergan who ruled that his court is without jurisdiction in the matter.

"Fugitive" Suit to Be Tried in Georgia

ATLANTA, Oct. 11.—A $100,000 libel suit against Warners concerning "I'm a Fugitive from a Chain Gang," has been sent by the Georgia Supreme Court to the Fulton County Superior Court for trial on its merits.

Vivian L. Stanley, member of the Georgia Prison Commission, filed the suit. Other defendants are the Rialto Theatre Corp., Keith's Georgia Theatre, R. B. Wilby and Earle M. Holden. The Supreme Court denied a writ of certiorari on an appeal from decisions of the Court of Appeals and the Fulton Superior Court against a demurrer to Stanley's petition.

Answer Indianapolis Suit

INDIANAPOLIS, Oct. 11.—Answers to the bill of complaint in the Gary, Ind., Theatre Co., suit asking an injunction against clearances granted Balaban & Katz have been filed in Federal Court here by Columbia, M-G-M, Paramount, RKO and 20th Century-Fox. The answers declare that relief sought by the plaintiff would be in violation of contract.

"Zenda" Held 76th Time

When "The Prisoner of Zenda" reached the holdover figure at the Aldine, Philadelphia, over the weekend it was the 76th holdover since the release of the picture, Sept. 3, according to United Artists.

IATSE and Theatres Sign in Kansas City

KANSAS CITY, Oct. 11.—At the end of five years in which it has had no contracts with subsequent runs in Kansas City, and four years without a written agreement with first runs, Operators' Local 170, I. A. T. S. E., has closed deals with both groups.

Following several months of negotiations by Claude Cessna, business manager of the local since June, two-year contracts have been signed. They call for a five per cent increase both this year and next for first runs, and for a five per cent increase next year for suburbans. The five per cent hike in downtown first runs—Mainstreet, Midland, Newman, Tower and Empress—is retroactive to Sept. 1. The agreement with the Fox Beyer in Excelsior Springs, Mo., which comes under Local 170's jurisdiction, was made on a similar basis.

The two-year agreements with suburbans provides for no increase this year. The contract, retroactive to July 11, this year, schedules a wage hike of 5 per cent next July 11.

Exceptions are the Fox Plaza, first subsequent run, and the Fox Uptown, suburban first run. Contracts with them, which are, like the others, for two years, contain a 26 cents per hour increase, amounting to almost 20 per cent. No change in the contract is provided next July 11, anniversary date.

Only five subsequent runs have not signed contracts, according to Cessna, and two of these are using I. A. T. S. E. men. With two of the others, these are expected to sign within the next few weeks.

Scripps-Howard Film Section Tomorrow

The *N. Y. World-Telegram* and 21 other Scripps-Howard newspapers will issue a special 18-page film section with their regular editions tomorrow. The section will include feature articles by persons well known in the industry and will give editorial attention to new season production plans of all important companies.

Present plans are to repeat the section at a later date and possibly to make it an annual feature if it meets with success.

Hays Directors to Gather on Thursday

The quarterly meeting of the board of directors of the M.P.P.D.A. is definitely scheduled for Thursday, after a postponement from mid-September.

The report of the educational films committee on the reels available for school use is scheduled to be made to the board. The meeting may also discuss proposed changes in the regulations governing the release of registered titles after a designated period.

Wallis Receives Award

HOLLYWOOD, Oct. 11.—Hal B. Wallis, associate executive in charge of Warner production, has received the annual award of the Societe de Paris for the greatest contribution to French culture in the United States. It was given him for his work in supervising "The Life of Emile Zola."

SMPE Hears Sound Moving About Screen

(*Continued from page* 1)

two microphone amplifier channels are employed in recording the stereophonic sound. Maxwell pointed out that the production companies must decide when the new development will be incorporated in actual production.

The opening day was featured by the election of several officers, not including the president, who carries over for another year; an opening address by S. K. Wolf, president, reports of several committees, the beginning of a long series of technical papers on the developments of the year in the technique of the screen, and an informal luncheon at which Louis Nizer, attorney, and Martin Quigley were the speakers.

Quigley, in his brief address to the convention, offered a spirited defense of the industry in its concentration on entertainment as the prime function of the screen. His theme was "Propaganda, Education and the Entertainment Film."

Cites Critics' Ulterior Motives

Certain persons, Quigley declared, raise objections to the use of the screen as a medium of entertainment only, and seek to bring about its employment for other purposes, chief among them educational and propagandistic. He quoted from Dr. Fred Eastman, educator and clergyman, professor at Chicago Theological Seminary, who has asserted that producers should think of themselves as educators, not "as a bunch of entertainers."

Another quotation was from Norman Thomas, who has declared that the motion picture should take life as it is, and "morals would take care of themselves." There is too much Cinderella in films, Quigley quoted Thomas as saying.

Replying, the publisher asserted these men may be described as "lacking in candor." Following their suggestions, he said, would create a condition whereby those persons who wish to use the film for their own purposes would be dictating what should be produced.

Decries Propaganda

There is no indication that the public desires anything but entertainment from the motion picture theatre, Quigley pointed out, and declared it would be dishonest if the theatre showed anything else under guise of pure entertainment. The propagandists, who show a marked approval of the realistic type of film, he said, seek actually to destroy the hours of happiness which the screen now brings to the public. They would turn the theater into a place of political debate, and not a place of refreshment, and would create a spirit of discontent, he declared.

He agreed that the screen has certain definite responsibilities, chief among them being an obligation to abide by the dictates of decency. Concluding, Quigley declared that these outside sources which seek to use the screen for other purposes are potentially a source of the destruction of the industry, which has a right to exist "and has rendered a great public service."

Nizer stressed the value of the screen in bringing about a movement for peace throughout the world, in its inherent value of making the different peoples of the world more familiar with one another. He praised the work of the engineers, who have contributed so much to the screen, where science contributes nothing to any other art form.

Willifred Vice-President

New officers elected yesterday were E. A. Willifred, financial vice-president; Dr. L. A. Jones, reelected engineering vice-president; Kenneth F. Morgan, executive vice-president, West Coast; James Frank, secretary, L. W. Davee, treasurer, and Herbert Griffin, Dr. A. C. Hardy and Ralph E. Farnham, elected to the board of governors. Griffin and Hardy were reelected.

Another outstanding demonstration of the day was that on third dimensional pictures by George W. Wheelwright, 3rd, of the Land-Wheelwright Laboratories, Boston. Based on the use of Polaroid glasses by the audience, an effect of third diminsion is produced.

N. D. Golden Heard

N. D. Golden, head of the films division of the Bureau of Foreign and Domestic Commerce of the Dep't of Commerce, spoke an "Safeguarding and developing Our Film Markets Abroad." Taxes and complex restrictions which continue to be imposed in many foreign countries form one of the greatest problems American producers must face abroad, he said. Some are unreasonable, Golden declared, and the industry is justified in taking a strong stand with the object of bringing about their elimination.

In such action, the producers would be supported by the desire of the foreign audiences to see and hear American entertainment films. Foreign markets, which play an important part in the success of the industry, must be safeguarded, he said. American pictures are maintaining their immense popularity abroad, declared Golden.

Many Papers Read

Other technical papers read at yesterday's session included the following:

"Hunting with a Microphone the Songs of Vanishing Birds" by P. Kellogg, Laboratory of Ornithology, Cornell University; "High-Speed Motion Picture Photography Applied to the Design of Telephone Apparatus," by W. Herriott, Bell Telephone Laboratories; "Further Progress in Film Storage," by Capt. J. G. Bradley, National Archives, Washington; "The Effect of the Composition of an MQ Developer on Its Reduction Potention," by R. M. Evans and W. T. Hanson, Jr., Kodak Research Laboratories; "A Modern Motion Picture Laboratory," by C. L. Lootens, Republic Productions; "Modulated High Frequency Recording as a Means of Determining Conditions for Optimal Processes," by J. A. Baker and D. H. Robinson of RCA; "Distortion in the Reproduction of Hill-and-Dale Records," by M. J. DiToro, Thomas A. Edison, Inc.; "Recent Developments in Hill-and-Dale Recorders," by L. Vieth and C. F. Wiebusch, Bell Telephone Laboratories; "Nomenclature and Specifications Including Description of the Various Tyes of Movietone Release," by J. K. Hilliard, M-G-M; "Film Perforation and 96-Cycle Frequency Modulation in Sound Film Records," by J. Crabtree and W. Herriott, Bell Telephone Laboratories.

The program for today is as follows:

10:00 a.m. to 12:30 p.m.—Salle Moderne; Engineering Practice Session.

"Air-Conditioning with Lithium Chloride"; G. A. Kelley, Surface Combustion Corp., Toledo.

"The Activated Alumina System as Applied to Air-Conditioning and Drying Problems"; G. L. Simpson, Pittsburgh, Lectrodryer Corp.

"Die Castings and Their Application to Photographic Appliances"; C. Pack, Doehler Die Casting Co., New York.

"The Use of Inconel for Photographic Film Processing Equipment"; G. L. Cox, International Nickel Co., Inc., New York.

"Vacuum-Tube Engineering for Motion Pictures"; L. C. Hollands and A. M. Glover, RCA Manufacturing Co.

2:00 p.m. to 5:00 p.m.—Salle Moderne; Lighting and Studio Session.

"Spectral Distribution and Color-Temperature of the Radiant Energy from Carbon Arcs Used in the Motion Picture Industry"; F. T. Bowditch and A. C. Downes, National Carbon Co.

"Recent Developments in Background Projection"; G. G. Popovici, Bronx, N. Y.

"Recent Developments in Gaseous Discharge Lamps"; S. Dushman, Research Laboratory, General Electric.

Report of the Studio Lighting Committee, R. E. Farnham, Chairman. "Light Control in Photography"; G. Mili, Westinghouse Electric & Manufacturing Co.

"Modulated High-Frequency Recording As a Means of Determining Conditions for Optimum Processing"; J. O. Baker and D. H. Robinson, RCA Manufacturing Co.

"Recording Tests on Some Recent High-Resolution Experimental Emulsions"; J. O. Baker, RCA Manufacturing Co.

8:00 p.m. to 11:30 p.m.—Salle Moderne.

Showing of Selected Historical Motion Pictures Arranged by John E. Abbott, Director of the Film Library, The Museum of Modern Art, New York.

Showing of a Recent Feature Picture and Shorts (2 Hours).

Two Other Fellows

Hollywood, Oct. 11.—Josef Pasternack, musical conductor of Vick's radio show, and Joe Pasternak, producer of Universal's "100 Men and a Girl," are getting hardened to a scrambling of their mail, 'phone calls and office appointments, but don't know what to do about the newspaper that ran a biography of one with a portrait of the other. Neither does anybody else. So they're to meet across a luncheon table as a committee of two on ways and means.

Allied Leaders at Detroit Convention

(*Continued from page* 1)

schedule is the appointment of a successor to H. M. Richey, general business manager of the local unit, who left the ranks last summer to join Co-Operative Theatres of Michigan.

Ray Branch of Hastings is expected to be re-elected president for a fifth term. He feels that the local unit has been strengthened in the last few months and expects a large turnout from all over the state.

"Cantor's Son" Near End

"The Cantor's Son," an all-Jewish musical starring Moishe Oysha, will be completed at the Film Arts studio in the Bronx this week.

GTP Granted An Appeal by Highest Court

(*Continued from page* 1)

ground the state was interfering with Federal Government's exclusive right to regulate commerce with foreign nations.

The court also denied a petition to T. L. Tally and the Corbar Corp. for rehearing of its suit against the Fox Film Corp. The case arose out of the Fox West Coast bankruptcy, the petitioners seeking to have the reorganization set aside on the ground that it was fraudulent. The lower courts ruled against the petitioners and were upheld by the Supreme Court.

An appeal of the Bureau of Internal Revenue for review of a decision of the Ninth Circuit Court of Appeals absolving Cecil B. DeMille from alleged avoidance of income taxes by use of a holding company was rejected by the court.

Rule on DeMille Prod.

The bureau in its petition contended Cecil B. DeMille had been employed by DeMille Prod. from 1924 to 1929 to avoid payment of taxes. The corporation, a holding company owned personally by DeMille and his associates, accumulated a surplus of $1,606,515 by 1929, but had paid in dividends only $192,000. The Bureau contended the corporation was used for the purpose of avoiding surtaxes, as had been charged last session by bureau officials appearing before the Tax Investigating Committee of Senate and House.

It was contended that DeMille and his wife owned 70 per cent of the holding company, Ella King Adams, a relative of Mrs. DeMille, held 10 per cent and DeMille's attorney held 20 per cent until after 1927 when DeMille and his wife owned 97 per cent.

Kansas City, Kan., Irked by Hays Reply

(*Continued from page* 1)

sociation has no jurisdiction or control over the internal affairs or business policies of members," the letter states. It also points out that the order of exhibition availability at theatres in any contiguous area is universally "a matter of competition between theatres in such areas for contracts with distributors," and adds that as the two Kansas Cities are in the same competitive area "there can be only one first run of a picture in such area."

Willette characterized the reply as "buck passing" in commenting on it here.

"If Hays is going to pass the buck, well and good," he said. "There are other ways in which we can force this discrimination to public attention. But Mr. Hess made the mistake of trying to make us believe that Kansas City, Kan., is merely a suburb of Kansas City, Mo."

Willette said he would answer Hays' letter in a few days after conferring on the subject with civic leaders and the local theatre owners' association.

WORLD SERI

1	2	3	4	
'Broadway Brevities' Series	'Melody Masters' Series	'Merrie Melodies' Series	'FLOYD Gibbons' YOUR TRUE Adventures' Series	'Vita Vari Se
Winners of last year's Academy Award and Jay Emanuel's Exhibitor Trophy for year's best two-reelers—actual feature-values include 6 dramas and musicals in Technicolor!	Swell screen music by country's ace 'swing' and 'sweet' bands including Russ Morgan, Mal Hallett, Arnold Johnson, Benny Meroff, Enric Madriguera, Milt Britton and Henry Busse!	Setting a brilliant new Technicolor pace for every cartoon maker to shoot at—winning new acclaim daily for the great Schlesinger innovations in animation and musical accompaniment!	On the air for 7 years! In 500 leading newspapers daily! Over a million members in Floyd's Adventure Club! Nation-wide 'Thrill Story' contest! It's the big idea in shorts today!	A hund ent no cluding Reels, Ramble real M Salici's color, M Jesse C the tw

WARNER BROS'. 9 VAR

VITAPHON

ES CHAMPS!

	6	7	8	9
one ies' es	'Pictorial Revues' Series	'Looney Tunes' Series	'Color-Tour Adventures' Series	'Charlie McCarthy' Series
differ- es in- Vaude Radio e Un- reel, ets in Mrs. ord at gans!	Every subject carefully edited for strong woman interest but sure to hold the men with candid off-stage close-ups of film stars, sports, novelties, fashions in color in every issue!	Every one a new idea—every idea in the unique Leon Schlesinger manner that's made a new American screen idol of that happy, scrappy cartoon cut-up, the one and only Porky Pig!	All in color—all the recognized class of travel shorts. Filmed under personal supervison of E. M. Newman, international authority on the spots experts call the most interesting in the world!	Charlie's program is "most popular full-hour show in radio" (new Crosley air survey) so Vitaphone brings him back in six re-release specials for a quick cash-in right at his peak!

TY-PACKED SERIES OF

E SHORTS

New Warner Theatre In Cleveland Named

CLEVELAND, Oct. 11.—The new 1,500-seat Warner, now under construction, has been named the Colony, and Mrs. Betty Brien won a $100 prize as winner of the Warner-*Plain Dealer* name contest.

Present at the award luncheon were the contest judges: Mayor William J. Van Aikenn, Helen Milner, W. G. Vorpe, Sunday editor of the *Plain Dealer;* L. M. Van Fossan of the Van Sweringen Co., Maurice Gerson and Jess Fishman, Manny Pearlstein, Sidney Dannenberg and Ed Miller of Warners. More than 11,000 entries were received in the contest, which extended over a four-week period.

Reopens in Frisco Soon

SAN FRANCISCO, Oct. 11.—Early November is expected to see the reopening of Golden State's Milano, 1,400-seat house in the Italian North Beach district. The opening will mark another step in the circuit's program of remodeling.

Indiana Opens This Week

INDIANAPOLIS, Oct. 11.—The Indiana, 3,200-seat house now operated under a pooling agreement between Monarch Theatres and the Fourth Ave. Amusement Co., will open Thursday night.

Shift Oklahoma Managers

OKLAHOMA CITY, Oct. 11.—A. C. Wooten is now manager of the Southwestern Theatres' Ismo at Chickasha, Okla. Charles B. Hudson, former manager there, will manage the Midwest here.

Plan New Tulsa House

TULSA, Oct. 11.—H. P. Moran and Phil Isley are building a new 500-seat suburban house here.

Building House in Houston

OKLAHOMA CITY, Oct. 11.—Tol Teeters, owner of the Joy here, is building a $25,000 house in Houston.

Anti-Dual Petitions In Three More Spots

The anti-dual feature movement started by William R. Clay, makeup editor of the *Nutley Sun,* and George H. Siegel, an insurance man, has spread to New England, Westchester County and San Francisco, they say.

Sanford E. Gerard of Boston is circulating petitions there, Alfred M. Zeizes of San Francisco is busy in his home town, and George H. Dirmon of New Rochelle has put the circulars into work there.

"Thunder Orient" Booked

"Thunder Over the Orient," a two-reeler dealing with the undeclared Sino-Japanese conflict, opens at the World today. David Strong of Criterion Films is the distributor.

Assign Para. Directors

HOLLYWOOD, Oct. 11.—James Hogan has been assigned to direct "They Knew What Happened" on the Paramount lot. George Archainbaud will direct "Her Jungle Love." Both films are scheduled to go before the cameras soon.

Once Again

The marquee cycle, this time reporting the billing of a small theatre in the Brownsville section of Brooklyn:

"She Had to Eat" with Jack Haley Dishes Tonight

Lichtman to Leave Friday for England

(*Continued from page* 1)

DAILY that he was anxious to build up the British production unit to turn out pictures on a par with Hollywood. As soon as this is done mass production will be started in England, the pictures to be designed for a world wide market. Production costs abroad will be unlimited, as at the studio on the coast, Mayer said.

"Yank at Oxford," the first British film with Robert Taylor and Maureen O'Sullivan, is slated to be completed in another week. The stars are due to return to Hollywood in two months.

M-G-M Promotes Banker

CLEVELAND, Oct. 11.—Dean Banker, for the past year and a half booker at the local M-G-M exchange, has been appointed M-G-M representative at Bogata, Colombia. Banker will leave here Oct. 18 to report for duty at the home office.

Flash Previews

"Counsel for Crime"—Not outstanding in any respect, this is satisfactory program fare, telling the story of the criminal lawyer who sacrifices himself to aid his son, who believes himself fatherless.

"Green Fields"—Something entirely new that will be found highly enjoyable by Jewish audiences. It is acted to perfection by well-chosen cast. It will be a memorable effort among all-Yiddish talkers.

"Renfrew of the Royal Mounted"—Standard "mountie" entertainment but with some Canadian backgrounds which are truly magnificent.

"She Loved a Fireman"—A secondary film, perhaps, but one which offers excellent amusement for the family trade.

Full reviews of these pictures will appear in an early issue of MOTION PICTURE DAILY.

Mullin to Aid Drive

BOSTON, Oct. 11.—Martin Mullin of the M. & P. Theatres has been made vice-divisional chairman of the Greater Boston Community Fund for the coming season. Mullin was a divisional chairman in the charitable campaign for the past two years. He has again assigned J. T. Clark of the circuit managerial force to act as staff secretary for drive headquarters.

Plan 2 More "Penrods"

HOLLYWOOD, Oct. 11. — Warners will produce two more "Penrod" stories. The one to follow the second in the series, "Penrod and His Twin Brother," will be "Penrod and Danny," and will feature, as in the other two, the Mauch Twins.

Because the twins are growing up rapidly, the two pictures will be rushed into production. William McGann will direct "Penrod and Danny."

Directors' Guild in NLRB Hearing Plea

(*Continued from page* 1)

president of the S. D. G., names as respondents Columbia, First National, M-G-M, RKO, 20th Century-Fox, Goldwyn, Selznick, Universal, Walter Wanger and Warners.

The petition had a lengthy memorandum attached asking that the board delay its decision on the Screen Writers' Guild petition for a hearing until the S. D. G. had a chance to present its case on its own merits. The memo asked that a hearing date be set for October 18 and if the S. W. G. hearing is not over at that time that a day-to-day postponement be made explaining that both Trial Examiner William Ringer and Special Board Attorney William J. Walsh will be on hand to handle the board's side of the case.

The memo added that the jurisdiction question raised by the respondents in the S. W. G. case and other issues at stake are of vital importance to both organizations

Dr. Towne Nylander, regional director of the Labor Board, said that the S. D. G. petition and memorandum would be forwarded to the National Board for action.

Protest Guild Hearing Evidence

HOLLYWOOD, Oct. 11.—After respondents' counsel objected strenuously to the admission into evidence of more than 200 exhibits compiled by Dr. David Saposs, for the purpose of showing the effect of the industry on interstate commerce and in this manner establishing writers as employes, William Ringer, trial examiner, deferred until tomorrow a ruling on its admissibility in the hearing of the Screen Writers' Guild's petition for a bargaining agency election before the National Labor Relations Board.

After Ringer delayed the ruling on admissability, Paramount counsel moved for dismissal of the proceedings, holding that there is involved only a jurisdictional dispute between the S. W. G. and Screen Playwrights, Inc., which holds a bargaining agreement with the producers. This was taken under advisement.

To Ask Contempt Citation

LOS ANGELES, Oct. 11.—Her attorney, William Neblett, having refused to permit her to answer questions at a deposition hearing in the suit of M-G-M to have Freddie Bartholomew's contract held valid, Myllicent Bartholomew, the boy's aunt, will be the subject of an appeal to court for a contempt citation, according to Herman Selvin of Loeb, Walker & Loeb, M-G-M attorneys. Miss Bartholomew was to have been quizzed today in the law firm's office.

Named to Union Board

LONDON, Oct. 2. — Charles A. Davis, solicitor to Union Cinemas, Ltd., has been elected a member of the board of directors. Election of a chairman of Union, in place of the late David Bernhard, will be considered at a board meeting soon.

Miller Joins Monogram

HOLLYWOOD, Oct. 11.—Emmett B. Miller has been named assistant secretary-treasurer of the Monogram studios. He was formerly in the Universal auditing department.

Variety Club

Buffalo

BUFFALO, Oct. 11.—SIDNEY LEHMAN of United Artists is chairman of a committee arranging for a Hallowe'en masque dance-dinner at the club's quarters Oct. 30. The crew, with JOHN M. SITTERLY and ROBERT T. MURPHY as co-chairmen, staged the opening Saturday party. A Columbus Day celebration was held Oct. 9.

Four new members have been added: ROBERT STEVENSON, manager of the Erlanger; EMANUEL WORONOV, of M-G-M; THEODORE PHILLIES, of Basil Brothers, and J. L. MCGRANE, who operates the Orpheum and Central Park, neighborhood houses.

Barker MCGRANE is mourning the sudden death of his only son, PAUL.

Chief Barker JACOB LAVENE and associate officers are working on arrangements for extensive alterations in the club lounge, to be completed before Thanksgiving.

"Sing Band" in Shorts

HOLLYWOOD, Oct. 11. — James K. Hubbard and George Dawson will produce three two-reel subjects featuring Max Terr's "Sing Band" at the Long Island Studios, New York.

The "Sing Band" which appeared in Paramount's "Double or Nothing" is a mixed group of 45 voices that imitates the music of a complete orchestra without the use of a musical instrument.

Salt Lake Wins Drive

SALT LAKE CITY, Oct. 11.—The local Monogram exchange won the 10-week sales drive with the highest national quota. The office force won $300. Memphis and Albany came in second and third, respectively.

Andy Rogers in Hospital

NEW ORLEANS, Oct. 11.—Andy Rogers, formerly well known as a producer, who years ago attempted with others to make New Orleans a film center, is in the Marine Hospital.

Wall Street

Recessions General on Board

	Open	High	Low	Close	Net Change
Col.	18¼	18¼	18	18	— ⅝
Cons.	2⅛	2⅛	2	2⅛	.....
E. K.	164	164	157	159	—5
G. T. E.	17½	17½	17	17	— ⅝
Loew	68	68	65	65½	—1¾
Loew, pfd.	105⅜	105⅜	105⅜	105⅜	— ⅜
Para.	15⅞	16¼	15	15	—1
Para. 1.	112¼	112¼	107	107	—5
Para. 2.	14½	14¾	13½	13¾	— ⅞
Pathe	7¼	7¼	6¾	6¾	— ⅞
R. K. O.	5⅜	5½	4⅞	4⅞	— ¾
20th Fox	27½	27½	26¼	26¼	—1¾
Univ., pfd.	34	34	31	31	—2
W. B.	9½	9¾	8¾	8⅞	— ⅝

Technicolor Off 1¼ on Curb

	Open	High	Low	Close	Net Change
G. N.	1¾	1⅞	1¾	1¾	.....
Sonotone	1⅝	1⅝	1⅝	1⅝	.....
Tech.	22¾	22¾	22⅛	22¼	—1¼
Trans-Lux	3⅛	3⅛	3	3	— ⅛

Bond Issues Decline

	High	Low	Close	Net Change
Keith 6s '46	94½	94½	94½	— ½
Loew 3½s '46	98¾	98¾	98¾	— ¼
Para. B'way 3s '55	66½	66½	66½	.....
Para. Pict. 6s '55	82	80	80	—1¾
W. B. 6s '39	84	84	84	.....

(Quotations at close of Oct. 11)



VICTORIA THE GREAT

Sixty years a queen. . . and every day a woman. . madly in love



Her diary told it all! . . . The story of Victoria and her fiery Prince Consort! . . . All the things the world has been dying to know about love and life behind the throne as Britain trod in thundering glory over half the world! . . . Filmed in the actual locales where it really happened!

At last the screen finds a subject to tax its mighty power! . . . Here is epic sweep that dwarfs imagination! . . . Here is intimate romance that plumbs the heart! . . . Here is dramatic impact that storms the soul! . . . Here is one of the greatest motion pictures ever produced!

VICTORIA THE GREAT

with

ANNA NEAGLE ★ ANTON WALBROOK

H. B. WARNER ★ WALTER RILLA

Produced and directed by

HERBERT WILCOX

With Scenes in TECHNICOLOR

Screen play by Miles Malleson and Charles de Grandcourt

RKO RADIO PICTURES

LITHO U.S.A.

Musician Pay Ratified Anew By the INRA

The Independent Network Radio Affiliates, convening yesterday at the Waldorf-Astoria, again ratified the $1,500,000 annual increase for staff musicians salaries, the sum asked of this body of broadcasters by the A. F. of M. Of this sum, the networks have agreed to contribute $200,000 annually, to be allocated to stations on the basis of their increased expenditures.

The body also ratified a formula of allocation, on the basis of weighted averages as determined by Ernst & Ernst, accounting firm, representing the INRA. This will amount to five and one-half per cent of net receipts of station time, with allowances for certain deductions such as agency and representatives' commissions. They also adopted a resolution instructing the committee to continue negotiating a form of trade agreement with the A. F. of M., the proposed agreement being unsatisfactory in several points.

Pact Terms Published

The terms of the agreement were made available publicly for the first time at yesterday's meeting. The agreement contains 24 clauses, all of which are satisfactory to the INRA except clauses 10, 20 and 21, with the most emphasis placed on Article 10.

Article 10, as it now reads, stipulates that Federation musicians need not perform for an INRA station which will do any one of the following: (a) Transmit music to an affiliate station which fails to agree to expend the allocated quota for staff musicians, or fails to comply with the agreement; (b) Contract to broadcast music to any station other than an affiliate or key station which fails to enter in an agreement satisfactory to the A. F. of M. or with a local union of the A. F. of M.; (c) Contract for records and transcriptions or take and use transcriptions other than those licensed for that purpose by the A. F. of M.; (d) In the event an affiliate station transmits music not under contract now existing to any other broadcasting stations which are not affiliate or key stations, members of the Federation need not perform their services for such affiliate station unless such other broadcasting station enters into an agreement for the employment of staff musicians satisfactory to the Federation.

Call for Revision

This article and its division will have to be completely revised before the contract as a whole can become satisfactory to the INRA, it was said yesterday.

Article 20 specifies that A. F. of M. or its local affiliates can withdraw its musicians without notice in the event there is a default of contract by the station. This, in effect, means a musicians' strike, and the INRA wants an arbitration clause inserted. Article 21 now states that musicians owe their first allegiance to the Federation, not to the station, and the INRA committee has been instructed to seek a modification of this clause.

At yesterday's meeting, M. Rosenberg of Philadelphia, was elected chairman of the special advisory committee, replacing William S. Hedges, resigned.

The committee will meet with the A. F. of M. Monday.

Simultaneously yesterday the I. R. N. A. members convened separately to receive their committee's report of its negotiations with the International body of the A. F. of M. Approximately 125 attended the meeting, held also at the Waldorf. The I. R. N. A. will meet with the N. A. B. today, but because its problems are somewhat different from the non-network affiliated group, its pact with the A. F. of M. will be drawn separately.

Penna. High Court Upholds Waring on Music Air Casts

PITTSBURGH, Oct. 11.—Fred Waring has been upheld by a decision of the Pennsylvania Supreme Court, handed down in this city, in his suit based on the contention that a radio station cannot broadcast music from a recording without his approval.

Station WDAS, Philadelphia, had contended that, by joining the Nat'l Ass'n of Performing Artists, Waring had automatically relinquished his rights in the records, and therefore had no right to interfere with their reproduction.

The opinion was written by Justice Horace Stern. He held that, while the station did not profit directly by using Waring's music, it did gain an indirect benefit and was a competitor with Waring and advertisers using his orchestra. The court commented that the problems involved in the suit never before had been raised in an American or English court.

WDAS, an Independent

PHILADELPHIA, Oct. 11.—WDAS is an independent station, which garners a large listening audience from programs which, in the main, consist of recordings. In addition to periodic shows throughout the day, composed solely of transcribed tunes, WDAS has a popular local show "Merry-Go-Round" which combines commercial announcements with records and comes over the air twice daily in two hour broadcasts. WDAS has a day power of 250 watts, and a night power of 100 watts.

The suits were originally four in number and were instituted in December, 1935. The others involved were a dance hall, a restaurant, and a recording laboratory that takes programs off the air. These cases were tried in the lower courts of Philadelphia and were lost by the defendants. WDAS was the only litigant to appeal the lower court decision.

Claim 20 Other Decisions

Approximately 20 similar cases, filed throughout the country, have been won by Waring and the Nat'l Ass'n of Performing Artists which now includes several thousand members, according to John O'Connor, Waring's manager.

The Nat'l Ass'n of Broadcasters, it is understood, arranged for the defense of the WDAS case.

Pending in Congress is a bill introduced by Senator Guffey of Pennsylvania and Congressman Daley of Philadelphia which seeks to establish the interpretative rights of performing artists legislatively. If the bill is passed it will prohibit nationally the reproduction of interpretations for profit.

In New York, a suit brought by Paul Whiteman against WNEW is on the calender to be heard in the Supreme Court some time next month, while another, brought by Frank Crumit against WHN, is also scheduled. Other cases pending are by Abe Lyman and Connie Boswell in Chicago, and Bing Crosby, Lily Pons, Wayne King in California. All are members of the Nat'l Ass'n of Performing Artists. The defendants, in all the cases, will be radio station owners.

Cincy AFRA Files Complaint

CINCINNATI, Oct. 11.—The initial complaint of the Cincinnati chapter, A.F.R.A., has been filed with Philip G. Phillips, regional director of the National Labor Relations Board. Henry Jaffe, New York counsel for the federation, charges WKRC and CBS with having discharged William Seymour Eckert, news writer, for alleged union activity.

Report Yale Gets $30,000

NEW HAVEN, Oct. 11.—Yale University is reported to have taken $30,000 for grid broadcasting rights this year. Last year's sum was $20,000.

Radio Drama Series To Start on Coast

SAN FRANCISCO, Oct. 11.—Original radio dramas by outstanding writers, under the general title "I Want a Divorce," will return S. & W. Fine Foods, Inc., to Pacific Coast airlanes as a sponsor Sunday night, Oct. 17, on the NBC-Red network.

Peter B. Kyne, Elsie Robinson, newspaper syndicate writer; Carlton E. Morse, Hugh Wiley and Donald Henderson Clarke are among the authors who will write for the weekly series. Each play, complete in itself, will deal with a true story of marital difficulties.

Van Zandt Joins A. M. B.

Edmund Van Zandt has joined the publicity department of Artists Management Bureau. He formerly was correspondent on the Fort Worth *Star-Telegram*. He will assist Irving Strouse on the Paul Whiteman account.

Liebling to Radio Guide

Leonard Liebling, former music critic of the *New York American*, and present editor of *Musical Courier*, has been named music editor of *Radio Guide*.

MacMurray, Evans on Lux Hour

Fred MacMurray and Madge Evans will offer a radio version of "Up Pops the Devil" on the Lux "Radio Theatre" series Oct. 18.

New Shows On the Air

"30 Minutes in Hollywood"

"30 Minutes in Hollywood," new coast-to-coast participation program on Mutual, featuring Georgie Jessel and Norma Talmadge, got off to a draggy start Sunday. However, there is reason to believe that with so expert a showman and comedian as Jessel at the helm, the show will build as it grows older.

The main fault with the opening installment was the lack of comedy. Despite the fact that this program has been in the making for more than a year, the script read as if it had been prepared at the last moment. Even the studio audience, which can always be depended upon to laugh at the wave of an announcer's hand, was painfully silent during the script pauses for laughs.

Tommy Tucker's orchestra bows to none as a musical unit. Dorothy McNulty's vocals are good; Norma Talmadge's style hints should be helpful to the feminine listeners, and a youngster, Josephine Starr, offers excellent possibilities.

The show is offered from 6 to 6:30 locally over WOR, and is sponsored in the metropolitan area by Crawford Clothes Stores. The agency is Redfield-Johstone.

"Log Cabin Jamboree"

"Log Cabin Jamboree" with Jack Haley as the fun maker and Ted Fio Rito and Virginia Verrill supplying the orchestral and vocal interludes, is a breezy half-hour offering and should enliven the living rooms of many listeners in ensuing weeks.

Haley, who was removed from the Maxwell House "Showboat" to prepare for this series, reflects the experience he gained while performing in the former. The "Showboat" mike rubbed some of the rust and radio inexperience from him and, as a consequence when he opened in the "Jamboree" Saturday night, he was heard to better advantage than in the past. He may yet build to a top comic spot in radio.

Miss Verrill, whose voice has long been a choice, although unsponsored, network bet, sang "Bob White," solo, and doubled with Haley in offering a parody of "Love Is on the Air Tonight." She also participated in the comedy skits. Fio Rito's orchestra definitely helps the program. Wendy Barrie was the evening's guest performer.

"Log Cabin Jamboree" is offered Saturdays from 8:30 to 9 P. M. on the NBC-Red. Benton & Bowles is the agency. General Foods Corp. sponsors for Log Cabin Syrup.

BANNER

Install "Volume Limiter"

PHILADELPHIA, Oct. 11.—One of the newest developments in broadcasting equipment, the "automatic volume limiter," which will increase the efficiency of the transmission of WCAU, has been installed at the station's 50,000 watt transmitter plant, located at nearby Newtown Square.

More Radio—P. 10

Ascap Income 62% from Air; 21% Theatres

(Continued from page 1)

paid the society $3,239,181 in 1936, an average of $5,546 per station; 12,639 film theatres paid a total fee of $1,080,-625, or an average of $85.49 each, last year; 6,574 restaurants paid a total of $429,351; or $65.31 each; 1,-398 hotels paid a total of $204,710, or $146.43 each, and 2,606 dance halls paid a total of $132,417, according to Ascap's figures. No figures are given on the expenditures.

The *Ascap Journal* makes its appearance at a time when the organization is besieged with legislative and judicial attacks and is undoubtedly designed to minimize or offset new ones. In a foreword, Gene Buck, Ascap president, relates that the Ascap board of directors "after a careful study of the public relations problem, has decided to devote more effort to this highly specialized subject, and among its new activities we are again reviving the society *Journal* with the view of perfecting and projecting the society's aims, purposes, activities."

The first issue of the publication is in 24 pages, illustrated, with articles contributed mostly by officers or members. E. C. Mills, chairman of the administrative committee, is in charge of the publication, which is edited by Joseph Fliesler, and will be issued monthly.

Winner New Director Of NBC Short Waves

Percy Winner, a member of the NBC press staff, was named director of the network's international short wave service by Vice-President John Royal yesterday. Winner will assume his new duties immediately.

The new director has had widespread experience as a newspaperman both here and abroad. He has been a foreign correspondent and chief editorial writer for the *New York Post*, and was a European correspondent for the Associated Press for five years. He has served also as a correspondent in this country for the *Manchester Guardian* and for the Havas news agency of France. He joined NBC less than a year ago.

CBS to Have New WPA Series

A new series based on Mary Roberts Rinehart's short stories will be offered Thursdays from 10 to 10:30 P. M. over CBS beginning Oct. 21. WPA players will appear in the sketches.

WKY Seeking New Talent

OKLAHOMA CITY, Oct. 11.—WKY is advertising in local newspapers for radio talent, either amateur or professional.

Auditions are held every Friday from 12 to 2 P.M.

Larner Joins WELI Staff

NEW HAVEN, Oct. 11.—William Larner of New York has been appointed to the WELI announcing staff. Larner has had previous radio experience in West Virginia and with NBC.

"Zola," Playing Few Spots Sets High Key Cities' Pace

(Continued from page 1)

moved to the Apollo for a second stanza. "Life Begins in College" pulled a good $11,400 at the Lyric.

Little Jack Little and his band on the stage of the Tower in Kansas City helped "Charlie Chan on Broadway" to take the top spot, with $10,700, over par by $3,700. "The Life of Emile Zola" moved to the Newman after a strong Mainstreet first week.

"Varsity Show," with a par $5,500 at the Paramount in St. Paul, was the only film in either that city or its twin, Minneapolis, even to reach average. Cold weather was blamed.

"100 Men and a Girl," paired with "Counsel for Crime" at the Orpheum in San Francisco, took the lead with $12,200, over average by $4,200. "Saturday's Heroes," aided by a Sally Rand Stage show, drew a strong $18,500 at the Golden Gate.

"Thin Ice" Strong

"Thin Ice" drew $25,000 at the Fox in Detroit, up by $5,000, and "Double or Nothing" at the Michigan, and "100 Men and a Girl" in its second week at the Adams, were both strong. "Dead End" did well in its second week at the United Artists, going $2,600 over average.

A dual of "Thin Ice" and "Wild Money" at the Orpheum, Omaha, pulled $11,400, a good $4,200 over par. "Lost Horizon" and "Forty Naughty Girls" at the Brandies went $3,100 over average.

"The Prisoner of Zenda," plus "Love Is on the Air," at the Roger-Sherman, New Haven, was a smash at $8,700, up by $4,100.

"Zola" was sensational at the Boyd in Philadelphia, doubling average to gross $28,000. "Life Begins in College" at the Fox grossed $19,500.

Denver best gross went to "Double or Nothing" at the Denham, with a high $11,000, over par by $6,000, and the film was held. "Stella Dallas" was strong at the Denver and was moved to the Aladdin.

High, Wide Milwaukee Hit

"High, Wide and Handsome" and "She Asked for It," at the Fox Palace in Milwaukee went over average by $3,000. "Stella Dallas" and "Big Shot" at the Warner were good for $7,500, up by $2,500.

In Pittsburgh, "Back in Circulation," aided by a stage show headed by Buddy Rogers, took the top spot at the Stanley, with $21,250, over par by $3,250. "100 Men and a Girl" at the Alvin in its second week, and "Double or Nothing" at the Penn, also were strong.

"Walter Wanger's Vogues of 1938" led in Cincinnati, with $13,500, over the RKO Palace average by $3,500, was moved to the RKO Capitol for a second week.

In Seattle, "Small Town Boy," aided by a Major Bowes unit on the stage of the Palomar, bettered par by $2,300, while "100 Men and a Girl," plus "My Dear Miss Aldrich," was strong at $7,800 at the Fifth Avenue, and "The Prisoner of Zenda" was good at the Paramount.

"Life Begins in College," with the Paul Whiteman orchestra on the stage, was the only film to better par in Oklahoma City, taking $8,200 against a house average of $4,500.

Free Show No Worry

Battle Creek, Ia., Oct. 11.—Joe Warnock got out of the usual difficulty confronting small town exhibitors when merchants decided to stage free shows to attract trade by renting his house to them each Wednesday evening during September and October.

Columbia Regionals To Start at Chicago

(Continued from page 1)

C. Kaufman, George Josephs and Milton Hannock.

Chicago, Detroit, Washington, Des Moines, Minneapolis, St. Louis, Omaha, Indianapolis, Kansas City, Pittsburgh, Cincinnati and Cleveland branches will be represented.

To Show "Awful Truth"

A series of screenings in key cities will be held by Columbia on "The Awful Truth." The cities already scheduled are: Atlanta, Oct. 17; Cincinnati, Oct. 18; Cleveland, Oct. 13; Denver, Oct. 15; Los Angeles, Oct. 13; Memphis, Oct. 17; New Orleans, Oct. 21; Oklahoma City, Oct. 18; Tulsa, Oct. 19; Philadelphia, Oct. 17; Portland, Oct. 15; Salt Lake City, Oct. 12, and San Francisco, Oct. 13.

Production Gains; 41 Films in Work

(Continued from page 1)

"Rosalie," M-G-M; "Tarzan's Revenue," Principal; "News in the Air" and "The Lady Musketeers," Republic; "Big Town Girl" and "Rebecca of Sunnybrook Farm," 20th Century-Fox; and "Blondes at Work" and "Highway Pirate," Warners.

The tally by studio:

Columbia finished two, shooting two, preparing six, editing nine; Goldwyn, zero, two, zero, one; Grand National, zero, zero, zero, five; M-G-M, zero, six, three, five; Monogram, one, zero, one, one; Paramount, zero, six, four, six; Principal, zero, one, one, zero; Republic, one, two, one, five; RKO, zero, seven, two, three; Roach, zero, zero, one, zero; Selznick, one, zero, zero, one; 20th Century-Fox, zero, five, three, six; Universal, one, two, one, one; Wanger, zero, zero, zero, one; Warners, one, eight, zero, 25.

Three short subjects were finished, one each at Columbia, M-G-M and Roach. M-G-M started one, which is still shooting. Seven are being prepared and 19 edited.

Road Film Out Soon

The Bureau of Public Roads of the U. S. Dept. of Agriculture will soon release a film called "Roads to Romance." It is based on a historical pageant presented by the New Hampshire Federation of Garden Clubs for the American Ass'n of Highway Officials meeting at Crawford Notch.

Two crews shot scenes in various parts of New Hampshire and Alois Havrilla handled the comment, with a musical background furnished by the U. S. Marine Band orchestra.



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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 88 NEW YORK, WEDNESDAY, OCTOBER 13, 1937 TEN CENTS

Believe Rose Has Completed UA Sale Plans

Expect a New Financial Issue in the U. S.

By BRUCE ALLAN

LONDON, Oct. 12.—David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., is believed to have completed financing arrangements whereby Goldwyn and Alexander Korda will exercise the options for the purchase of U. A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford for $6,000,000.

The options will be included in a new financing issue, it is understood, which is to be floated in the U. S.

Rose will sail Oct. 20 on the *Ile de France* with Korda and Maurice Silverstone, U. A. head in England. The three executives will meet Goldwyn in New York for preliminary conferences and then go to the coast for the annual meeting of U. A. producer-owners.

David O. Selznick and Walter Wanger, producers for U. A., are now in New York. They have no partnership arrangement with the company. It is likely that they will confer with Alexander Korda and Samuel Goldwyn here before returning to Hollywood. Goldwyn is due from the coast about Nov. 1 for the opening of "Hurricane" at the Astor on a two-a-day policy.

Wilcox to Make Four For RKO in England

Herbert Wilcox stated yesterday that he had concluded a deal to make four pictures in England for RKO. The producer, who arrived on the *Aquitania* with Anna Neagle, star of "Victoria the Great," left for Ottawa last night to attend a state dinner and the opening on this side of the water of his new film. He will be in Toronto on Monday for another open-

(*Continued on page 2*)

Anti-Trust Ruling Up at Dallas Today

DALLAS, Oct. 12.—A hearing to fix the form of decree in the anti-trust suit against Interstate Circuit and major distributors will be held before Judge W. H. Atwell tomorrow.

Arguments by attorneys for both sides will be heard and the decree fashioned after Judge Atwell has

(*Continued on page 10*)

Attempt Seen by Japanese To Buy Universal War Reel

By CHARLES S. AARONSON

(*Copyright, 1937, Quigley Publishing Company*)

Siegfried F. Lindstrom, formerly connected with the film industry in this country and in Japan, and purporting to represent the Japanese Chamber of Commerce in New York, yesterday attempted to purchase from Charles E. Ford, editor of Universal Newsreel, the entire footage embodying the latest pictures taken by Universal's cameramen of the Japanese-Chinese undeclared war in China.

Admittedly the purpose behind the purchase is suppression.

The film en route here, running a total of 10,400 feet, which will be cut and released as the weekend issue of the reel, in the normal running time of approximately 10 minutes, is said by Ford to contain shots of the bombing by Japanese airplanes of the Central Hospital, the Nanking Power Plant, the shooting down of Japanese planes and the capture of their pilots by the Chinese, and the visit of Madame Chiang Kai Shek, wife of the generalissimo of the Chinese armies, to the Central Hosptial during the air raid.

The newsreel material arrived in San Francisco on the *China Clipper* yesterday and is due in New York today by plane. Lindstrom, describing himself as neutral, a friend of both sides, and asserting that he was requested by the Japanese Chamber of Commerce here to represent it in the negotiations, telephoned Ford yesterday declaring that he had an important matter to discuss, then made his bid in Ford's office.

From the reel's editor Lindstrom received a flat and unequivocal refusal to entertain the proposition. Ford emphatically replied that the reel was neutral in the war, has no intention of coloring or censoring the film material obtained by its cameramen in China, and under no circumstances would consider its sale to any interests.

Lindstrom, questioned later in the day by MOTION PICTURE DAILY, recounted his experience in the film business, said he was employed at one time as manager of the New York office of the Japanese N.Y.K. steamship line, in the passenger department, and declared he is at present connected with the New York office of the Bureau of Insular Affairs of the U. S. War Dept. His film experience included a period as Far

(*Continued on page 4*)

Admission Tax May Be Levied Indefinitely

By BERTRAM F. LINZ

WASHINGTON, Oct. 12.—Possibilities that the admission tax may be made a permanent part of the tax setup were voiced today by Representative Robert L. Doughton of North Carolina, chairman of the House Ways and Means Committee, following a visit to the White House, accompanied by Representative Fred M. Vinson of Kentucky, chairman of the special tax sub-committee, to discuss revenue with President Roosevelt.

The admission tax and other nuisance levies were adopted as a temporary means of raising revenue. Extended by Congress last session, they are now due to expire in 1939.

When the Ways and Means Com-

(*Continued on page 2*)

Light Around Screen Topic Of the SMPE

Lighting the marginal areas of screen so that theatre patrons would not be conscious of the sharp contrast between them and surrounding areas was demonstrated yesterday at the second day's session of the Society of M. P. Engineers convention at the Hotel Pennsylvania by Ben Schlanger.

Schlanger is the inventor of the process in cooperation with Jacob Gilston. He calls it a "screen synchrofield," and says that it will be an important factor in making the screen more lifelike by widening the field of vision of the spectator. No change will be necessary in the size of screens.

The paper and demonstration were a feature of the afternoon meeting.

Yesterday's meeting was devoted

(*Continued on page 4*)

Radio Problem To Be Argued By Kuykendall

One of Aims of Present Visit to Studios

HOLLYWOOD, Oct. 12.—Studio broadcasts will be one of the topics to be discussed here by Ed Kuykendall on his current visit. He made this known today after first saying that his purpose was to hold a series of informal huddles with industry units on distributor-exhibitor relationships.

Kuykendall arrived Monday evening and will leave Saturday for San Francisco where a meeting is scheduled for Monday.

Expanding on the subject of studio broadcasts, Kuykendall said the M. P. T. O. A. attitude is that M-G-M, as well as other studios, should have the

Additional developments in radio yesterday on page 14

exhibitors' box-office point of view on timing and content of radio programs and should be given a chance to work out a technique and material which will enhance rather than detract from the theatre value of players and pictures.

A point that he made in passing was that certain players have sought to limit themselves to four or five pictures a year to conserve their popularity, but display a prompt willingness to sign up for 52 radio appear-

(*Continued on page 14*)

ITOA-Allied Groups Will Convene Today

Committees of Allied of New Jersey and the I.T.O.A. will confer today at the Lincoln Hotel on the first of a series of sessions to discuss a merger of the two local independent exhibitor organizations. Both associations have approved plans to solidify a mutual understanding of independent exhibitor problems in the

(*Continued on page 2*)

E. Kirchner Opens Mich. Allied Meet

DETROIT, Oct. 12.—Edgar E. Kirchner, acting head of Allied of Michigan, at the opening session of the organization's annual convention at the Hotel Statler today told of plans to make the organization a "real independent exhibitors' association."

W. E. Schuttenhelm, treasurer,

(*Continued on page 2*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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Schlesinger Named Bernhard Assistant

Leonard Schlesinger, who has been in charge of 60 Philadelphia neighborhood theatres for Warners, has been given a home office executive post by Joseph Bernhard.

Schlesinger started in the business as a relief usher at the Missouri, St. Louis, in 1921.

Barton, Taylor at Ampa

Bruce Barton, head of Batten, Barton, Durstine & Osborn, and Estelle Taylor will be among the additional guests to appear at the Ampa luncheon tomorrow at the International Casino. Other talent already announced includes George Raft, Robert S. Taplinger, William Frawley, Jack Buchanan and David Hutchinson.

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Admission Tax May Be Levied Indefinitely

(*Continued from page* 1)

mittee meets next month, it is expected to give consideration to the drafting of a permanent tax law, superseding the present law which consists of several measures amending the original act. Accordingly, a decision is to be made whether the nuisance taxes are to be included in the new legislation or left on their present temporary basis.

Congress to Meet Again on Nov. 15

By CLARENCE LINZ

WASHINGTON, Oct. 12.—A special session of Congress, to meet Nov. 15, was today announced by President Roosevelt.

The extra session will be devoted largely to the consideration of the Administration's agricultural program, but will also offer opportunity for discussion of a number of other matters, thus opening up possibilities that measures affecting the film industry may be pressed.

Ambassador Again Requests SEC Delay

WASHINGTON, Oct. 12.—Further deferment of the effective date of its registration was today asked of the S.E.C. by Ambassador Pictures.

The company, which filed a statement Aug. 25 covering a proposed issue of 1,176,000 shares of $1 par value capital stock of which 600,000 shares were to be publicly offered, had previously sought and secured two extensions of time.

Monogram to Meet On Coast in April

LOS ANGELES, Oct. 12.—Monogram will hold its 1938-39 convention here next April. Franchise holders and office managers will convene here at a date to be announced by W. Ray Johnston, president, in New York, after the first of the year.

Alsop-Lynch Join Up

JACKSONVILLE, Oct. 12.—Back from a three-month vacation in the north, former Mayor John T. Alsop says he has renewed a former business association with S. A. Lynch and will open offices here.

Alsop was associated with Lynch in the opening and operation of virtually all of the theatres here and in Miami.

Confer on K. C. Scales

KANSAS CITY, Oct. 12.—Felix Snow, I.A.T.S.E. representative in this area, has begun conferences with local exhibitors in an effort to reach a settlement of the agreement proposed June 19 by the theatre employes' local. The union has two groupings, one for front-of-the-theatre workers, one for porters and others on the after-show shift.

Two British Groups Confer on Film Bill

LONDON, Oct. 12.—The council of the Film Group of the Federation of British Industries tonight and the council of the Cinematograph Exhibitors' Ass'n are considering their statements of policy relative to the Film Bill proposed by the Board of Trade.

The C.E.A. is understood to be planning to reiterate its belief in the value of the quality clause as a basis for ascertaining quota, and the Film Group is expected to ask for a quarterly quota instead of the annual arrangement planned, aiming to prevent the release and exhibition of British film in the mass during the summer.

Both groups are opposed to the double quota principle on the ground that it must logically be extended to the point where the quota will be based entirely on cost, which, it is contended, will result in a shortage of product and react unfairly to the advantage of the wealthier American companies.

Further talks by the two branches of the industry next week are expected to provide an expansion of the common front they are presenting to the films bill as proposed.

Wilcox to Make Four For RKO in England

(*Continued from page* 1)

ing, will return to New York on Tuesday and thereafter will leave for Washington and Hollywood.

Wilcox expects to be in this country until Jan. 2, and stated that there had been no developments in earlier discussions to produce for Paramount in England.

Miss Neagle yesterday was tendered a cocktail party by Wilcox at "21" at which newspaper writers and officials of RKO were present.

"Victoria" to Be Broadcast

Mutual will broadcast a radio adaptation of "Victoria the Great" tonight from 10 to 10:30 P. M. from Ottawa, Canada, where the motion picture will have its premiere this evening. Following the broadcast Anna Neagle, player in the film, and Herbert Wilcox, will be interviewed on the air.

Sindlinger Named to March of Time Post

Albert E. Sindlinger yesterday was appointed director of promotion and advertising for The March of Time by Louis de Rochemont at a staff luncheon. The post carries with it the managing directorship of March of Time's "Photo Reporter," monthly picture newspaper which is now being circulated among 3,200 schools throughout the country.

The appointment of Sindlinger, who has been in charge of the subject's MOT exhibitor exploitation for the past two years, follows 13 years of experience in the industry. Sindlinger has managed key theatres in Philadelphia, Pittsburgh, Cleveland and in other cities.

Taubers Sail Today

LONDON, Oct. 12.—Richard Tauber and his wife, Dianna Napier, will sail tomorrow on the *Queen Mary* for New York.

E. Kirchner Opens Mich. Allied Meet

(*Continued from page* 1)

showed in his report that the organization is in excellent financial condition with $7,800 in cash on hand and additional sums in investments.

National leaders were not present, although Abram F. Myers had been scheduled to talk, but was prevented because he had to appear before the Federal Trade Commission.

Committees were appointed as follows: Resolutions—Glenn Cross, Battle Creek, chairman; P. C. Schram, Kalamazoo; W. G. Thich, Marshall; C. R. Beechler, Charlotte, and William Schulte, of the Schulte circuit. Credentials — Schuttenhelm, Detroit, chairman; Thich, Beechler, Budge, J. E. Stocker, Detroit; Kirchner, W. E. Cassidy, and Harry Hobolth, Imlay City.

Following the first business session, the annual banquet was held with more than 150 exhibitors and film men and their friends enjoying a special floor show arranged by Alex Schreiber.

Tomorrow's sessions will be confined to business, which will include election of officers and the possible selection of a general manager to succeed H. M. Richey who recently resigned to join Co-Operative Theatres of Michigan.

Schreiber Will Join Co-op of Michigan

DETROIT, Oct. 12.—Alex Schreiber, of the Associated Theatres Circuit, controlling seven houses in Detroit and in the state, this afternoon stated that his organization had made application for membership in Co-operative Theatres of Michigan. It is expected that the application will be approved at the board meeting of the booking and buying combine tomorrow.

Schreiber's action follows the recent sale of the Capitol by Associated to Ben and Lou Cohen, removing the last Associated house from competition with a Co-op situation.

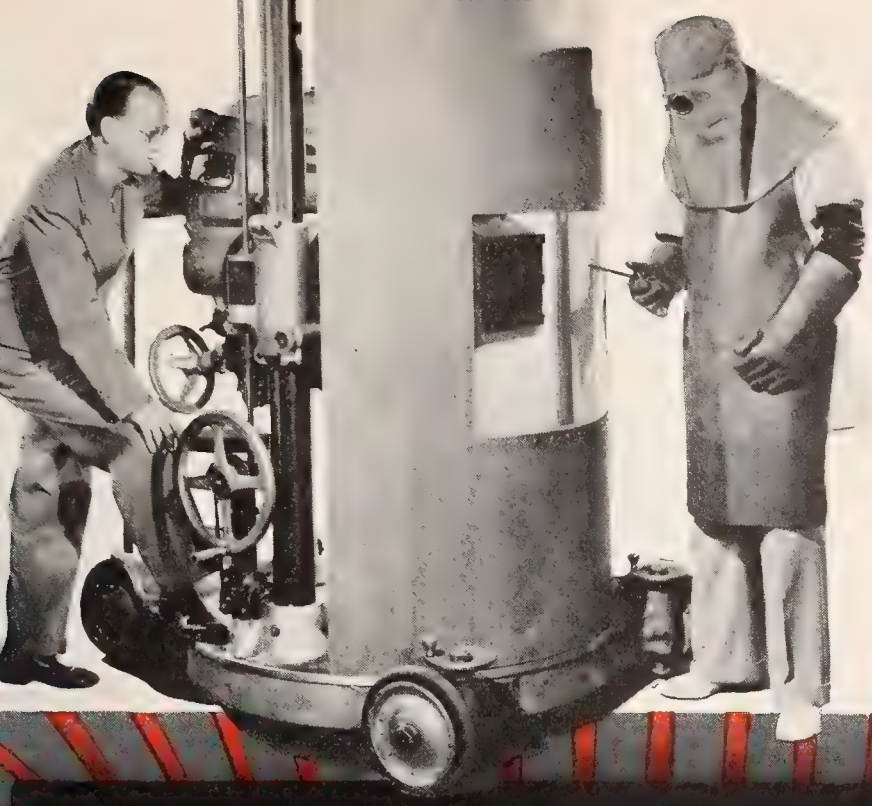
ITOA-Allied Group Will Convene Today

(*Continued from page* 1)

territory and efforts to unite both groups into one organization will be gone over from all angles.

Irving Dollinger, newly elected president of Allied of New Jersey, will head his committee which includes Louis Gold and Morris Marks. The I.T.O.A. group will be under the chairmanship of Maurice Fleischman, chairman of the unit's executive committee; Leon Rosenblatt, David Weinstock and Jimmy Binkov.

During the last years of the Theatre Owners Chamber of Commerce, of which Charles L. O'Reilly was president, Harry Brandt, head of the I.T.O.A., made several unsuccessful attempts to combine the membership. The T.O.C.C. has been dormant for the past three years, but still maintains an office in the Times Bldg. While O'Reilly now devotes most of his time to his candy vending business, he occasionally takes time off to lend his support to legislative issues affecting Greater New York exhibitors.



IT TOOK ONE WHOLE YEAR TO MAKE THIS AMAZING SHORT SUBJECT!

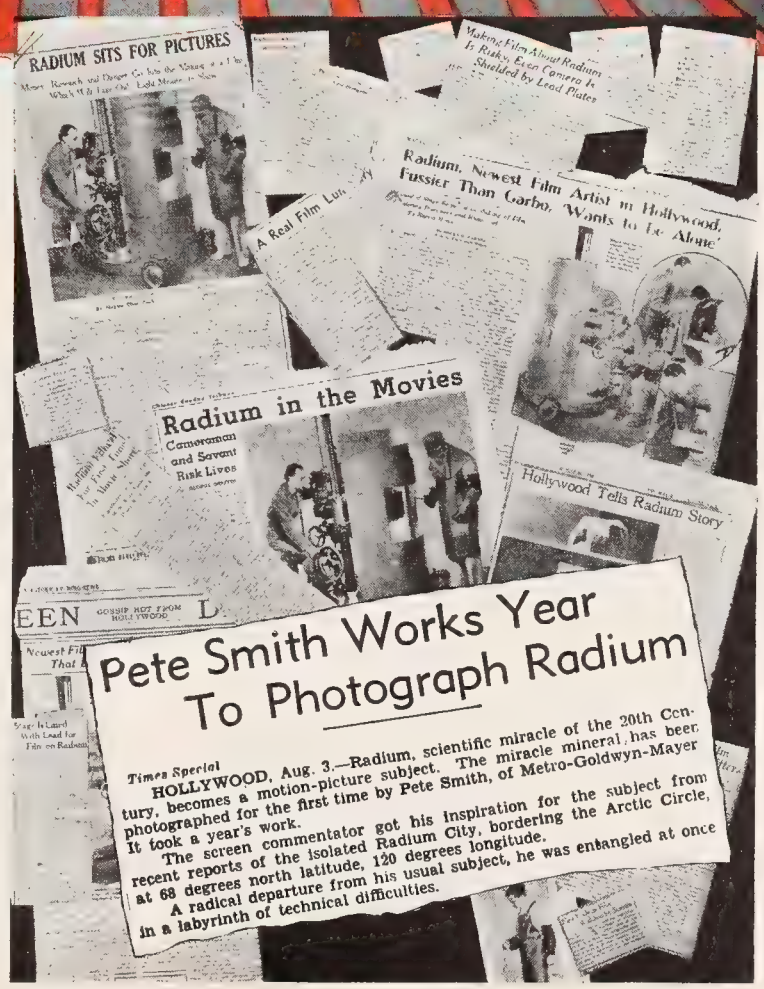
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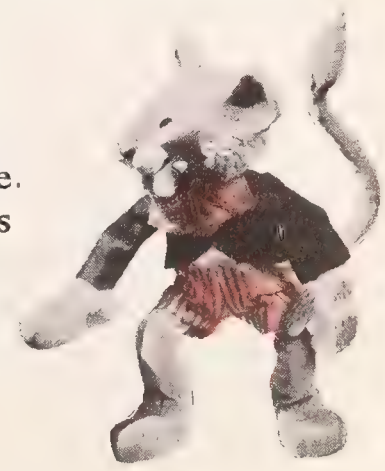
A NOTED THEATRE OPERATOR WRITES:

"Dear Mr. Pete Smith: For four years I have booked every short subject you have made and always in 'A' time. You are the best loved and most respected person on the screen today by men, women and children in big towns, little towns, first, second, third and subsequent runs and return engagements. One of the remarkable things about your work is that each subject invariably maintains your high standard. No other short subject series has such a record.

—Mrs. Besa Short,
Interstate Circuit of Texas"



Pages of Publicity precede its release. Leo, Jr., is on the job just like his pappy!



Report Japan Tried to Buy "U" Newsreel

(*Continued from page* 1)

Eastern general sales manager for United Artists, and later as Far Eastern manager for RKO. Lindstrom also said that he had approached officials of News of the Day and Movietone News on the same matter, but that they gave him no specific answer pending receipt of their clips.

He admitted to MOTION PICTURE DAILY that he has no official capacity in the Japanese Chamber of Commerce here, but said he had been requested to represent it in the attempt to purchase the Sino-Japanese war film. He declared that he "assumed" a cable from Japan to that country's Chamber of Commerce here led to his attempt to buy the material from Ford. The Chamber of Commerce office here could not be reached yesterday because of the holiday, and at the Japanese Consulate here it was said Lindstrom was not known.

Wanted Capture Scenes

Lindstrom, MOTION PICTURE DAILY learned, laid particular stress, in his conversation with Ford, on the desire of the interests he claimed to represent to obtain that portion of the film which recorded the capture of Japanese airmen by Chinese. It was generally believed, however, that since suppression appeared to be the ultimate purpose of the attempted purchase, the film record of the bombing of the Central Hospital was most ardently desired.

It is also known that Lindstrom, in his effort to persuade Ford to sell the film, made the point, rather by inference than directly, that perhaps it might be good business for Ford to sell, in view of the fact that if he did not, Japan might not welcome the activities of Universal's representatives in that country in the future.

Ford was unmoved by the arguments, reiterating his refusal to sell under any circumstances. Price was not mentioned specifically, but it was implied that it would be high.

Disavowed by the Embassy

WASHINGTON, Oct. 12.—The Japanese Embassy today disavowed all knowledge of Siegfried F. Lindstrom, officials stating that all officials of the Japanese Government and the Japanese Chamber of Commerce are Japanese.

Lindstrom is not an employe of the U. S. Bureau of Insular Affairs, as claimed by him in New York. However, officials of that bureau here explained today that there is a purchasing agency in the Whitehall Bldg., New York, which is more or less under War Department control and acts for the Philippine Government, the Dominican and Haitian receiverships and the Manila Railroad Co. and believed Lindstrom is, or has been, employed by the head of that agency, named Hershey. He does not draw pay from the Federal Government.

Charter 2 Fox Units

WILMINGTON, Oct. 12.—Fox Codahy Corp. and Fox World Theatre Corp. have been chartered at Dover, each listing capital of $1,000.

The Newsreel Parade

Movietone News

Vol. 20, No. 9

(20th Century-Fox)

Plenty of pictorial variety marks the latest issue of Movietone News, but the dramatic highlight is the final World Series game and three college football games. Screen credit goes to Tom Cummiskey for his supervision of the sport shots and he deserves it. They're really good, and Ed Thorgersen's running comment adds to their dramatic value.

The reel starts with a variety of shots of the *Endeavour I* nearing its home port of Gosport, England. They're well done. Shots of the Duke of Connaught reviewing troops follow—why, it's hard to say, unless the editors thought some British footage needed. The public's lively interest in the Duke and Duchess of Windsor visiting the Paris Exposition are timely in view of their approaching visit to this country.

At times Lew Lehr is very funny, at others he is just funny and on occasions he—well, he tries. In this reel his description of a wrestling match is a riot.

Vyvyan Donner's fashion shots have some beautiful models and sumptuous backgrounds to make them interesting for the male as well as the female customers. Talent scouts ought to take a look at these models from time to time.

As said before, the sport shots are excellent. It's getting so we'd rather watch football on the screen than on the gridiron. The supersensitive film and the smart cutting enable the spectator to see what is happening without suffering a chill.

Running time, 9 mins. J.

News of the Day

Vol. 9, No. 207

(M-G-M)

This might well be described as a sporting reel, since the major part of the footage is devoted to the World Series and various of the early college football games. The men will go for the reel in a big way, of course, and the women will probably enjoy the picture of the Connecticut woman who started to raise turkeys as a hobby and now has the largest privately-owned turkey farm in the world, with 60,000 gobblers. A farm hand sharpening an axe lends a timely note.

The arrival of the lost *Endeavour I* in England, the Paris shopping tour of the Duke and Duchess of Windsor and the wedding anniversary of Oscar of the Waldorf are the remaining clips. A bit more attention might have been paid to the final game of the series, the clip occupying but a minute.

The college game sequences afford action in plenty, featuring highlights of the games between Southern California-Ohio State, Notre Dame-Illinois and Princeton-Cornell.

Running time, 9 mins. A.

Paramount News

No. 20

(Paramount)

The usual series of clips with brief innings of the five World Series games and three pigskin set-tos highlighting the issue. The reel starts off with the rodeo show at the Madison Square Garden, then switches to Washington where Secretary Hull and Ambassador Norman Davis discuss the nine-power conference at the State Department. The return of *Endeavour I* to Gosport, Eng., after being at sea for 19 days, the Duke and Duchess of Windsor leaving Paris for Germany, preparatory to their departure next month for the U. S., and possible residences they may take during their sojourn here complete the international topics.

The trio of football games show U.S.C. defeating Ohio State at Los Angeles by a score of 13-12, Yale downing Penn at New Haven by 27-7, Cornell routing the Tigers with a tally of 20-7 at Princeton. Several of the major plays are caught by the camera and will surely provide a thrill for the home town boys.

Running time, 9 mins. O.

"Pathe News"

Vol. 9, No. 24

(RKO)

"Shall We Scuttle Neutrality?" is the lead off in the latest issue of the rooster reel. There is not very much to the topic. Secretary of State Hull is shown talking to the press. Frederic J. Libby, executive secretary of the National Council for the Prevention of War, in a talk, calls on the President to invoke the neutrality laws. C. N. Eichelberger, director of the League of Nations Ass'n, urges support of the President's policy to scuttle the neutrality legislation. Pro and con.

Clem McCarthy delivers his familiar comment while scenes of the World Series unreel. Vittorio Mussolini, besieged by the press in Washington, says "I don't know," "No comment" when he is asked how he likes American girls. The Duke and Duchess of Windsor are seen at the Paris Exposition. A Russian cyclist demonstrates a seagoing vehicle. The reel closes with shots of the scoring plays of the Princeton-Cornell football game last weekend.

The reel, outside of the humorous aspect of young Mussolini parrying reporters' questions, offers routine material. The sports are well filmed.

Running time, 8 mins. P.

Universal Newsreel

No. 605

(Universal)

A good variety of subjects with plenty of sports action contribute to the making of a diverting reel despite the absence of any spot news clips.

The sports subjects are outstanding for good photography and action shots and include the final World Series game, the Northwestern-Michigan game, the Yale-Pennsylvania and Cornell-Princeton games. In addition, there are some good action shots of the rodeo, current in New York, and the automobile speed trials at Bonneville, Utah. The return of *Endeavour I* to its home port in England after having been last for almost three weeks in the North Atlantic, shots of Vittorio Mussolini journeying eastward from Hollywood and a glimpse of Dannielle Darrieux, Universal's new European import, being welcomed in Hollywood, complete the issue.

Running time, 9 minutes. K.

Light Around Screen Topic Of the SMPE

(*Continued from page* 1)

entirely to various technical papers, divided into two groups. The morning period was occupied with the engineering practice session, and the afternoon with a lighting and studio session.

Last night the delegates attended a showing of historical sound pictures arranged by John E. Abbott, director of the Film Library of the Museum of Modern Art.

Lengthy List of Papers

The following papers were read yesterday, in addition to that of Schlanger:

"Air Conditioning with Lithium Chloride," by G. A. Kelley of the Surface Air Conditioning Corp., Toledo; "The Activated Alumina System as Applied to Air Conditioning and Drying Problems," by G. L. Simpson, Pittsburgh Lectrodryer Corp., Pittsburgh; "Die Castings and Their Application to Photographic Appliances," by J. C. Fox, Doehler Die Casting Co., Toledo; "The Use of Iconel for Photographic Film Processing Equipment, by G. L. Fox, International Nickel Co., New York; "Newer Types of Stainless Steel and Their Applications to Photographic Processing Equipment," by H. A. Smith, Republic Steel Corp., Massillon, O.; "Vacuum Tube Engineering for Motion Pictures," by L. C. Hollands and A. M. Glover, RCA Mfg. Co., Harrison, N. J.; "Spectral Distribution and Color Temperature of the Radian Energy from Carbon Arcs Used in the Motion Picture Industry," by F. T. Bowditch and A. C. Downes, National Carbon Co., Cleveland; "Recent Developments in Gaseous Discharge Lamps," by S. Dushman, General Electric Co., Schenectady, and "Light Control in Photography," by G. Mili, Westinghouse Electric & Mfg. Co., Bloomfield, N. J.

Full Program Today

The convention program for today is as follows:

Wednesday, Oct. 13

10:00 a.m. to 12:30 p.m.—Salle Moderne; Projection Practice Session, A. N. Goldsmith, Chairman.

"The Practice of Projection"; A. N. Goldsmith, New York.

"Grading Projectionists"; G. P. Barber, Government of the Province of Alberta, Edmonton, Alberta, Canada.

"Cooperation As the Keynote of Successful Small Town Projection"; T. P. Hover, Warner Ohio Theatre, Lima, O.

"A Discussion of Screen Image Dimensions"; F. H. Richardson, Quigley Publishing Co.

"New Approaches to the Presentation of the Motion Picture Theatre"; B. Schlanger, New York.

"Precision All-Metal Reflectors for Use with Projection Arcs"; C. E. Shultz, Heyer-Schultz, Inc., New York.

"Perforated Screens and Their Faults"; F. H. Richardson, Quigley Publishing Co.

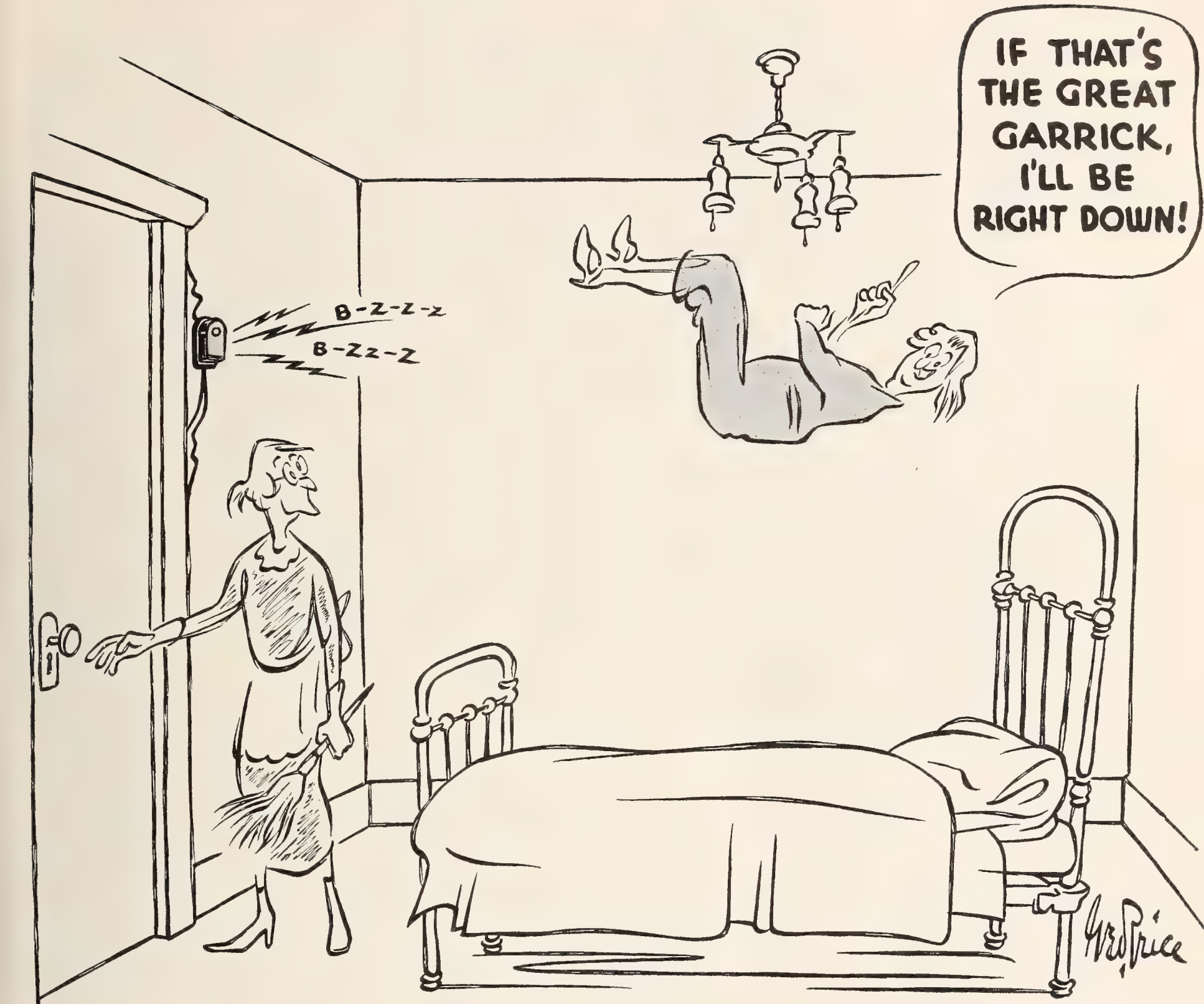
"Commercial 16-mm. Projection Faults"; C. L. Greene, Minneapolis.

2:00 p.m.—Open Afternoon.

7:30 p.m.—Salle Moderne; Semi-Annual Banquet.

Short addresses by eminent members of the industry; names to be announced later. Entertainment and Dancing.

Presentation of annual SMPE Progress Medal and Journal Awards.



BRIAN AHERNE
and
OLIVIA de HAVILLAND
in
"THE GREAT GARRICK"
with
EDW. EVERETT HORTON
MELVILLE COOPER • LIONEL ATWILL
Luis Alberni • Lana Turner • Marie Wilson • A James Whale
Production Personally Supervised by
MERVYN LEROY
A Play for the Screen by Ernst Vadja
A WARNER BROS. PICTURE

Purely Personal

MAURICE CONN is due back from the coast by plane on Thursday. He signed MARSHALL NEILAN as a director for Ambassador Pictures in Hollywood yesterday, and the latter's first assignment will probably be "Sweethearts in Springtime," which is ready to go before the cameras.

•

GEORGE M. COHAN will be guest of honor at a "Favorite Son" testimonial luncheon to be given by the Town Criers of Rhode Island at the Providence Biltmore Monday noon. COHAN opened at the Colonial, Boston, in "I'd Rather Be Right" on Monday.

•

WILLIAM LENGLE has arranged the sale to Warners of the picture rights to the biography of O. O. MCINTYRE, columnist, by CHARLES B. DRISCOLL, which will be published serially in *Cosmopolitan* and in book form.

•

DANA SUESSE, who has been associated with BILLY ROSE in the writing of material for several shows, has been signed by the Shuberts to do the script on the next "Ziegfeld Follies."

•

LOU IRWIN will leave Saturday by plane to visit his folks in New Orleans. From there he will go to Dallas and Fort Worth and then to the coast where he is due to arrive Oct. 20.

•

TOM CONNORS is due back at his office the latter part of the week. He is home resting after an appendicitis operation.

•

NAT LIEBESKIND, RKO's representative in the Argentine, Uruguay and Paraguay, sets sail for Buenos Aires the end of the month.

•

ETHEL MERMAN will arrive in Hollywood Oct. 21 to report at the 20th Century-Fox studios.

•

ARTHUR JARRETT has been signed by Universal and will report at the studios after appearances in Texas.

•

JACK SCHLAIFER is back from Chicago and all excited about the recent sales drive held in his honor by the U.A. western division sales force.

•

SOL EDWARDS, Grand National eastern division manager, left last night for a business trip to Detroit.

•

WILLIAM F. RODGERS, general sales manager of Loew's, is planning a coast trip in a week or so.

•

PERC WESTMORE, head of the Warner makeup department on the coast, is in town for a vacation.

•

LOUIS GOLDSTEIN, in charge for Columbia in Brazil, returns to Rio Nov. 6.

•

ROBERT MUSEL and MICHAEL RAYMOND have sold an original, "Emergency Squad," to Paramount.

•

HY KRAFFT is in town from Hollywood. He brought east a number of new plays.

•

EDWARD STEVENSON, RKO fashion expert, is in town for a vacation.

•

JOE SEIDELMAN is in London and will return shortly.

•

GEORGE J. SCHAEFER has returned from the coast.

•

KUBEC GLASMON'S "Nothing Down" has been acquired by Monogram.

•

MACK GORDON and HARRY REVEL will leave for the coast this week.

•

. . . Indianapolis

JOE BOOMER is manager of the new Indianapolis branch of the Goldberg Theatrical Supply Co.

MAX PAGE, former operator of the Strand in Paoli, Ind., is manager of the Daisy here.

CHARLES KREBS of the Fourth Ave. Amusement Co. has left for a trip abroad.

•

. . . Pittsburgh

KASPAR MONAHAN'S wife and children are home again after spending the summer in Denver.

JIMMY WALL, Ambridge theatre manager, has been named commander of the American Legion post there.

GOVERNOR HAROLD HOFFMAN has promised to be on hand for the Variety Club banquet Nov. 14.

HARRY KALMINE is celebrating his fifth anniversary as Warner zone manager here.

MORRIS FINKEL, independent exhibitor, and FLORENCE HABEGGER will be married Oct. 21.

Retaliation

Columbus, Oct. 12.—Because he believes the Thursday night M-G-M radio programs, scheduled to begin Nov. 4, will seriously interfere with theatre attendance, especially in those houses which do not play a full week, P. J. Wood, secretary of the Ohio I. T. O., is advising exhibitor members to play as many M-G-M percentage pictures as they can Thursday nights.

Wood has registered a protest in behalf of his organization with Nicholas M. Schenck.

Fleischer Strikers Reach Agreement

The strike of the Commercial Artists' & Designers' union at the Fleischer studio here was settled by agreement between the two parties yesterday after many weeks of negotiation.

Under the strike settlement the union waives its claim to represent the 16 animators employed by the studio, a stumbling block which tripped up several earlier attempts to settle the strike. The animators were opposed to having the union designated as their representative, due to the fact that they regarded their problems and work as entirely different from that of the other studio employes. Siding with the animators, Fleischer persistently refused to include them in any agreement with the union, but was at all times willing to recognize the union as the bargaining agent for the remainder of the employes.

Wage increases, working hours and vacation agreements and other benefits are included in the settlement of the strike which has been in progress since May.

Writer Defined at Hearing

HOLLYWOOD, Oct. 12.—Testimony to the effect that a screen writer is "anyone employed in a writing capacity by a studio or anyone not so employed but writing for the screen independently" was offered today by Brian Marlowe who took the stand at the close of the day's session held as a part of the Screen Writers' Guild's hearing before the National Labor Relations Board.

Lewis Milestone, acting president of the Screen Directors' Guild, asked the board to make no decision in the writers' case until arguments have been heard in the hearing for which the directors' organization has asked.

Francis J. Taney Dead

CINCINNATI, Oct. 12.—Francis J. Taney, 38, theatrical booker, died last night at the Good Samaritan Hospital after a long illness. He was said to have been the first man to book Paul Whiteman's orchestra. He had traveled as a booker for both NBC and CBS. He is survived by two brothers and three sisters.

J. W. Payton Dies

HOLLYWOOD, Oct. 12.—Joseph W. Payton, stage producer who came west for his health 12 years ago, died today in the Sunland Rest Home.

Robert Donaldson Passes

HOLLYWOOD, Oct. 12.—Robert Donaldson, 41, publicist and scenarist, was found dead here yesterday of heart failure. He had been employed for many years in studio publicity departments.

Hungarian Film Here

An all-Hungarian talking picture titled "Tommy," starring eight-year-old Gizi Pecsi, opens Oct. 15 at the Modern Playhouse here. The picture introduces another five-year-old child prodigy, Klari Adam. Danubia Pictures, Inc., is distributing the product.

Woman Manager in Hub

BOSTON, Oct. 12.—Boston has a woman for a theatre manager. Alice J. McCarthy this week was promoted to that position with the Boston Opera House.

Jersey Allied Sets Cruise for Nov. 30

Allied of New Jersey will sponsor its second cruise for industry members next month, with reservations now being made for the Nov. 30 sailing of the *Queen of Bermuda* from New York to Bermuda and Nassau. The ship will return to New York Dec. 7.

The Allied unit sponsored a similar cruise two years ago, which included several business meetings of the organization and its members aboard ship. This year's cruise, however, will be open to anyone connected with the industry, and to their guests and will not include any business sessions of the organization.

Capt. Jervey at Studios

HOLLYWOOD, Oct. 12.—Capt. W. W. Jervey of the U. S. Army Signal Corps has arrived here to begin his study of production in continuation of the cooperative training program carried on by the War Dep't and the Research Council of the Academy of M. P. Arts and Sciences.

Captain Richard T. Schlosberg, who completed this course of training last year, and Captain Charles S. Stodter, who was in Hollywood the previous year, are now engaged at the War Dep't studios in Washington.

Jewish Prod. First Out

Jewish Prod., Inc., has placed in release the first of six all-Jewish features, titled, "I Have Sinned." It is now in its second week at Radio Theatre in the Bronx and People's Cinema in Brooklyn. "Happy Paupers," the second feature of the schedule, will be released December 1. All of the pictures have English titles.

Although these first two were made in Poland, the remaining four may be made here, according to Julius Charnow of Jewish Prod., Inc.

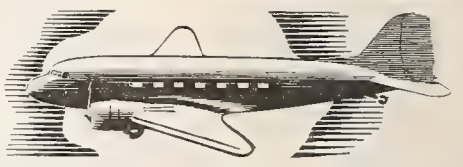
McBride Back to Coast

KANSAS CITY, Oct. 12.—C. E. McBride, who has been associated with Warners the past 13 years, is returning to the West Coast after having been here two months as office manager and city salesman. McBride, shifted from San Francisco, where he held a similar post with the company, is returning to that city for Universal, as office manager and head booker.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
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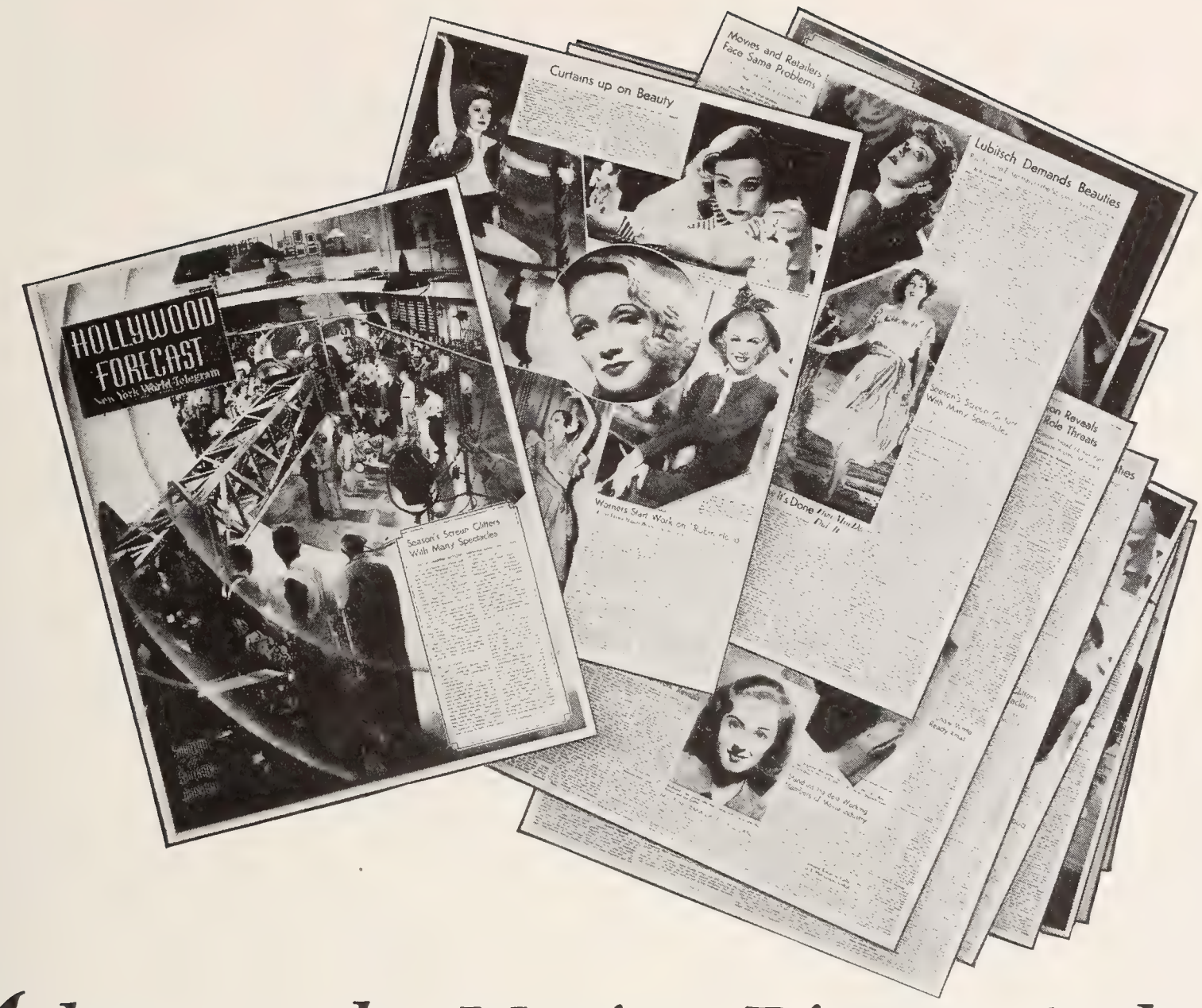


UNITED'S NEW SLEEPERS ARE REALLY DIFFERENT!

★ Only United limits its giant sleepers to 12 passengers, offers 2 separate dressing rooms and lavatories for men and women, and a courtesy lounge compartment for all passengers. Only United provides de luxe Skylounges during waking hours, sleepers at night.

TICKETS: United Offices, Travel Bureaus, Telegraph Offices

UNITED AIR LINES



A bow to the Motion Picture Industry

...from the SCRIPPS-HOWARD NEWSPAPERS

SCRIPPS-HOWARD takes pride in the 18-page Hollywood Forecast which appears in all 22 Scripps-Howard Newspapers, on Wednesday, October 13th.

We are deeply grateful for the whole-hearted coöperation of the great Moving Picture Producers who collaborated in making this Hollywood Forecast so lively, so authoritative, so timely.

This feature supplement is of vital interest to all who are associated with the Motion Picture Industry. But it holds even greater interest to the millions of picture fans who live in the 22 Scripps-Howard cities, from coast-to-coast.

The Scripps-Howard Newspapers wish Hollywood the success it so richly deserves, during the coming year.

SCRIPPS • HOWARD

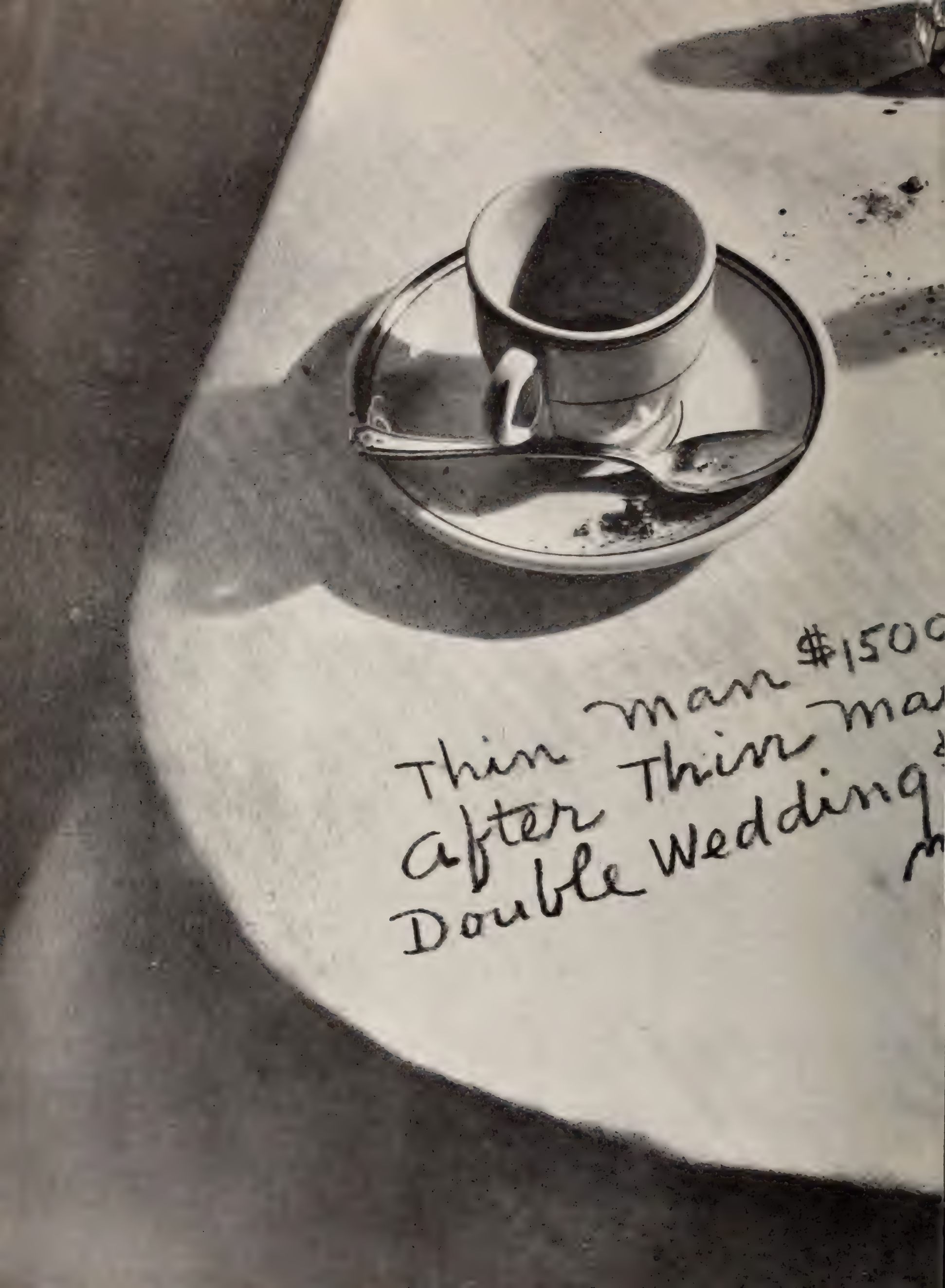
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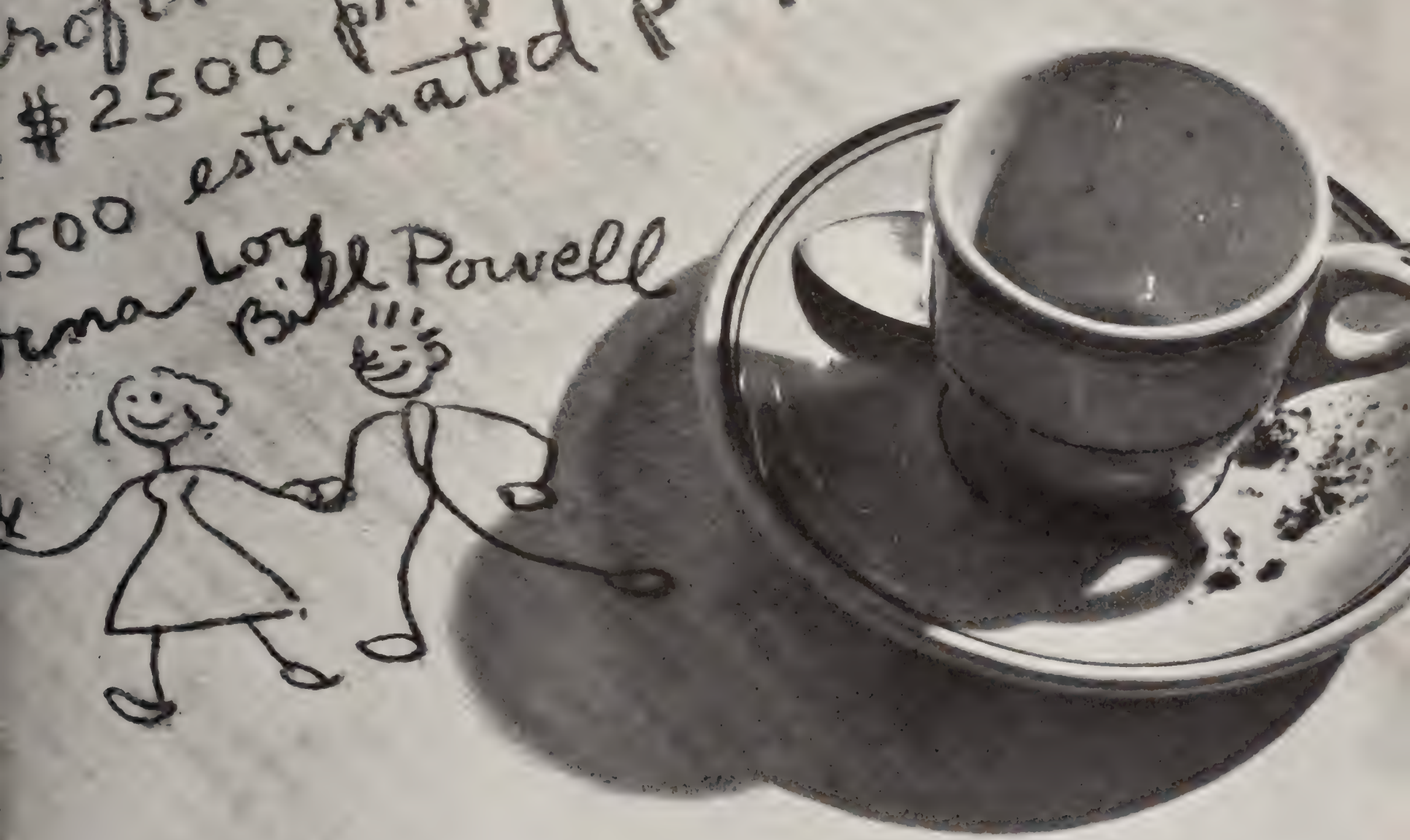
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$1500
Thin man #1
after Thin man
Double Wedding



profit
#2500 profit
500 estimated profit

Irma Loy
Bill Powell



"Small Town," Bowes Troupe Seattle Lead

SEATTLE, Oct. 12.—"Small Town Boy," helped by a Major Bowes unit called "Jamboree of 1937," turned in a strong $6,800 at the Palomar. This was the best showing of a quiet week.

At the Fifth Avenue "100 Men and a Girl," with "My Dear Miss Aldrich," pulled $7,800, over the line by $800. The show was moved to the Music Box.

Total first run business was $36,900. Average is $36,500.

Estimated takings for the week ending Oct. 3:

"THE WINDJAMMER" (RKO)
"DANCE, CHARLIE, DANCE" (F. N.)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,100. (Average, $4,000)

"100 MEN AND A GIRL" (Univ.)
"MY DEAR MISS ALDRICH"
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,800. (Average, $7,000)

"LOST HORIZON" (Col.)
LIBERTY—(1,800), 25c-30c-40c-55c, 7 days, 4th week. **Gross:** $5,200. (Average, $5,000)

"THIN ICE" (20th-Fox)
"ONE MILE FROM HEAVEN" (20th-Fox)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 4th week, extended run from Fifth Avenue. **Gross:** $3,150. (Average, $4,000)

"LOVE UNDER FIRE" (20th-Fox)
"MR. DODD TAKES THE AIR" (F. N.)
ORPHEUM—(2,450), 30c-40c-55c, 7 days. **Gross:** $5,150. (Average, $6,000)

"SMALL TOWN BOY" (G. N.)
PALOMAR—(1,500), 25c-40c, 7 days. Vaudeville headed by Major Bowes "Jamboree of 1937." **Gross:** $6,800. (Average, $4,500)

"THE PRISONER OF ZENDA" (U. A.)
PARAMOUNT—(3,050), 30c-40c-55c, 7 days, 2nd week. **Gross:** $5,700. (Average, $6,000)

Anti-Trust Ruling Up at Dallas Today

(*Continued from page* 1)

heard the discussions. It is understood that the film men will try to get a softening in the tone of the decree as it has been prepared by the district attorney's office.

Judge Atwell recently ruled the Interstate and several major distributors had been operating in violation of the Sherman anti-trust act in making contracts which regulated subsequent run admissions. A formal decree was not filed at the time, the judge allowing the interim for both sides to try for an agreement as to the form of the decree.

Defendant distributors have indicated they will not appeal the decision if they are able to agree with the Government on the form of the decree.

Conn Sets Sales Deals

Louis (Pop) Korson and Ed Boreth, operating Masterpiece Film Attractions, will distribute Ambassador's list of 16 features in the Philadelphia and Washington territories under a deal just closed with Maurice Conn of Ambassador.

McMurdy Made Manager

KANSAS CITY, Oct. 12.—Glen W. Dickinson has named Howard McMurdy as manager of the Dickinson, Ellsworth, Kan. McMurdy succeeds Ed Smith.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Texas Trail"

(*Sherman-Paramount*)

HOLLYWOOD, Oct. 12.—"Texas Trail" is a Hopalong Cassidy story. William Boyd, George Hayes, Russell Hayden and Billy King, who may be a possible permanent addition to that group, are in it. The photographer has not been negligent of scenic beauties. "Texas Trail" is an outdoor, action and adventure entertainment. Practically everything that happens is standard. One alteration is made, horses rather than steers—cows to most people—are the central figures in the exciting episodes. This is not entirely unique, inasmuch as horses have replaced cows many times before.

"Texas Trail" was made for a market. The people who patronize that market know what they are going to get. Harry Sherman, the producer, has seen to it that they will not be disappointed. He has given them what they expect and in so doing has decked it up with a little novelty. The United States Army when it was warring with Spain needed horses. Hopalong (William Boyd) and his aides were assigned to procure them. For devious reasons, all of which make understandable entertainment, rustlers, headed by Alexander Cross, prevent delivery of the steeds. But a girl, Judith Allen, and the boy, King, help Boyd to accomplish his mission.

The film may not be as good as some of the other Hopalongs, but it still is interesting and entertaining. Where people don't go to the trouble of analyzing everything as to whether it is right or wrong, but are content to be entertained in a way that westerns are expected to entertain, this should satisfy.

Running time, 63 minutes.

"She Loved a Fireman"

(*First National*)

HOLLYWOOD, Oct. 12.—Good stuff very often comes in small packages. And despite its rather 10-20-30-cent sounding title, "She Loved a Fireman" is entertainment of more than expected merit and a picture which contains considerable exploitation material.

Naturally the film concentrates on action; that's a part of the personal doings of the cast as well as a feature of production. It also tells a human interest love story. A secondary film, it also appears to be, judging from preview audience reaction, a show that should interest the entire family.

Dick Foran, who thinks pretty well of himself, joins the fire department. He 's not amenable to discipline until Captain Robert Armstrong beats him up. The enmity between the two is not softened when Foran falls in love with Armstrong's sister, Ann Nagel. But the feud is brought to a happy ending when, after the trucks roll and shriek, Foran saves Armstrong's life during a fire.

Besides turning in a good acting job, along with Armstrong and Miss Nagel, Foran also sings one romantic number in pleasing manner. The capable supporting cast, which includes Veda Ann Borg, May Beattie, Eddie Chandler, Lane Chandler, Ted Oliver and Pat Flaherty, features Eddie Acuff in a role which, while essentially comic, also wins him considerable audience sympathy.

The original screenplay by Carlton Sand and Morton Grant is coherent and fast-moving. John Farrow's direction keeps something doing on the screen all the time.

Running time, 56 minutes. "G."

Finished in Rome

ROME, Oct. 12.—Maria Gambarelli has just finished a role in "Dr. Antonio," the first picture to be made at Cinema City studios, just outside this city. Mander Films is the producer. The dancing star will sail Oct. 21 on the *Conte de Savoia* for New York, arriving there Oct. 27. After a vacation in the United States, she will return here for a second film.

Drop Dayton RKO Shows

DAYTON, Oct. 12.—The RKO Colonial, which adopted a policy of stage shows and pictures less than two months ago, will revert to straight films after this week. Attendance is not justifying continuance of the combination policy.

English Unions Combine

LONDON, Oct. 2.—The Ass'n of Cine-Technicians and the National Ass'n of Theatrical and Kine Employes, already associated in a Joint Consultative Committee, have formed a permanent joint organization to be known as the Film Industry Employes' Council. Other trade unions will be invited to join, with the object of establishing 100 per cent unionization of British studios. Action will also be taken in regard to the pending quota legislation.

Charles Repec Recovering

BOSTON, Oct. 12.—Charles Repec, head of the Boston Cinema Club, is recovering from an automobile accident. He still has a limp.

Short Subjects

"Screen Snapshots, No. 12"

(*Columbia*)

A brief tour of the highlights of Hollywood is offered in this number. The various rendezvous of film folk for publicity, recreation and other purposes are pictured with a number of players taking part in the presentation. It is a good reel for the fans. Running time, 10 mins. "G."

"The Football Toucher-Downer"

(*Fleischer-Paramount*)

Popeye is trying to feed Sweepea spinach. The infant refuses to eat. Popeye then tells about his boyhood as a football player. The action that follows is the usual, reliable stuff that is replete with plenty of highly imaginative drawings and laughs. Good. Running time, 7 mins. "G."

"Roping 'Em Alive"

(*Vitaphone*)

Starting with scenes of members of the Masawi tribe in Africa, this short goes on to the Malay States where a baby elephant and a python are captured with lariats. There is nothing much to it but the scenes of the roping may prove exciting though they seem phoney. Running time, 10 mins. "G."

"The New Deal Show"

(*Fleischer-Paramount*)

Betty Boop holds a pet show. The *piece de resistance* is a stage show where the latest comforts for the various animals and fish are shown. What ensues is clever stuff well drawn. The finale has Betty and her four-legged assistants "truckin'" off the boards. It is good. Running time, 7 mins. "G."

"The Inventor"

(*Paramount*)

A baffler that eventually turns out to be hilarious comedy. It is a take off on the queer patents cycle. The screwy patents are demonstrated by a phony professor who eventually is shown to be an inmate of a nuthouse. His convincing lines will build the audience up for the climax which they will no doubt find laughable. Running time, 11 mins. "G."

"The Star Reporter in Hollywood No. 2"

(*Paramount*)

Ted Husing as commentator serves to introduce a cowboy singing group, David Holt in a song and dance routine and Louis Prima's music. Husing's narration is interesting and the acts are pleasant enough. Running time, 11 mins. "G."

"Rooftop Frolics"

(*Columbia*)

A fairly entertaining musical with a number of effectively performed acts. It is set on a rooftop and there is music, singing, dancing and much atmosphere. It will please. Running time, 11 mins. "G."

Going, Going GREAT!

You make a high bid for public favor when to one fine feature you add the fun of these Showmanship Shorts.



BUSTER WEST and TOM PATRICOLA in "GOING, GOING, GONE!"

Every bid's a laugh at their wild auction sale



JEFFERSON MACHAMER and his "Gags and Gals" in "SILLY NIGHT"

Mad with goofy gags...sparkling with beautiful models



WILLIE HOWARD in "THE SMART WAY"

There's no smarter way to go after big laughs than with Willie Howard.



"THE BIG APPLE" with the ARTHUR MURRAY "SHAG" DANCERS

The season's biggest exploitation natural in short subjects



FARMER AL FALFA in "THE DANCING BEAR"

TERRY TOONS

Notable among a series of cartoons packed with action and laughs

Educational Pictures

"THE SPICE OF THE PROGRAM"

Reg. U. S. Pat. Off

Distributed in U.S.A. by 20th CENTURY-FOX FILM CORPORATION

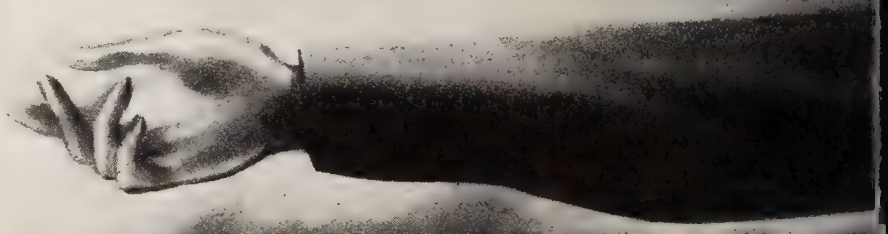
Presented by

E. W. HAMMONS

A Heart-Tugging M
Your Audiences W
Faith Baldwin's
PORTIA on



Only a woman could have writ-
ten this gripping, dramatic story
of all women — on trial. Only a
cast such as this could have
brought it to the screen in all its
powerful frankness.



with **WALTER ABEL**
FRIEDA INESCORT
NEIL HAMILTON • HEATHER ANGEL
RUTH DONNELLY • BARBARA PEPPER
Directed by George Nicholls, Jr.
Screen Play by Samuel Ornitz • Adaptation and additional dialogue by E. E. Paramore, Jr. • Original story by Faith Baldwin
Associate producer, Albert E. Levoy

other-and-Son Story

ll Never Forget!

TRIAL



A *Republic* PICTURE

New Shows On the Air

"The Lamplighter"

Jacob Tarshish, known to WOR listeners as "The Lamplighter," returned to that station Sunday with his informative and philosophical discussions of the world and its people.

He choose as his opening topic religious tolerance. Beginning with a review of the Black- Ku-Klux-Klan affair, he quickly dropped personalities to speak generally about human brotherhood and of how unfortunately little tolerance is practiced. Epitomizing his sermon, he told of the Irish woman who wandered into a synagogue and sat down to pray. The Rabbi approached her and sympathetical suggested that perhaps she had mistaken the synagogue for a Catholic church. But the woman had not erred. "Surely," she said, "I can find God here, too."

Tarshish, in our book, rates as one of the most enjoyable speakers in radio, not only because his talks usually are far superior in subject matter and interpretation to those of his colleagues, but because he speaks simply and without affectation. He is presented Sundays from 7:45 to 8 P. M. North American Accident & Health Insurance Co. sponsors. BANNER

FCC Clears Rule on Identifying Station

WASHINGTON, Oct. 12.—The F. C. C., moving to secure uniformity in the making of station identification, today made public an interpretation of its regulations under which call letters are to be announced as near the hour and half-hour as possible. During variety show programs, baseball broadcasts, etc., of an hour or more in duration, a leeway of five minutes before and after the hour or half hour will be given.

P. & G. Sign with WBNX

Procter & Gamble have placed one-minute daily announcements over WBNX. The Compton Advertising Agency handled the deal. The Maryland Pharmaceutical Co. has signed for 30-second spot announcements on the same station for Rem and Rel in five languages.

Parker, Carrillo on "Hotel"

Jean Parker and Leo Carrillo will offer a radio preview of "The Barrier" on the "Hollywood Hotel"-CBS spot on Oct. 22.

"Album's" 7th Year

The "American Album of Familiar Music" begins its seventh year on the air Oct. 17. The series features Frank Munn, Jean Dickenson and Gus Haenschen's orchestra. The first of its seventh year broadcasts will be offered this Sunday, from 9:30 to 10 P. M. on the NBC-Blue. It is a Blackett-Sample-Hummert program.

Departmentalization Voted By NAB; Dues Boosted 50%

NAB members strengthened and drastically reorganized their association at the special convention at the Waldorf-Astoria yesterday by adoption of a series of resolutions providing for the departmentalization of special interest groups, and also voted an increase of 50 per cent in dues to carry out the program. The dues are to be paid by member stations on the basis of their highest quarter-hour rates bi-monthly instead of quarterly, and will increase the NAB's income from approximately $80,000 to $120,000.

The resolutions for this program were introduced by Ed Craig of WSM, Nashville, and were adopted by acclamation of those in attendance, approximately 300 in number.

The committee which will act on the reorganization comprises Mark Ethridge, WHAS, Louisville, chairman; Ed Allen, WLVA, Lynchburgh, Va.; Ed Craney, KIBW, Butte, Mont.; Walter J. Damm, WTMJ, Milwaukee, Wis., and John Shepard 3d, of the Yankee and Colonial networks.

Usefulness Broadened

With the departmentalization of the NAB, the organization will be enabled for the first time to serve the divergent groups within its body, such as network affiliates, non-network affiliates, clear channel stations, and regional and local groups.

Also adopted by acclamation was a resolution to reorganize the Bureau of Copyrights of the NAB, and it will henceforth function as a separate and private enterprise. The NAB, however, will continue its stock ownership in the bureau.

The problem which led to the reorganization and the calling of the special convention was introduced to the body at the afternoon session when Lloyd Thomas, of WROK, Rockford, Ill., asked the NAB to provide its advice, assistance, counsel and cooperation to the unaffiliated independent stations in their dealings with the A. F. of M. Up to this point the discussions had centered solely on the negotiations between the network affiliates and the Musicians Federation. The Thomas resolution was adopted, but not before much debate had centered about the subject of non-affiliates versus the affiliates.

Ike Levy Criticises

Ike Levy, fire-brand owner of WCAU, Philadelphia, created great excitement when he declared the NAB an ineffectual organization. Levy, who resigned from the NAB two years ago, predicted wholesale resignations of other members in the future.

Levy reviewed the NAB's tardily-handled negotiations with ASCAP, which, he said, enabled ASCAP to dictate its own terms to the NAB "and made you like it." He said he considered the A. F. M. demands as fair ones, warned that Weber was not to be toyed with and urged the broadcasters to come to terms with the Federation without further delay. He declined invitations to return to the NAB as a member.

Two resolutions, both of which urged the NAB to cooperate with any proposed Federal investigation of the industry were offered by Ed Craney and Lloyd Thomas. Both resolutions were referred to the board of directors for further action.

A resolution introduced by Harold Hough of WBAP, Fort Worth, Tex., provided that the standard yardstick of the measurement of broadcast business in the future be computed and published in the terms of unit hours instead of gross dollars. It also asked that representation be made to NBC and CBS and Mutual to follow this same practice. The resolution was adopted.

By resolution the NAB also recommended that five divisions be created to handle administrative, legal, economic, engineering problems, and one to disseminate general information about the industry.

Non-network affiliates, at the close of the regular NAB session, met to consider their own problems with the musicians and to select a committee to consult with the NAB on procedure. This committee comprises Howard Loeb, WFDF, Flint, Mich.; H. B. McNaughton, WTBO, Cumberland, Md.; Gregory Gentling, KROC, Rochester, Minn.; S. Schultz, WLAW, Lawrence, Mass., and NAB President John Elmer, who operates WCBM, Baltimore.

The NAB special convention will reconvene again this morning.

Music Labor Group Active in Chicago

CHICAGO, Oct. 12.—The Chicago Musicians Union today defied the C. I. O. and the A. F. of M. by mapping plans for further organization of production men in radio.

James C. Petrillo, head of the musicians' union here, caused a tremendous stir in local labor circles with the revelation that his union had secretly organized radio announcers, producers and sound effect men. During the past week, Petrillo revealed, his union has conducted secret negotiations with the local studios of CBS, and has received a 20 per cent increase in pay for the new members, already effective.

WHN Adds New Accounts

The Archcraft Shoe Shop and the Clark Shoe Co. have signed contracts with WHN for spot announcements. The former is for 26 weeks and the latter for 13 weeks. Other new business signed by the station is a renewal of "Alias Jimmy Valentine" by Larus & Bros., for Edgeworth and Domino cigarettes. The Pinex Co. has signed for a second program, "Merrymakers," which is fed to WHN from WLW in Cincinnati every Saturday from 7 to 7:30 P. M.

Minstrels Time Changed

The NBC Minstrels will be heard from 9:30 to 10 P. M. tonight over the Blue instead of from 10:30 to 11 P. M.

KYOS Celebrates Today

MERCED, Cal., Oct. 12.—KYOS, local station operated by the Merced Star Publishing Co., will celebrate its first anniversary tomorrow.

Radio Problem To Be Argued By Kuykendall

(*Continued from page* 1)

ances annually. It was necessary, he said, for exhibitors and producers to cooperate to safeguard against players thus destroying their own billing value as well as product carrying a studio and theatre investment.

Kuykendall expressed optimism over the prospect of working out a satisfactory means of handling the problem.

Commenting on a statement in MOTION PICTURE DAILY Oct. 11 that his bulletin setting forth that there has been "no marked expansion on the part of affiliated circuits in the past seven years" is at variance with an official report supplied by Paramount, Kuykendall said 400 houses represented as Paramount acquisitions during the past three years had been in point of all except formal declaration Paramount affiliates of long standing.

Describing the status of his visit

Example from Memory

here, he recalled his father's advice on the settlement of a fence dispute in the south during his boyhood. His parent pointed out that the disputants could accomplish nothing by standing 400 yards apart with the fence in the center, but could find their mutual interests as a basis for agreement by moving down to the contested line and chatting across the fence. He said he held no magic wand and has no cure-all. He has come down to the fence, he said, to talk common sense.

About 20 telephone calls he received during the half-hour interview with a DAILY reporter indicated plenty of Hollywoodsmen want to hear him do it.

WNEW Gets Two Accounts

Michael's Department Store is sponsoring "News for Everyone," new program on WNEW for 11 weeks. The Schillin Advertising Corp. handled the deal. Also on the same station Sulophen has contracted for sponsorship of "Make Believe Ballroom" for 13 weeks beginning Oct. 18 through Robert & Reiners, Inc.

"Another Racket" on WOR

"Another Racket," new program on WOR sponsored by the Better Business Bureau, will be heard on Sunday, Oct. 17, from 12:45 to 1 P. M. instead of from 9:45 to 10 P. M. as previously scheduled.

WHN-NBC in Pact

WHN, which recently expanded the scope of its program activities by becoming a member of the WLW Line, has entered into a pact with NBC, it is learned, and, effective shortly, the Loew station will broadcast commercial programs simultaneously with NBC, with the network feeding WHN. Full details of the pact will be revealed soon.

UNIVERSAL NEWSREEL AGAIN!

REMEMBER THE SHANGHAI BOMBING! HERE'S AN EVEN GREATER FOLLOW-UP! THE MOST ASTOUNDING THRILL-SHOTS OF THE CHINA-JAPAN WAR!

BOMBING OF NANKING!

[RELEASED TO-DAY!]

SEE A bomb falling smash into the camera's eye!

SEE Madame Chiang Kai-Shek and Chinese dignitaries caught in a rain of bombs while visiting Nanking hospital!

SEE Universal Newsreel Cameraman's car blown to bits!

SEE Jap planes shot down and pilots taken prisoner!

SEE Civilians rush for bomb-proof shelters ! ! !

PHOTOGRAPHED BY GEORGE KRAINUKOV

Produced by CHARLES E. FORD



UNIVERSAL NEWSREEL—The talk of the industry!



GB

Canada Distributors
Empire Films, Ltd.

Jessie MATTHEWS

The Number One Girl of the Box-Office
Lovelier, More Entrancing Than Ever

with

Nat Pendleton • Barry Mackay

Noel Madison

Directed by SONNIE HALE • Music & Lyrics by Sam Lerner, Al Goodhart, Al Hoffman

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 89 NEW YORK, THURSDAY, OCTOBER 14, 1937 TEN CENTS

SMPE Hits at Academy Plan For Apertures

Claims $1,000,000 Cost Can Be Avoided

The Society of M. P. Engineers, in the course of the third day of the semi-annual convention at the Hotel Pennsylvania, heard the Projection Practice Committee, of which H. Rubin is chairman, take sharp issue with the Academy of M. P. Arts and Sciences' Technical Branch, on the matter of a change in projection practice.

The S. M. P. E. committee charged that the change suggested by the Academy would cost exhibitors of the country approximately $1,000,000, whereas the methods to overcome the situation recommended by the committee would involve virtually no cost.

The committee, in considering the problem whereby essential action photographed upon the film is often cut off from the screen during projection in the theatre, recommended that the cameramen draw upon their view finders hairline rectangles to be used as guides or danger signals in composing their scenes.

The Academy's recommendation

(*Continued on page 6*)

Expect No Move on Educational Films

No action on the arrangements for distributing the film classified by the M. P. P. D. A. educational committee as suitable for school use is expected at the quarterly meeting of the board of directors of the Hays association today.

The committee's report will go to the board without recommendations as to distribution methods, it was ascertained yesterday, as will the separate report of the committee of educators who reviewed the more than

(*Continued on page 6*)

Biophone-A. T. & T. Action Now Settled

A stipulation settling and discontinuing the $15,000,000 anti-trust suit of the Biophone Corp. against A. T. & T. and Western Electric was filed by both sides in the U. S. District Court yesterday.

Biophone sued for triple damages for alleged violation of the Sherman

(*Continued on page 3*)

Radio—Page 9

Japanese Admits Effort to Obtain Newsreel War Film

By CHARLES S. AARONSON

(*Copyright, 1937, Quigley Publishing Company*)

George Yamaoka, attorney, of 120 Broadway, who is a director of the Japanese Chamber of Commerce in New York, admitted to MOTION PICTURE DAILY yesterday that he had asked Siegfried F. Lindstrom to approach Universal and other newsreel companies with reference to the reels' latest film material recording the bombing of Nanking, including the air raid on the Central (Chinese) Hospital, in the undeclared Sino-Japanese war.

MOTION PICTURE DAILY yesterday exclusively revealed that efforts to obtain the clips were made by Lindstrom, who had stated he was acting on behalf of the Japanese Chamber of Commerce.

Yamaoka declared that Lindstrom had been requested by him not to purchase the negative of the newsreel material, which reached New York by plane yesterday, but to obtain copies of the reel, if possible.

Yamaoka was asked the purpose for which the Japanese Chamber of Commerce wanted the film, or copies

(*Continued on page 6*)

Moves to End Prizes Make No Progress

Little response has been shown by major circuits and independent exhibitors not affiliated with the I.T.O.A. in signing of pledges to eliminate games in the Greater New York territory, it was stated yesterday.

Several exhibitors in the outlying districts have signed the pledge, it was said, but no definite action has been forthcoming from Loew's, RKO and Skouras, and important independent circuits.

Nate J. Blumberg, operating head of RKO, has sent a letter to the independent organization stating he was in favor of the move. C. C. Moskowitz of Loew's has received a letter from the I.T.O.A. asking for his reaction. Moskowitz also is in sympathy with the plan to drop games and giveaways and is expected to answer the letter in a few days.

Last year, Loew's, RKO, Skouras and Century circuits abandoned gifts and games in the hope that competing independent theatres would follow. Independent exhibitors refused to drop the practice with the I.T.O.A. demanding that major circuit houses increase prices.

Having initiated the move last year,

(*Continued on page 6*)

ITOA-Allied Favor Cooperative Moves

Committees of the I. T. O. A. and Allied of New Jersey met yesterday at the Astor to discuss plans for merging the organizations. No formal action was taken, but the groups recommended a proposal to cooperate on vital problems affecting exhibitor members.

Both committees will report to their

(*Continued on page 6*)

Branch Named Head Of Michigan Allied

DETROIT, Oct. 13.—Ray Branch, who previously had held the office four years, was elected president of Allied of Michigan this afternoon in a whirlwind business session that lasted only three hours. W. G. Thich of Marshall was named vice-president and Edgar E. Kirchner of Detroit, secretary-treasurer.

Reflecting the new out-state complexion of the organization, which lost a considerable number of houses when they resigned recently to become affiliated with Co-Operative Theatres of Michigan, local booking and buying combine, eight of the new directors are out-state exhibitors, while one Detroiter, William Schulte, also controls several state theatres.

The new board is composed of Glenn Cross, Battle Creek, C. R. Beechler, Charlotte; P. C. Schram, Kalamazoo; W. A. Cassidy, Midland; Charles Kingsbury, Morenci; Schulte,

(*Continued on page 6*)

Schlesinger to Help With W. B. Booking

Leonard Schlesinger, transferred by the Warner theatre department from Philadelphia to New York to relieve Joseph Bernhard, general manager of the circuit, of detail will devote much of his time to booking. This will tie him in with Clayton Bond, chief film buyer for the chain.

PHILADELPHIA, Oct. 13.—Jack Flynn, former Warner theatre district

(*Continued on page 6*)

Dallas Decree Allows Use of Old Contracts

Bars Concerted Action By Distributors

DALLAS, Oct. 13.—Distributors will continue to have the right to enter into contracts for exclusive runs with exhibitors, to designate admission prices and establish the clearance period for subsequent runs so long as the contracts are not the result of agreements by understanding or conspiracy, according to the terms of the decree and judgment which were entered in Federal court here today in the Government action against the Interstate Circuit and major distributors.

Indications are that the defendants are satisfied with the findings of the contracts' legality when conspiracy is not involved in their use and will not appeal from Judge Atwell's decision.

The court ruled that the decree "does not affect the right to contract between distributors and exhibitors. The right of the owner of a copyright to contract for exclusive run with the exhibitor and asking him to charge 40 cents a seat is not denied so long as they not conspire or have a common understanding. He may even fix the time of clearance for subsequent

(*Continued on page 3*)

Balaban Ordered to Tell of Zukor Pact

Barney Balaban, Paramount president, yesterday was ordered by Justice William T. Collins in the N. Y. Supreme Court to appear for examination before trial on Oct. 21 in connection with the suit brought by Ella Hayim, minority stockholder, against Paramount, Adolph Zukor and 21 other directors of Paramount.

The suit seeks to void the contract

(*Continued on page 3*)

Dunphy Made Zukor Aide at Paramount

HOLLYWOOD, Oct. 13.—Under a reorganization of the Paramount publicity department Christopher Dunphy will become production assistant to Adolph Zukor. Dunphy is now in New York awaiting Zukor's return from Europe.

Terry De Lapp and Cliff Lewis, assistants to Dunphy, will split command of the studio publicity and advertising departments, respectively.

Dunphy succeeds Ted Lesser, who resigned recently.

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Equity Moves Seek To Retain Dullzell

Efforts will be made to induce Paul Dullzell, executive secretary and treasurer of Actors Equity Ass'n, to reconsider his resignation from those posts as of next Jan. 1, an Equity spokesman said yesterday. Frank Gillmore, whose executive duties as Equity president, were taken over by Dullzell recently, is expected to head the movement to obtain a withdrawal of the resignation on his return from the A. F. of L. convention at Denver in the next few days.

Edith L. Christianson, former assistant state secretary of labor in Pennsylvania, has been named by the Equity council to succeed Mrs. Dorothy Bryant, whose resignation as executive secretary of Chorus Equity Ass'n will become effective Nov. 1.

U. A. Circuit to Report

The annual fiscal report for United Artists Theatre Circuit, Inc., for the year ended Sept. 1, will be ready early in December, according to an executive of the circuit. No directors' meeting will be held until the accountants complete the report, it was added.

Purely Personal

ABE MONTAGUE and RUBE JACKTER will leave for Chicago today for the Columbia regional sales meet which will take place Sunday at the Drake. JOE MCCONVILLE, LOU ASTOR, MAX WEISFELDT, HANK C. KAUFMAN, GEORGE JOSEPHS and MILTON HANNOCK will depart tomorrow.

•

RAY VENTURA, French orchestra leader, sails on the *Normandie* tomorrow and so today Inter-Continental Prod., Inc., will be his host at a cocktail party at the Waldorf.

•

ANNABELLA, new 20th Century-Fox star, arrives on the *Normandie* today. Tomorrow she will be given a cocktail party by her producer at the Waldorf.

•

MAX REINHARDT gets in on the *Normandie* today. He will stay here a few days before going to the coast to produce "The Gamblers" for Warners.

•

J. CHEEVER COWDIN and WILLARD MCKAY have again postponed their departure from the coast and are now expected to arrive here by plane on Saturday.

•

BERNARD WALDMAN of *Modern Merchandising* will leave for Hollywood today by plane. He plans to be gone 10 days.

•

NICHOLAS M. SCHENCK hasn't set his departure for the coast yet, but it will probably be within the next two weeks.

•

HERMAN RIFKIN, Republic franchise holder in Boston, returned to the Hub yesterday after a short stay here.

•

BRIAN AHERNE is in town from the coast by way of Pennsylvania where he "pancaked" while flying his 'plane east.

•

HERBERT J. YATES is due back from the coast the end of the week, but will report at his office Monday.

•

ARTHUR W. KELLY will return home from the hospital today, recovered from a mastoid operation.

•

RUTH HELEN WILK, daughter of JAKE and Mrs. WILK, is the bride of MARVIN MATTHEW NOTKINS.

•

ARTHUR GREENBLATT, eastern division manager for G.B., left last night for Cincinnati and Cleveland.

•

PHIL REISMAN will arrive on the *Ile de France* Oct. 26. He's been abroad several months.

•

BILL BARNETT has returned from a six-week trip to Europe and on the Continent.

•

CHARLIE EINFELD will be in California for another month, at least.

•

HILLER INIS of Paramount will fly to Columbus today.

•

LUISE RAINER will take a plane to the coast today.

•

DAVE RUBINOFF is in from the coast.

Enforce Curfew

East Liverpool, O., Oct. 13.—Police have joined here in enforcing a new curfew law to bar children from theatres after 9 P.M.—Friday and Saturday night excepted—unless accompanied by their parents.

"Zola" Gets $15,000 In Its Seventh Week

"The Life of Emile Zola" is still holding up strong at the Hollywood where the eighth week finished with approximately $15,000 on a two-a-day policy. The Paramount on the third and last week of "High, Wide and Handsome" garnered about $29,000, which is $9,000 under the previous stanza. "Life of the Party" at the Rivoli ended a seven-day run with about $11,200.

The third week of "The Good Earth" at the Capitol ended last night with $27,000. "It Happened in Hollywood" took in about $7,500 at the Rialto.

"Stage Door" was expected to finish its first week at the Music Hall last night with $112,000, while the Roxy will end the first seven days of "Life Begins at College" tonight with better than $65,000.

Claim Big "Alcatraz" Opening

Warners declared yesterday that "Alcatraz Island" opened at the Strand yesterday to the best opening day's gross since the house played "G-Men." By 1 P. M., the company stated, paid admissions had topped "Marked Woman" by 1,000.

CIO Seeking Union Among Loew Worker

Petitions were distributed to all Loew home office workers yesterday during lunch hour by the Film Division, Local 16, United Office and Professional Workers of America, a C.I.O. affiliate, in which the discharge of home office Universal employes was discussed, and at the same time asking the white collar workers to join the union.

The petition was in the form of a four-page letter and signed by the "Committee of Discharged Universal Employes."

To Resume Union Talks

Another meeting between major circuit executives and representatives of Local 306 will be held tomorrow at C. C. Moskowitz's office. Further discussions will be held on a new arrangement for the next two years. A temporary increase, retroactive to Sept. 1, was recently made by the circuits, contingent on a final scale which is to be set up under the terms of a 10-year master contract.

Harry H. Burford Dead

MILWAUKEE, Oct. 13.—Harry H. Burford, 64, since 1919 booking agent for LaCrosse Theatres Co., died today at LaCrosse. He had been connected with theatres for the past 30 years. He is survived by a sister and two brothers.

Funeral services will be held tomorrow.

CEA Challenges KRS On New Rent Policy

By BRUCE ALLAN

LONDON, Oct. 13.—The council of the Cinematograph Exhibitors' Ass'n today accepted the report of the rentals committee recommending that members continue to book "A" or "B" features on a flat rental basis, where that method has been used in the past.

The action is a challenge to the recent statement of policy of the Kinematograph Renters' Society (distributors) under which it was declared that "A" films would be rented on a percentage basis only.

The C.E.A. council stated that a joint meeting is planned with the circuits to inaugurate a fight for lower rentals.

Publicity Bureau Dropped

LONDON, Oct. 13.—The C.E.A. has dropped its plan for a publicity bureau, and Frank Tilley, who had been named to handle the department, has been appointed temporarily to assist W. R. Fuller, general secretary of the C.E.A., on publicity work in connection with the proposed new Films Bill.

CEA Approves Long Reel

LONDON, Oct. 13.—Out of 607 replies received to a questionnaire by the Cinematograph Exhibitors' Ass'n, relative to the proposed new standardized 2,000-foot reel, 568 exhibitors declared for the new reel and 37 expressed opposition to it.

A total of 571 declare that existing projectors will take the new size reel, and 37 say they will not. Front projection is reported in use by 576 exhibitors and 87 use rear projection. No theatres report licensing restrictions against the long reel.

Wilcox to Make Two British Lion Films

LONDON, Oct. 4.—Herbert Wilcox Prod. are to make two films for distribution by British Lion, using the latter's Beaconsfield studio. "No Parking" will star Gordon Harker and "Nippy," originally scheduled for Anna Neagle, will feature Jean Gillie. Harker and Ralph Reader have written special musical numbers.

"The Romance of Madame Tussaud," from the recent book by the grandson of the founder of the waxwork establishment, will be Herbert Wilcox's next for Imperator, releasing through RKO. It will be in Technicolor and will picture the adventures of Madame Tussaud during the French Revolution and later in London.

Artists on "Garrick"

Nine well known cartoonists have been engaged to create material for a pressbook campaign on "The Great Garrick." The roster of artists includes Syd Hoff, O. Soglow, Rhea Irvin, Herb Roese, George Price, Richard Decker, Abner Dean, Rodney De Sarro and Gene Carr.

Guild Honors Young

HOLLYWOOD, Oct. 13.—Roland Young's work in "Topper" has been voted the best acting job of the month by the Screen Actors' Guild. Donald Meek's role in "Toast of New York" has been honored as the best supporting role.

Dallas Decree Allows Use of Old Contracts

(*Continued from page* 1)

runs but must not conspire to do so," the court said.

Film attorneys lost their motion to strike out a reference in the decree to Texas Consolidated Theatres, a subsidiary of Interstate, and the names of Karl Hoblitzelle and R. J. O'Donnell, on the grounds that the subsidiary did not operate under the contracts in question for two years and that the individuals did not move as such but in behalf of Interstate. While the reference to the subsidiary was modified, the names of the individuals were not ordered removed.

A motion by the film attorneys to eliminate references to "attempts to monopolize trade," which had been written into the decree by the Government, was granted by the court.

Disagreements among the attorneys on the wording of the decree caused the postponement of the hearing from the scheduled morning hour until mid-afternoon. The issues still in disagreement at that time were disposed of by Judge Atwell, who characterized the differences as "lawyers' technicalities," adding that the "substance of the decree is 'they mustn't do it again.'" His remark referred to the charge of the defendants' operating in restraint of trade in violation of the anti-trust laws.

Biophone - A.T.&T. Action Now Settled

(*Continued from page* 1)

Anti-Trust Laws, claiming that the defendants refused permission to licensees of their patent to use the apparatus. The amount of the settlement was not given.

Gordon Suit Up Oct. 15

A motion to dismiss the complaint of Virginia Gordon and her copyright infringement suit against Moss Hart, George S. Kaufman and Sam Harris will be heard in the U. S. District Court Oct. 15. The defendants claim that the complaint failed to set forth a cause of action. Miss Gordon alleges that her play, "Rash Moments," which she wrote in 1935, was plagiarized in the Hart-Kaufman play, "You Can't Take It with You." She asked for a permanent injunction and an accounting of the profits, also damages.

Cullman Tax Payment Allowed

U. S. District Court Judge Francis G. Caffey yesterday authorized Howard S. Cullman, trustee in reorganization of the Roxy Theatre, to pay the Collector of Internal Revenue $2,760 in settlement of the $7,969 claim for unpaid 1931 income taxes. Interest at six per cent from Jan. 15, 1931, to date must also be paid.

Retitle Henie Film

HOLLYWOOD, Oct. 13.—"Hot and Happy" will be the release title of the new Sonja Henie musical now in production on the 20th Century-Fox lot. It was formerly known as "Bread, Butter and Rhythm."

Weisman Authorized To Settle Fox Suits

Circuit Judge Martin T. Manton yesterday authorized Milton C. Weisman, equity receiver of the Fox Theatres Corp., in the U. S. District Court to settle two anti-trust suits against A. T. & T., Western Electric and Erpi for $22,500. Both suits were filed in 1934 for a total of $1,577,500.

Louis Karasik, attorney for Weisman, stated that a similar suit of General Talking Pictures Corp. and the Duovac Radio Corp. in the Delaware Federal Court against the same defendants has been dismissed. He stated that the possibility of recovering the judgment in the face of that decision was remote and that $50,000 to $75,000 would be required to bring the suit to trial. Karasik was allowed $6,000 out of $9,000 requested for his services in the suit.

The plaintiffs in the suit besides Weisman were the William Fox Isis Investment Co., William Fox Exhibition, Inc., Fox Varieties Co., Flatbush Avenue & Nevins Corp., the Colwood Co. and the Theatre Realty Co. Since the last three corporations are in reorganization under Section 77B, the proceeds of the settlement will go to the trustees for these companies. Weisman will receive only $18,000 of the $22,500 settlement. Weisman stated that the gist of his action was "that the defendant corporations conspired to restrain trade in interstate commerce and it was done by effecting a monopoly as to equipment for the production and exhibition of sound pictures" and by making excessive charges on all purchases of equipment.

Big Scripps-Howard Section in 24 Pages

The much-discussed film section of the Scripps-Howard papers had 24 pages with the biggest circulation of stills and production stories any publicity man has seen in years. With it were solid pages of advertising from M-G-M, 20th Century-Fox, Paramount, Warners, United Artists, RKO and Republic, and also a full page from *Look*, the picture magazine.

Half pages were taken by Loew's Theatres, Skouras Theatres, Columbia, the Music Hall, and RKO Theatres. There also was an assortment of smaller theatre, night club, RCA-Victor, Technicolor and travel ads.

About three quarters of a page was used for listing coming features, with bylined publicity stories scattered through the section. The names appearing in these were: William Dieterle, John Ford, Jimmy Durante, W. G. Van Schmus, Ernst Lubitsch, Edward G. Robinson, Jack L. Warner, Dr. Herbert T. Kalmus, Sidney B. Whipple, William Boehnel, George Ross and Walter Wanger.

Flash Previews

"Alcatraz Island"—A prison yarn, obviously, reaching no great emotional heights but holding the interest throughout.

"Counsel for Crime"—Tale of a lawyer in the service of gangsters and his attempt to keep from his son the knowledge of his association.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

March of Time Reel Must Sign—S.A.G.

HOLLYWOOD, Oct. 13.—The board of directors of the Screen Actors' Guild today decreed that March of Time sequences in which actors portray other persons do not constitute a newsreel but rather a dramatic production. The Guild issued an ultimatum to the effect that March of Time must either sign a Guild contract or A.A.A.A. members will not work for the reel.

Today's decision came after weeks of deliberation between March of Time and Guild officials.

Thomson Sees Educational Signing

HOLLYWOOD, Oct. 13. — Kenneth Thomson, secretary of the Screen Actors' Guild, today stated that Educational Pictures is expected to sign with the Guild as soon as its pact can be drawn in conformance with New York laws and the California statutes on which it had, in part, been originally based. This difficulty, said Thomson, has been the only factor delaying the signing.

Marlow, at Hearing, Admits High Salary

HOLLYWOOD, Oct. 13.—At the morning session of the hearing of the Screen Writers' Guild petition to be designated as the writers' bargaining agent, Brian Marlow, a guild witness, testified that writers were highly paid, that they usually make their own hours and also are their own bosses to a large extent.

The statement was made under cross-examination by Neil McCarthy, attorney for the Screen Playwrights.

Marlow testified that he had a couch in his office on which to sleep, but added: "I don't play cards or shoot dice during office hours."

Sheridan Gibney followed him on the stand.

Laughton Role Set

LONDON, Oct. 4.—Charles Laughton is to be starred in a drama of English newspaper life, specially written by Bartlett Cormac and based on the recent absorption of the *Morning Post*, oldest English newspaper, by the *Daily Telegraph*. A 50-year panorama of British history, as seen from a Fleet Street window, is planned. It will be the third picture of the Pommer-Laughton Mayflower company, releasing through A. B. P., following "St. Martin's Lane." Tim Whelan directed, at Elstree.

Plan Dinner for Broidy

BOSTON, Oct. 13.—A dinner is to be tendered Steve Broidy, Monogram sales manager in New England, at the Statler Hotel on Oct. 26. Edward Morey, local Republic manager, is in charge of the function. M. N. Wolf is secretary and L. M. Boas is treasurer. The Boston Friars' Club will hold an open house later in the evening, in honor of the affair.

Bush Joins Buchannan

Rodney Bush, former eastern representative for Walter Wanger, has joined Buchannan & Co. as account executive for the 20th Century-Fox account. Bush will leave next week for a cruise before assuming his new duties on Nov. 1.

Short Subjects

"Pluto's Quinpuplets"

(*Disney-RKO*)

Pluto and Fifi, his Pekingese "wife," have a hard time keeping the quinpuplets in order. When they escape from the kennel, the result is in the best Walt Disney tradition. The cartoon, in excellent color, of course, is wholly delightful, and should bring chortles from the elders and squeals from the children.

Running time, 9 mins. "G."

"The Old Mill"

(*Disney-RKO*)

What goes on in the old abandoned windmill as night falls and a terrific storm comes up is told with beautiful color effect in this new Walt Disney cartoon, which is one of the most effective he has done. It is not motivated by comedy, but rather tells of the disturbance the storm causes to the birds, mice, owls and other creatures who make the mill their home. A top-ranking Disney subject.

Running time, 9 mins. "G."

Balaban Ordered to Tell of Zukor Pact

(*Continued from page* 1)

between Zukor and Paramount executed in April under which Zukor receives a weekly salary of $3,000 and a bonus of seven and a half per cent of the profits up to $2,500,000 and five per cent of any profits above that figure.

Justice Collins set the place for the examination in the courtroom of the Special Term, Part 2, of the Supreme Court, but it is customary for such hearings to be held at an attorney's office. The order granted the plaintiff's request only in part. Balaban may be questioned on the terms of the contract and particulars on how the compensation was computed, but not on negotiations leading up to the contract. Justice Collins also ordered the production of the corporation books and records to assist Balaban in his testimony.

Zukor Report for Executives

The Paramount executive committee is scheduled to meet today to hear Adolph Zukor's report on British production possibilities for the company, Stanton Griffis, chairman of the committee, said yesterday. Zukor arrives today on the *Normandie* after a one-month study of the British production scene.

Indications are that Paramount will not conclude its plans for production in England at today's meeting, despite the fact that the company already has decided on making "quality" rather than "quota" pictures abroad. The decisions on the number of pictures which will be made annually and whether or not these will be made under company or British producers may not be set for some time yet.

Paramount Signs Estabrook

HOLLYWOOD, Oct. 13. — Howard Estabrook has been given a contract as production associate with Paramount by William LeBaron, managing director of the company's production. Estabrook, a writer, had been associated with Frank Lloyd.

WHAT HAPPENS TO AMERICANS HELD CAPTIVE IN WAR ZONE?

"Save Us!" Is Plea of Terrified Citizens



THRILLS! "The firing-squad is waiting for your man", says General Wu Yen Fang.

DRAMA! "If we have trouble among ourselves, we'll all be killed!"

ACTION! Mysterious city of the Orient—where the clouds rain death —and the streets are battlefields!

BORIS Karloff

as General Wu Yen Fang, in

WEST OF SHANGHAI

BEVERLY ROBERTS • RICARDO CORTEZ

Vladimir Sokoloff • Richard Loo • Luke Chan • Tetsu Komai • Directed by John Farrow

A First National Picture • Presented by WARNER BROS.

New Films Today

RADIO CITY MU...

ABBEY THEATRE DUBLIN ... PLAYERS ... TONIGHT, Tom'w & Sat. Evg. & Sat. ... The PLOUGH and the S...

Rufus Phillips & Watson Barratt present THE LADY HAS A HEART ... PRICE & ELISSA LANDI ... IRE, W. 48 St. Evgs. 8:40 ... Thurs. (Col. Day), 2:40

It's First! It's 'Way Ahea

It's Your Chance for an Easy Exp

A QUESTION THAT'S RIGHT TO THE POINT



The right time to ask it is NOW!



d! It's WARNER BROS.'!

itation Mop-Up if You're Quick!

Branch Named Head Of Michigan Allied

(Continued from page 1)

George Wilbur, Wyandotte; John Henry Ross, Battle Creek; James Olsen, Clare, and J. E. Stocker, David Newman and William E. Schuttenhelm, Detroit.

Selection of a new general manager was not mentioned at the session, but it is understood that the matter will be taken up at a board meeting soon.

Twenty-eight new out-state members were taken in during the two-day convention, Branch announced.

Referring to the absence of Allied leaders from other states, Branch said that "we felt we had a job of our own to do and we wanted to do it ourselves, so I asked them not to come here this year as we felt if our organization amounted to anything we must do the job ourselves. I feel that we have done a fine job of it. Everything is peace and harmony and I feel that the local unit will do a big job this coming year, both for itself and the national organization."

Caplan Allied Secretary

NEW HAVEN, Oct. 13.—Allied Theatres of Connecticut has elected Lawrence Caplan, local attorney, as executive secretary, succeeding Joseph A. Davis, who has resigned. J. Kelly, former New Jersey exhibitor, has been engaged to solicit new membership among independent exhibitors.

Calls MPTO Meeting

OMAHA, Oct. 13.—Charles E. Williams, president of the M. P. T. O. for Nebraska and Western Iowa, has called a meeting of his organization in Omaha Nov. 1 and 2 to hear Ed Kuykendall, national president.

Collins Erpi Director

Daniel C. Collins yesterday was elected a director of Erpi at a meeting of the executive board of the company.

Wall Street

Fox, "U" Lead Board

	Open	High	Low	Close	Net Change
Col.	17⅜	17⅜	17	17	—1
Cons.	2	2⅛	2	2	— ⅛
E. K.	160	160	159	159	.....
G. T. E.	17	17	15½	15¾	—1¼
K.A.O. pfd.	85	85	85	85	.....
Loew	65½	65½	62¼	63¾	—1¾
Para.	15½	15¾	13½	14⅜	— ⅝
Para. 1.	107¼	107¼	100	101¼	—5¾
Para. 2.	14	14	12½	12¾	—1
Pathe	7¼	7¼	6¾	7	+ ¼
R. K. O.	5	5½	4⅛	4⅜	— ½
20th Fox	26¾	27¼	25¾	27	+1
Univ. pfd.	33	33	33	33	+2
W. B.	9⅛	9⅛	8⅛	8½	— ⅜

Technicolor Off Heaviest

	Open	High	Low	Close	Net Change
G. N.	1¾	1¾	1½	1¾	.....
Monogram	2	2	1¾	1¾	— ¼
Sonotone	1⅝	1⅝	1½	1½	— ⅛
Tech.	21⅞	22½	19½	21	—1⅜
Trans-Lux	3	3	3	3	.....
Univ. Corp.	1⅞	1⅞	1¾	1¾	— ¼

Bonds Decline

	High	Low	Close	Net Change
Keith 6s '46	94½	94	94	— ½
Loew 3½s '46	98¾	98½	98½	— ¼
Para. B'way 3s '55	66½	66½	66½	.....
Para. Pict. 6s '55	99⅜	97½	97½	—1⅞
Para. Pict. '47	80	77¾	77¾	—1¼
W. B. 6s '39	85	84	84	.....

(Quotations at close of Oct. 13)

Japanese Admits Effort to Obtain Newsreel War Film

(Continued from page 1)

of it. Acknowledging that he had enlisted the aid of Lindstrom, whom he described as a personal friend, because of his previous connections in the film industry, Yamaoka at first refused to divulge the reason.

Later, however, after declaring that he believed a failure to answer might lead to misunderstanding as to motive, he explained that there was a feeling (he did not say in what quarter) that some of the Sino-Japanese war scenes appearing in the newsreels, as well as some of the war pictures published in the daily newspapers, might not be authentic. He made a point of declaring that he was making no accusations in the direction of any person or any company, but said the feeling existed.

He declared the lack of authenticity of some of the pictures was "very possible," that it was also conceivable the Chinese had "created scenes" for the cameramen to shoot and that the photographers, lacking a knowledge of their authenticity, proceeded to take them and send them through to the United States.

Queried again by MOTION PICTURE DAILY, he reiterated his contention that copies of the reels were sought for the purpose of verification of the material taken and declared that the interests he represented were interested particularly in the scenes depicting Japanese pilots as prisoners in the hands of the Chinese. He declared that no other scenes which may have been taken were of concern to him.

The statement that copies, and not the original films were sought, is at variance with the understanding of MOTION PICTURE DAILY that Lindstrom attempted to purchase outright the entire footage of the Universal newsreel pertaining to the Chinese-Japanese war.

E. B. Hatrick, general manager of the Hearst film enterprises, in which is included the newsreel, News of the Day, said Lindstrom had come to the News of the Day offices and expressed a desire to see the film material on the war. He made no attempt to purchase the films, said Hatrick, who added that the reel would not be sold in any case. The reel is treating the war like any other news story, the executive declared.

SMPE Hits Academy Plan for Apertures

(Continued from page 1)

called for revisions of the dimensions of the standard projector aperture, which, the committee estimates, would cost the theatres of the country $1,000,000 running from $50 in the smallest theatres to several hundred dollars where it might be necessary to purchase new screens. The committee claims that the American Projection Society concurs in its opinion.

The annual Progress Medal and the *Journal* Award were presented last night at the convention's semi-annual banquet. The Progress Medal, given in recognition of outstanding achievement in film technology, was awarded to Edward Washburn Kellogg, of RCA. The *Journal* Award went to Dr. Dean Brewster Judd, senior physicist in optics and the National Bureau of Standards, for the best technical paper published in the society's journal in 1936. The paper was "Color Blindness and Anomalies of Vision."

C. C. Pettijohn Speaks

Charles C. Pettijohn, general counsel of the M. P. P. D. A., made the principal address at the banquet. The awards were presented by S. K. Wolf, president of the society, with E. W. Engstrom of RCA reading the Progress Medal citation and E. A. Williford of National Carbon Co., reading the citation for the *Journal* Award. Entertainment was a feature of the banquet.

The technical papers during yesterday's session were devoted entirely to projection problems, delivered in the course of the projection practice session, of which A. N. Goldsmith was chairman.

Among the papers were two by F. H. Richardson, of *Better Theatres*, on "A Discussion of Screen Image Dimensions" and "Perforated Screens and Their Faults." In the first, Richardson recommended standard screen image proportions based on the combined dimensions of illumination brightness that will provide most comfortable viewing conditions. The other paper discussed faults in perforated screens, particularly with relation to imperfections in the perforations.

Final Session Today

Other papers of the day included:

"The Practice of Projection," by A. N. Goldsmith, New York; "Grading Projectionists," by G. P. Barber, Government of the Province of Alberta, Edmonton, Alberta, Canada; "Cooperation as the Keynote of Successful Small Town Projection," by T. P. Hover, Warner Ohio Theatre, Lima, O.; "Precision All-Metal Reflectors for Use with Projection Arcs," by C. E. Schultz, Heyer-Schultz, Inc., New York; "Commercial 16-mm. Projection Faults," by C. L. Greene, Minneapolis; "Careless Work in Printing Sound-Tracks on Release Prints," by I. Gordon, Norka Theatre, Akron, O.

The complete program for today, the final session of the convention, follows:

Thursday, Oct. 14

10:00 a.m. to 12:00 p.m.—Salle Moderne; Apparatus Symposium and Manufacturers' Announcements.

"The Sound-Level Meter in the Motion Picture Industry"; H. H. Scott, General Radio Co., Cambridge.

"A New Motion Picture Camera Crane"; E. H. Heyer and E. L. Fisher, Universal Pictures.

"Non-intermittent Projection"; J. F. Leventhal, Leventhal Patents, Inc., New York.

"New Ideas in Mobile Sound Recording Equipment"; C. M. Ralph and J. G. Matthews, General Service Studios, Hollywood.

"A Mobile Sound Recording Channel"; L. T. Goldsmith, Warners.

"A Device for Cleaning the Sound-track of a Motion Picture Film During Projection"; R. V. Fisher, Flower City Specialty Co., Rochester.

"A Recorder for Making Buzz-Tracks"; E. W. Kellogg, RCA Manufacturing Co.

"Advantages of Spark Illumination in Certain Types of Photography"; M. A. Durand, International Filmbook Corp., South Norwalk, Conn.

2:00 p.m. to 5:00 p.m.—Salle Moderne; Sound Session.

"Reduction of Loop-Length Variations in Non-Slip Printers"; E. W. Kellogg, RCA Manufacturing Co.

"Transmission Characteristics of Western Electric Re-recording Channels"; C. R. Daily and F. L. Hopper, Erpi, Hollywood.

"Permanent Magnet Four-Ribbon Valve for Portable Channel Push-Pull Recording"; E. C. Manderfeld, Erpi, Hollywood.

"Improvements in Noise-Reduction Circuits"; R. R. Scoville, Erpi, Hollywood.

"Improved Methods in Detecting Light-Valve Overload"; C. R. Daily, Erpi, Hollywood.

"Overload Limited for the Protection of Modulating Devices"; R. R. Scoville, Erpi, Hollywood.

ITOA-Allied Favor Cooperative Moves

(Continued from page 1)

organizations at the next meetings and ask the memberships to vote on the cooperative movement.

Attending yesterday's meeting were Irving Dollinger, Louis Gold and Morris Marks of Allied of New Jersey, and Maurice Fleischman, Leon Rosenblatt, David Weinstock and Jimmy Binkov representing the I. T. O. A. No date has been set for a second meeting, but it was stated that the I. T. O. A. will set the date.

The general membership of Allied of New Jersey will convene at the Stacy-Trent, Trenton, next Tuesday, while the I. T. O. A. will hold its regular meeting at the Astor next Wednesday.

Schlesinger to Help With W. B. Booking

(Continued from page 1)

manager in charge of South and West Philadelphia, succeeds Leonard Schlesinger in charge of 60 neighborhood theatres in this zone.

Steve Barutio, until now assistant to David E. Weshner, who handles first and key city runs for the circuit, succeeds Flynn. Larry Graver, manager of the Stanley, takes Barutio's post. Al Reh, in turn, succeeds Graver at the Stanley, while Reh's post as manager of the State now goes to Marty Goldenberg, who has been in charge of the Nixon.

These promotions and changes are from within the ranks.

Expect No Move on Educational Films

(Continued from page 1)

1,500 film subjects from company vaults during the past six months and made selections therefrom.

The M. P. P. D. A. committee held its first meeting early this week and prepared its report for submission to the board today. Harry M. Warner, chairman of the committee, is on the west coast and did not attend the meeting. Stanton Griffis and Earle W. Hammons, other members of the committee, attended.

Move to End Prizes Makes No Progress

(Continued from page 1)

the attitude of the major circuits now seems to be that the smaller houses will have to curtail games and giveaways before the move will be made unanimous.

Radio Personals

SYLVIA SIDNEY will offer scenes from one of her pictures on the Kate Smith show Oct. 21. . . . Maxine Sullivan, of the "Onyx" club, will appear on the CBS "Swing Club" series Oct. 16, from 7 to 7:30 P. M., a new time for this program. . . . Otto Kruger will serve as Elsa Schallert's interview subject today. . . . Phil Baker will be the first Burns and Allen substitute on the latter's series next Monday, while the comedians vacation in New York for the next few weeks. . . . Gertrude Niesen will be heard on the Ben Bernie show next Tuesday. . . . Those elaborate picture spreads in the radio pages of the Saturday *World-Telegram* have been stopped because the networks and the press agents were unable to supply suitable art. . . . The Stroud Twins have been signed to appear regularly on the Chase and Sanborn series. . . .

✚

Gerald Savory, author of the stage play "George and Margaret," will be Bide Dudley's guest on the "Theatre of the Air," WOR, tomorrow from 4:30 to 4:45 P.M. . . . Tyrone Power and Ida Lupino will do "Petticoat Fever" on the Woodbury program Sunday over the NBC-Blue . . . Bobby Godet, WNEW warbler, leaves this week for Fort Worth to join Shep Fields' orchestra at the Casino . . . Sylvia Sidney will make an appearance on Kate Smith's period this week . . . Allen Prescott, "Wifesaver" of the NBC networks, celebrates his 10th year in radio this week . . . Wynne Gibson and Walter Connolly will do a one-act play, "The Bank Account," on Rudy Vallee's broadcast tonight . . . Clark Gable headlines the Chase & Sanborn program next Sunday . . . Bernie Cummins and his band bow out of the Biltmore today for a series of one-night stands . . .

Frisco Opera Series To Be Begun Friday

SAN FRANCISCO, Oct. 13.—First of five hour-long broadcasts, from the 15th annual season of the San Francisco Opera Ass'n, will be aired coast-to-coast Friday night over the NBC-Red network at 6 P.M., E.S.T.

Microphones installed in the War Memorial Opera House will pick up the second act of Verdi's "Aida," with Gina Cigna, Bruna Castagna, Giovanni Martinelli, Richard Bonelli, Emanuel List and Norman Cordon. Gaetano Merola will conduct.

Other pickups will be as follows:

Oct. 23.—Blue network, 6 P.M., E.S.T., second act of Gounod's "Faust," with Martinelli, Pinza, Boerner, Callahan. Pietro Cimini, conductor.

Oct. 30.—Blue network, 6 P.M., E.S.T., second act of Verdi's "La Traviata," with Cigna, Kullmann, Bonelli, Oliviero, Kroph, Cordon, Howell, Cehanovsky, Gaetano Merola, conductor.

Nov. 5.—Red network, 6 P.M., E.S.T., second act of Wagner's "Lohengrin," with Melchior, Flagstad, Huehn, Meisle, Hofmann, Cehanovsky, Fritz Reiner, conductor.

Nov. 10.—Blue network, 5:30 P.M., E.S.T., second and third acts of Massenet's "Manon," with Bovy, Maison, Bonelli, Cordon, Cahanovsky.

NAB Reconsiders Its Move On Departmentalized Plan

Led by Samuel R. Rosenbaum of WFIL, Philadelphia, and Don Elias of Winston-Salem, the N. A. B. yesterday, in the second and closing day of its special convention at the Waldorf-Astoria, rescinded the resolution adopted Tuesday to departmentalize the organization.

The departmentalization resolution was part of the five-point plank submitted by Ed Craig of WSM, Nashville, which was jammed through and adopted by acclamation shortly after the opening of the session. Its purpose was to enable the N. A. B. to serve the divergent groups within its body, such as network affiliates, non-affiliates, clear channel, regional and local groups.

Part 4 of the Craig resolution, also passed Monday, which compelled the reorganization committee to wait until January or February for the next regular N. A. B. convention to make its reorganization recommendations, was amended to enable the committee to instruct the N. A. B. board to call a convention as soon as its findings are complete, indicating that another convention may be called shortly.

Ethridge Withdraws

Mark Ethridge, of WHAS, Louisville, chairman of the reorganization committee, yesterday notified the N. A. B. that he would be unable to serve either as chairman or even as a member of the committee, due to his inability to spare further time away from his business. The convention body tried unsuccessfully to get Ethridge to reconsider, and attempted to obtain Craig's consent to serve on the committee. Craig declined for the same reason, whereupon a resolution was adopted confirming the action of the convention in the appointment of Craig's committee and he was authorized to appoint additional members at his discretion. The reorganization committee currently comprises Ed Allen, Ed Craney, Walter J. Damm and John Shepard, 3rd.

The N. A. B. Bureau of Copyrights came in for severe criticism from several of the delegates, but particularly from Paul Morency of WTIC, Hartford, who objected to increasing expenditures to maintain the bureau. Action on the bureau's future status was deferred until the next N. A. B. convention, however, when James Baldwin, managing director of the N. A. B. and head of the Copyright Bureau, offered a report about the bureau's status that reflected favor upon it. Baldwin warned that the N. A. B. must continue to build up its own music library, via the bureau, in preparation for 1940 when the Ascap contract with the broadcasters expires.

Seek Radio "Czar"

If the industry did not do so, he said, the broadcasters would "find themselves over a barrel in 1940."

The question of appointing a "czar" for the broadcasting industry came up for the first time at yesterday's meeting. It is understood that the finding of such a personality is one of the most important tasks faced by the reorganization committee. The "czar," if and when he is found, and it is understood he will be offered to the body of broadcasters at the next convention, will serve as the N. A. B. president and not under the undignified title of "czar." The industry is prepared to pay him more than well, judging from the talk offered yesterday.

Lubricants

Hollywood, Oct. 13.—Quoting from a release from the press bureau of the J. Walter Thompson Agency:

"In demonstrating his bazooka to Margo before the the Kraft Music Hall rehearsal began, Bob Burns revealed that he keeps the crude instrument working smoothly with motor oil. 'Have you always used motor oil on it?' Margo asked. 'Well, I reckon I always use motor oil when I got it handy,' he replied. 'But in the old days, I used lard.'"

Cincy Hears Rumors Of Fourth Network

CINCINNATI, Oct. 13.—The fact that Red Barber, ace sportscaster of WLW, is giving play-by-play descriptions of the Notre Dame football games has given rise to rumors that a fourth major network centering around the 500,000-watt local station is in the offing, despite denials that WLW is anything but an "accommodation." One report is that the WLW Line will have coast-to-coast coverage by Jan. 1.

The Barber football broadcasts were on a sustaining basis, although the Line has sold time for commercial broadcasts immediately before and after the games, in which Bob Newhall, WLW sports commentator, is featured.

The same source of information cites the fact that several broadcasts are being fed to the New York Broadcasting System, composed of Hearst stations, although confirmation that the Hearst stations are members of the hookup are lacking.

Television Staging For SMPE Tonight

Members of the Society of M. P. Engineers now in convention here will gather at the RCA Bldg. at 8 o'clock tonight to witness a special television demonstration being staged by RCA engineers and NBC.

David Sarnoff, President of RCA, extended the invitation and will deliver an address during the course of the evening.

"Awful Truth" on Air

Irene Dunne and Cary Grant will offer dramatization of scenes from their motion picture "The Awful Truth" on "Hollywood Hotel" tomorrow over CBS.

Sammy Smith Joins Braun

Sammy Smith, publishers' contact man, has joined the New York office of the Braun Organization. Smith will assist Bill Ortmann.

Grant Licenses to Seven New Stations

WASHINGTON, Oct. 13.—Operating licenses have been granted to seven stations by the F.C.C., several of them going on the air for the first time, as follows:

WMBD, Peoria Broadcasting Co., Peoria, Ill., 1,440 kilocycles, 1,000 watts night, 5,000 watts day; WJBY, Gadsden Broadcasting Co., Inc., Gadsden, Ala., 1,210 kilocycles, 100 watts night, 250 watts day; WAML, New Laurel Radio Station, Inc., Laurel, Miss., 1,310 kilocycles, 100 watts night, 250 watts day; KPFA, Peoples Forum of the Air, Helena, Mont., 1,210 kilocycles, 100 watts night, 250 watts day; KSOO, Sioux Falls Broadcasting Ass'n, Inc., Sioux Falls, S. D., 1,110 kilocycles, 2,500 watts, day only; KELO, Sioux Falls Broadcasting Ass'n, Inc., Sioux Falls, 1,200 kilocycles, 100 watts; KOIL, Central States Broadcasting Co., Omaha, 1,260 kilocycles, 1,000 watts night, 5,000 watts day.

The commission also authorized an increase of day power to 250 watts for WTAL, Tallahassee; KGFW, Kearney, Neb., and KWNO, Winona, Minn.

At its weekly meeting, the broadcast division ordered hearings held on the following applications: Evening News Press, Inc., for new 1,500-kilocycle station at Port Angeles, Wash., 100 watts night, 250 watts day; WOOD, Grand Rapids, change of frequency from 1,270 to 1,010 kilocycles and decrease of power from 500 to 250 watts; WSJS, Winston-Salem, N. C., change of frequency from 1,310 to 900 kilocycles and increase of power from 100 watts to 1,000 watts night, 5,000 watts day; KEHE, Los Angeles, increase of night power from 1,000 to 5,000 watts.

Bess Johnson Signs For Colgate Series

Bess Johnson yesterday signed a contract calling for her exclusive appearance on a new daytime dramatic series for the Colgate-Palmolive-Peet Co., scheduled to start Nov. 1. The program will be heard Monday through Friday over 67 CBS stations, from 5:45 to 6 P. M. in the interest of Palmolive Soap. Details of the new show have not been completed yet.

The new program marks Colgate-Palmolive-Peet's first venture into the daytime field, all of its previous programs being heard at night. Miss Johnson was formerly "Lady Esther" of the Wayne King broadcasts.

Radio Local Elects

Mark Smith has been elected president of the New York City local of the American Federation of Radio Artists, it was stated yesterday at the organization's headquarters. Other officers are: Walter Preston, first vice-president; William Adams, second vice-president; Ben Grauer, third vice-president; Alexander McKee, fourth vice-president; John Brown, fifth vice-president; Wilfred Lytell, treasurer, and Lucille Wall, recording secretary.

Closes Coast Bus Ad Deal

LONG BEACH, CAL., Oct. 13.—Hal Nichols has completed arrangements with the Lang Transportation Co. for display advertising on buses.

"Stage Door" Pulls $71,000 in 4 Days

"Stage Door" tallied approximately $71,000 in the first four days at the Music Hall with indication yesterday that the initial week will [illegible] with $112,000.

"Life [illegible] at Col[illegible] a "stage [illegible]

MOTION PICTURE DAILY

WATCH THE SECOND WEEK, BEGINNING TODAY!

R K O RADIO PICTURES

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 90 NEW YORK, FRIDAY, OCTOBER 15, 1937 TEN CENTS

Maxwell Gets Union Circuit; U.K.'s Biggest

Deal Makes ABP No. 1 British Chain

By BRUCE ALLAN

LONDON, Oct. 14.—John Maxwell, head of Associated British Pictures, today purchased the stock holdings of the late David Bernhard in Union Cinemas, Ltd., giving A.B.P. control of the circuit and at the same time making A.B.P. the largest theatre group in England, according to Maxwell.

Two directors of Union Cinemas will be replaced by A.B.P. men and the future business of Union will be operated in conjunction with Maxwell's other theatre interests.

Prior to his death Bernhard said that Union had 228 and was building 30 other houses. The A.B.P.-Union tieup will give Maxwell's group at least 100 more theatres than G. B. Bernhard was the father of C. F. Bernhard, founder and managing director of the circuit.

Reports of the impending deal were first published in MOTION PICTURE DAILY on Sept. 18. At that time, circles close to Maxwell denied the story.

G. B.'s annual stockholders' meeting will be held tomorrow at which time the Nordon Committee is certain to move for an adjournment and ask

(*Continued on page 9*)

Academy Silent on SMPE's Criticisms

HOLLYWOOD, Oct. 14.—No comment could be obtained here today from the Academy of M. P. Arts & Sciences on the New York convention claims of the Society of M. P. Engineers that the change in projection apertures recommended by the Academy would cost the industry $1,000,000. Gordon Mitchell, manager of the Academy Research Council, was out of town for

(*Continued on page 16*)

Dr. Giannini Denies Wanger to Quit U. A.

HOLLYWOOD, Oct. 14.—In the wake of rumors which have had Walter Wanger reported as contemplating affiliation with Universal and other companies, Dr. A. H. Giannini, chairman of the board and president of United Artists, today issued the following statement:

"In reply to questions regarding reports that other companies are dicker-

(*Continued on page 12*)

Para.—British Plans to Await New Quota Law

Zukor Says Company to Study the New Act

By BILL ORNSTEIN

Paramount's plans for producing in England will not be decided until the British Government sets up the new quota provisions, Adolph Zukor, chairman of the company's board, declared yesterday upon his return from a six-week vacation and survey in Paris, London, Vienna and Budapest.

"The British Government is expected to pass the new law, which is to become effective next April, in two or three months," Zukor said. "We are waiting to see what it contains and then we will decide what to do and what we want to do."

Asserting that Paramount will definitely produce in England, Zukor added: "Our plans are not fully developed at this time.

"We do not care to go into competition with British producers," he said, "by establishing a studio in that

(*Continued on page 9*)

Roach Due Today to See Mussolini Off

Hal E. Roach, whose deal with Vittorio Mussolini to produce in Italy is reported off, will arrive today from the coast by plane, presumably to bid Il Duce's son bon voyage when he sails on the *Rex* tomorrow, and also to confer with Nicholas M. Schenck, president of Loew's.

Although Roach stated prior to his

(*Continued on page 21*)

Dunphy on Job

Chris Dunphy was right on the job yesterday when Adolph Zukor, chairman of the Paramount board, returned from abroad. At Quarantine, Dunphy noticed that one of the photographers was handing out publicity releases from 20th Century-Fox on Annabella and from Warners on Max Reinhardt.

Dunphy approached the photographer and said jocularly: "Let's have a copy of those stories and let's see what the other companies are doing?"

Mass of Film For Schools' Use Is Found

Of 1,595 non-current short subjects reviewed by the May committee during the past four months, 849 were approved as suitable for school use without change, it was disclosed by the committee's report submitted yesterday to the quarterly meeting of the M. P. P. D. A. board of directors. Additionally, 234 films were found to be acceptable with "minor" changes and 478 others contained "some usable elements," according to the report. Only 34 films were found to be without any classroom value.

Neither the May committee nor the M. P. P. D. A.'s own educational committee recommended any distribution system for handling the school films in

(*Continued on page 16*)

RCA Television on 3 by 4 Ft. Screen; Use Film Technique

By RED KANN

Television is growing up.

Last night demonstrated it when RCA and NBC televised a live talent show from the third to the 62nd floor of the RCA Bldg. and achieved images approximately three by four feet in size.

They were not good images as motion pictures by today's photographic standards are judged. They had light fuzz around the corners. They were

(*Continued on page 20*)

By JACK BANNER

RCA television, with many improvements noted since the last public demonstration on Nov. 6, 1936, was shown to an audience largely composed of the Society of Motion Picture Engineers last night in the RCA Bldg. The demonstration served to introduce "large screen" television via a newly developed cathode ray tube. Black and white images also were demonstrated by

(*Continued on page 20*)

Additional Radio Developments, Pp. 17-20-21

Allied to Ask Court Test on Para. Product

Minneapolis Suit Planned Over Non-Delivery

MINNEAPOLIS, Oct. 14.—Local exhibitors will shortly begin a test case for a mandatory injunction to compel Paramount to deliver the six pictures which, it is charged, were promised on last season's contracts, according to a statement issued today by Allied Theatre Owners of the Northwest.

"This action will be taken," the exhibitor statement sets forth, "because Federal Judge Gunnar Nordbye (who last week granted Paramount's application for a temporary injunction restraining the exhibitors from pursuing their 'buyers' strike' against the company) held that the non-delivery of the pictures has nothing to do with the defendants striking in any legal sense, and the decision, therefore, leaves it open for us to test in an independent action the right of Paramount to refuse to deliver the pictures."

The Allied unit also has stated that it will move for an immediate appeal of Judge Nordbye's decision granting the distributor a temporary injunction and that the U. S. Circuit Court of Appeals here will be asked to "advance the appeal for immediate hearing." The organization said that it would also seek an early trial in the Federal district court of the distributor's basic action.

Attorneys to Study Dallas Court Decree

Attorneys for major distributors will meet early next week to study the decree entered in the U. S. District court at Dallas on Wednesday and may decide at that time whether or not to appeal from the court's decision holding their contracts with certain Interstate Circuit houses to be in violation of the anti-trust laws.

Copies of the Dallas decree are not expected to reach here until today, and until attorneys here have had an opportunity to study them no decision will be made on an appeal.

"U" 9-Week Income $400,000 Over '36

Universal revenue for the first nine weeks of the new season is running $400,000 ahead of the same period last year, according to R. H. Cochrane, president.

For each of the next three months

(*Continued on page 21*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MELBOURNE: Regent Theatre Building, 191 Collins St.; Cliff Holt, Representative.
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SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Fred S. Meyer Quits Universal Saturday

HOLLYWOOD, Oct. 14.—Fred. S. Meyer will leave Universal as general studio manager next Saturday on expiration of his contract. He will leave for New York next week for conferences on an unannounced affiliation.

During Meyer's two years with the studio the company has turned out "Magnificent Obsession," "My Man Godfrey," "Showboat" and others.

Loew's Votes $1.62½

Directors of Loew's at a board meeting yesterday declared a dividend of $1.62½ on the cumulative preferred stock, payable Nov. 15 to stockholders of record Oct. 29.

The company paid $8.50 to common stockholders for the fiscal year ended Aug. 30. Action on the next common dividend is expected to be taken Nov. 3.

Brandt Takes Mapleton

The Brandt circuit has taken over the Mapleton, Brooklyn, a 410-seat house.

Purely Personal

CLAIRE LUCE, who has appeared in a number of films and plays in England, was among the passengers arriving on the *Normandie* yesterday. She said she may do a play here. The actress declined to discuss the producer, adding that if a deal was not set in two weeks she would return to England.

•

LOUISE MCCAULEY of Atlanta, and ADELINE KORISH of La Crosse, Wis., last night were the guests of MAURICE EVANS at "Richard II." The girls recently won an essay contest conducted by M-G-M in connection with "Romeo and Juliet." They will sail for England today on the *Normandie* as guests of the distributing company.

•

EMIL LUDWIG, writer, arrived from England yesterday. His latest book, "Cleopatre," will be published in December. He will visit President Roosevelt and gather material for his next book, which is to be called "Roosevelt, Study on Happiness and Power."

•

E. A. ALGAZY, French film producer, arrived from Paris yesterday, en route to Hollywood to produce two versions of "Katia," from Princess BIBESCO's novel. DANIELLE DARRIEUX will play the part of Katia.

•

ROUBEN MAMOULIAN, Paramount director, and LOTHAR MENDES, director, scheduled to arrive yesterday on the *Normandie,* were not among the passengers.

•

PAUL GRAETZ, general manager for Paris Export Films, arrived on the *Normandie* yesterday and will remain in town a few days before leaving for the coast.

•

ROBERT M. SAVINI, sales manager for Atlantic Pictures Corp., is visiting franchise holders in Chicago, Detroit, Cincinnati and Cleveland.

•

JAMES R. GRAINGER off for Boston where he will hold a local sales meeting today and tomorrow. Back here Monday.

•

SIG WITTMAN of Universal has gone to Pittsburgh, Cleveland and Cincinnati. On sales, naturally.

•

NEIL F. AGNEW, due in from the south about this time, will not return until Monday.

•

BRIAN AHERNE will leave for the coast via American Airlines today.

•

MAURICE CONN has delayed his arrival from the coast until Sunday.

Miss Simon Stricken

HOLLYWOOD, Oct. 14.—Simone Simon, while working on "Love and Hisses" at 20th Century-Fox today, collapsed and was placed under the care of a doctor. Her temperature was said to be 101. Shooting schedules for the film have been rearranged.

"Uncle Moses" to Mintz

American and foreign distribution rights to "Uncle Moses," all-talking Yiddish film, have been acquired by Robert Mintz.

Kay Francis Files Federal Court Suit

LOS ANGELES, Oct. 14.—Kay Francis filed suit in U. S. District Court today asking that her contract with Warners be annulled. She charges that Warners broke her contract when they gave Claudette Colbert the starring role in "Tovarich."

Union Suit Dismissed

N. Y. Supreme Court Justice Charles B. McLaughlin granted summary judgment dismissing the complaint of Mardiros A. Krikorian against Local 306 yesterday. Krikorian was a member of Local 306 in 1923 when he withdrew. He applied for readmission in 1927. He was not readmitted until 1933. He sued for the value of his wages for the six-year period. Justice McLaughlin ruled that a general release executed by Krikorian in 1932 barred his present action. The suit was dismissed with costs.

Poster Firm Files Suit

Suit for $2,500 damages for an alleged breach of contract was filed in the N. Y. Supreme Court yesterday by the Berkshire Poster Co., Inc., against the B. F. Keith Corp. and the Greater New York Vaudeville Theatres Corp. The contract which was allegedly made in 1932 provided that Berkshire was to receive one-third of the poster work of the 40 theatres in the RKO circuit in the metropolitan area. The defendants will ask Supreme Court Justice Shientag for a bill of particulars itemizing the claim this morning.

Reserve Decision on Steuer

Decision was reserved by Supreme Court Justice Charles B. McLaughlin on a motion for a summary judgment made by Max D. Steuer in his suit for legal fees against the Knickerbocker Theatres, Inc., and the Clinton Appollo Theatre Corp. in the Supreme Court yesterday. Steuer was awarded $75,789 for legal fees for conducting arbitration proceedings in 1935 for the defendants against the Greater New York Vaudeville Theatres Corp. He has received $50,000 and is suing for the $25,789.

Steuer stated the defendants received an award totaling $45,000 in damages and the enforcement of two 10 year leases in the arbitration proceedings. He estimated the value of the leases at $2,340,000, but the proceedings were settled without his consent. The defendants allege Steuer was hired to prosecute a conspiracy charge against RKO, Loew's, Inc., and the Greater New York Vaudeville Theatre Corp. and that he failed to do so. They assert his work in the arbitration proceedings was merely incidental and the award of $75,789 merely fixed his fee without giving any rights to another judgment.

Files in Bankruptcy

The Omaha Orpheum Co. filed a voluntary petition in bankruptcy in the U. S. District Court yesterday through its president, O. R. McMahon. Assets were listed at $7,047 in cash, but a schedule of the liabilities was not given. It was learned liabilities exceed $2,000,000. Among the creditors are the Stadium Theatres Corp., RKO Radio Pictures, RKO Film Booking Corp., ASCAP, and National Screen Service. The principal asset of the corporation was a theatre in Omaha which was erected at a cost of $1,500,000. It was sold under foreclosure in 1933 to the A. H. Blank Theatrical Circuit, Inc. for approximately $100,000. Four bond issues, the largest of which was for $1,000,000 and a second mortgage of $200,000 were floated on the theatre.

Seek $6,618 from the Roxy

Jones, Clark & Higson, attorneys, who were employed by the Roxy bondholders' protective committee, filed a petition asking for $6,618 allowance in the Roxy reorganization in the U. S. District Court yesterday. The firm sets forth in its petition that it handled legal matters and incidental details for the committe. Louis B. Altreuter, vice-president of Horace S. Ely & Co., realtors, also filed a petition for $1,250 allowance for appraising the Roxy for the bondholders.

Guild Pacts Go to Time, Educational

Screen Actors Guild contracts will be submitted to the March of Time and Educational for signing as soon as the Guild office here has been notified officially of the decisions by its board of directors in Hollywood that both companies must be signatories to the contract in order to permit guild and other A.A.A.A. members to continue working for them.

Mrs. Florence Marston, eastern head of the guild, said that the official notification of the decisions was expected here within a day or two. Although both companies have agreed to conform with guild contract terms in all respects, they asked to be relieved of actually signing a guild contract, March of Time on the ground that it was a newsreel, and Educational because of technical considerations.

Metro Hits Validity Of Copyright Rules

The constitutionality of Section 11 of the U. S. Copyright Law in its relationship to unpublished manuscripts was challenged in the U. S. District Court yesterday by the Metro-Goldwyn-Mayer Corp., the Metro-Goldwyn-Mayer Distributing Corp., the Culver Export Corp., Loew's, Inc., and Frank Dolan, when they filed a general denial to the copyright infringement suit brought by Henry Rose.

Rose claims infringement of his story, "Burrow Burrow," in "Man of the People." The defendants claim that Section 11 conflicts with Article 1, Section 8, Clause 8 of the U. S. Constitution insofar as it grants statutory copyright to unpublished works. Rose is asking for a permanent injunction and an accounting of the profits.

Mrs. Montague Dies

BOSTON, Oct. 14.—Mrs. A. Montague, mother of Abe Montague, Columbia sales manager, died at the Fensgate Hotel here today. She was to celebrate her 79th birthday shortly. Funeral services and burial will be held on Sunday from the J. F. Waterman Funeral Home.

Depinet Attends Dinner

OTTAWA, Oct. 14.—Ned E. Depinet, vice-president of RKO Radio Pictures, attended a dinner in honor of Anna Neagle and Herbert Wilcox, star and producer of "Victoria the Great," given by Lord and Lady Tweedsmuir.

The aces of musical entertainment
now go to town together!

20th CENTURY FOX

20th MADE THE SKY THE LIMIT THE

Such glitter and flash...such a unique comedy idea...that your audiences will be banjo-eyed as Eddie turns old Bagdad into a 1938 Gag-dad...with a head-tax on harems, a tail tax on camels, and carpet tacks under the sit-down strikers...in this extrava-glorious topper of all mirth-musicals...that initiates a new and the most important phase of Eddie's great career!

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production

1001 SIGHTS!...1002 LAUGHS!...1003

TO MAKE IT CENTURY'S CANTORNADO OF LAUGHS!

The 1938-model Magic Carpet (Virginia Field's the dealer's daughter—whoops!)

Roland Young has his hands full with Louise Hovick (and 364 other wives)!

About a million wild-riding Arab horsemen (all after Eddie!)

Tony Martin sheiks June Lang with lovely songs of love!

Alan Dinehart and John Carradine—big, bad men of Bagdad!

The Raymond Scott Quintet (Sultans of Swing)

100 dancing Oriental darlings (Highly Eddie-cational!)

EDDIE CANTOR in ALI BABA GOES TO TOWN

with

TONY MARTIN
ROLAND YOUNG
JUNE LANG
LOUISE HOVICK
JOHN CARRADINE
VIRGINIA FIELD · ALAN DINEHART · DOUGLAS DUMBRILLE · RAYMOND SCOTT QUINTET · PETERS SISTERS · JENI LE GON

Directed by David Butler

Associate Producer Laurence Schwab
Screen play by Harry Tugend and Jack Yellen · Based on a story by Gene Towne, Graham Baker and Gene Fowler · Dances staged by Sammy Lee

New GORDON & REVEL SONG HITS
(their best to date)

•

"LAUGH YOUR WAY THRU LIFE"

"VOTE FOR HONEST ABE"

"SWING IS HERE TO SWAY"

"I'VE GOT MY HEART SET ON YOU"



GIRLS! *Yes, you've got something here!*

October 24-30
THE WHOLE NATION
WILL CELEBRATE

EDDIE CANTOR'S 25TH ANNIVERSARY WEEK
— the greatest tribute ever tendered a show personality!

From all walks of life and from all fields of endeavor have sprung offers to participate in the mammoth celebration during the week of October 24-30 which has been set aside to honor Eddie Cantor. The movement, already the greatest of its kind, is growing daily. The listing on these pages is therefore far from complete. However it will serve as a guide to exhibitors who wish to join in locally.



HIGHLIGHTS OF THE CELEBRATION

(as we go to press!)

TESTIMONIAL BANQUET

World-renowned figures will attend the anniversary dinner at the Ambassador Hotel, Los Angeles, an event that will be important news everywhere. The committee reads like a "Who's Who in America":

Executive committee: Joseph M. Schenck, chairman; Postmaster-General James A. Farley, Will H. Hays, Gov. Frank F. Merriam of California, Paul Muni, Louis B. Mayer.

Honorary committee of 100 including: Gov. James V. Allred of Texas, Major Edward F. Bowes, Frank Barham, Irving Berlin, Babe Ruth, Gene Buck, Admiral Richard E. Byrd, Nicholas Murray Butler, Paul Block, Sam Briskin, Irvin S. Cobb, Harry Cohn, Harry Chandler, George M. Cohan, Archbishop John J. Cantwell of Los Angeles, George Washington Crile, Walter Damrosch, Jack Dempsey, Dr. Allan Roy Dafoe, Walt Disney, Albert Einstein, Gus Edwards, Daniel Frohman, Sid Grauman, William Goetz, Samuel Goldwyn, Vice-President John Nance Garner, Rear Admiral Cary T. Grayson, Dr. A. H. Giannini, Patrick Cardinal Hayes, Sam H. Harris, Rupert Hughes, J. Edgar Hoover, Gov. Henry Horner of Illinois, Fannie Hurst, Herbert C. Hoover, William Randolph Hearst, Jascha Heifetz, Roy Howard, Gov. C. F. Hurley of Massachusetts.

Also Herbert Johnson, Bobby Jones, Senator Hiram Johnson, Helen Keller, Abe Lastfogel, Mrs. Robert Larson, Carl Laemmle, Sr., Mayor Fiorello H. La Guardia of New York, Albert D. Lasker, Gov. Herbert H. Lehman of New York, Gov. P. F. LaFollette of Wisconsin, Robert Millikan, Connie Mack, James G. McDonald, Bishop William T. Manning, Bishop Francis J. McConnell, George Cardinal Mundelein, Senator William Gibbs McAdoo, Henry Morgenthau, Rabbi Edgar F Magnin, A. J. McCosker, Gov. Frank Murphy of Michigan, J. F. T. O'Connor.

Also Judge Harlan Palmer, Gen. John J. Pershing, William Paley, Robert Patterson, Col Theodore Roosevelt, Mrs. Eleanor Roosevelt, Charles R. Rogers, Eddie Rickenbacker, Robert Gordon Sproul, Leo Spitz, Arthur H. Sulzberger, Leopold Stokowski, Lee Shubert, David Selznick, David Sarnoff, Al Smith, Charles M. Schwab, Mayor Frank L. Shaw of Los Angeles, Judge Clifford P. Smith, Nicholas M. Schenck, Booth Tarkington, Samuel Untermeyer, Rabbi Stephen S. Wise, Felix M. Warburg, Jack Warner, Harry Warner, Sol Wurtzel, Mrs. Alice Ames Winter, Mrs. Yolando Maro-Irian, Owen D. Young, George Young, Darryl F. Zanuck and Adolph Zukor.

RADIO

The Columbia Broadcasting System will radio-cast the banquet to its millions of listeners. Other important networks have likewise expressed a desire to broadcast the news. (See also "Texaco")

NEWSPAPERS

The Associated Press will run a special feature story about Eddie Cantor for its subscribers . . . comprising America's most important papers. The New York World-Telegram will carry a special feature. The New York Sunday Mirror (circulation over 1,500,000) is using a full color photo of Eddie Cantor for its front cover. Other big newspapers are planning similar special co-operation. The national syndicated feature "25 YEARS AGO TODAY" will play up Eddie's anniversary.

MAGAZINES

Both "LIFE" and "LOOK", leading pictorial magazines with national circulations running into many millions, are planning special layouts for the event.

WESTERN UNION

Western Union will use displays in its thousands of offices in every city, town and hamlet.

TEXACO

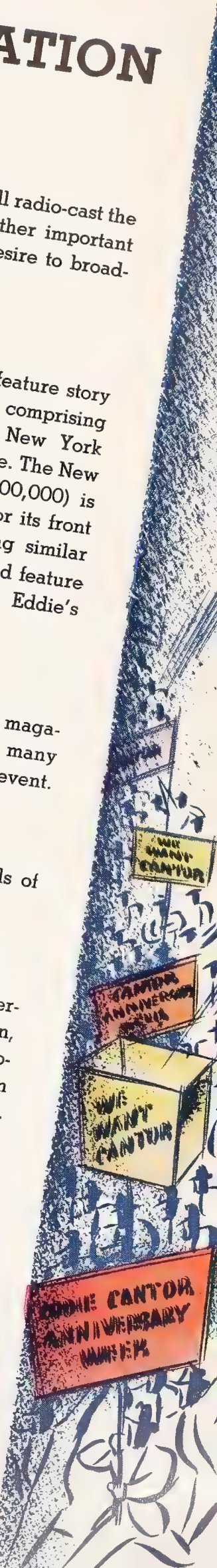
All Texaco stations will carry special displays referring to Eddie Cantor's 25th Anniversary. In addition, the Texaco Wednesday night program, over the Columbia network, will call attention to the celebration in advance as well as during the week of the festivities.

FAN PUBLICATIONS

Leading fan magazines, with their tremendous national circulations, have expressed a desire to join in the tribute with special articles.

AND BESIDES

Motion picture editors, columnists of note, stage publications, motion picture critics, outstanding radio personalities, newspaper editors, magazines of general circulation . . . all are planning to lend their enthusiastic support to make Eddie Cantor Week an unforgettable event!



EDDIE HIMSELF!

RAYMOND SCOTT QUINTET

LOUISE HOVICK

ROLAND YOUNG

JUNE LANG

TONY MARTIN

DOUGLAS DUMBRILLE

HAVE YOUR OWN CELEBRATION by dating in

"ALI BABA GOES TO TOWN"

ON OCTOBER 29th (release date)

for the biggest hold-over party you ever gave your theatre!

THE HIP-HIP-HOORAARINGEST SURPRISE HIT EVER . . .
JAMMED WITH FUN HEADLINERS FOR EVERY HI-DE-HILARIOUS MOMENT!

IRGINIA FIELD

ALAN DINEHART

JOHN CARRADINE

—and those show-stoppers
PETERS SISTERS
JENI LE GON

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Para.—British Plans to Await New Quota Law

(*Continued from page* 1)

country. We are just going to organize a production unit to take care of our requirements. And when we do that we will make pictures worth while."

Zukor was highly optimistic over the progress made by English film companies.

"England has taken its picture producing seriously. There are big studios and big plans. The British are developing producing organizations to make pictures for their own market better than in the past. As they improve and gain by experience their product will reflect that."

Asked about television, Zukor said, "I visited television studios in Great Britain and they are very interesting."

"Do you think television will be a third form of entertainment," he was asked.

"No, I can't see anything like that at the moment. Television will develop like radio and will have no effect on theatres. Television will be an improvement on radio, as sound was to the silent film."

Calls Foreign Business Good

Queried on conditions abroad, the chairman of the Paramount board stated:

"Business in general is better than it has been. This goes for the Continent as well as London. The increasing number of outstanding pictures has stimulated business. Exhibitors are optimistic and hopeful and confident on this season's product turned out.

"In every country efforts are being made to produce better films. England is working hard to produce worthwhile pictures and credit must be given British producers for the sincere efforts behind the move."

Speaking of general reactions abroad, he said there was no war scare. Everyone over there, meaning England and France, is wondering why the stock market has dropped here and they cannot understand the reason for it, he commented.

Attended September Meet

While in London, Zukor attended the sales convention of all European managers Sept. 25-26. Some of the company's new product was screened for the men. John W. Hicks, foreign head, will remain abroad for another three weeks.

Paramount's production plans at Joinville call for four to six French pictures a year. Ike Blumenthal is in charge of the studio and there is no intention to import the films.

Discussing studio operations in Hollywood, Zukor asserted that there is no thought of resuming unit production.

"We are doing a successful job under the present plan and we will do nothing to stop us from making good pictures.

"We have developed a cooperative system in the studio, a system which Famous Players operated under when the company originally started. It put the company to the front and we will keep Paramount there."

Asked for additional data on the cooperative system, the chairman of the board said:

"It's a system where everyone at the studio works together as one big unit and which I believe is the way to get the best results.

"I like it because everyone is tickled pink when someone makes a good picture. It also economizes on costs and it is better than any other system." There will be no change in production plans laid out at the beginning of the season, Zukor added.

Emphasizing that his trip was a vacation, the Paramount executive said he didn't buy any stories and didn't sign any players. He added that there is no intention to interchange talent with European producers. The company does not plan to use the Astoria studio as an eastern production unit.

If time permits, Zukor will continue to make an annual visit abroad. He expressed satisfaction over the appointment of Chris Dunphy as his aide.

It is doubtful whether Paramount will sponsor a radio program from the studio, it was indicated. The company has seventeen of its important stars and players on various commercial programs. Zukor said he will give the studio air show idea his attention when he returns to the coast.

Asked about reports that David O. Selznick was negotiating to join Paramount as a producer, the chairman of the board said, "I don't know anything about it."

Zukor will remain here a week before leaving for the coast. He will be accompanied by Dunphy, who met him yesterday at quarantine. At the pier were Stanton Griffis, chairman of the Paramount executive committee; Barney Balaban, president, and Al Wilkie of the publicity department.

Although no plans for studio space have been made in England, Zukor said that there is plenty of space available at Denham and Pinewood.

Shortly after he cleared customs, Zukor attended a meeting of the executive committee, at which he gave the highlights of his trip.

Arrivals



Adolph Zukor, chairman of the board of Paramount, submitting to an interview with Bill Ornstein, reporter for Motion Picture Daily, *on the sun deck of the* Normandie *as the super-liner steamed up the Hudson yesterday.*



Annabella, French star now under contract to 20th Century-Fox, another of yesterday's arrivals. Today, her producing sponsors will tender her a cocktail party at the Waldorf.



Professor Max Reinhardt, distinguished stage producer, reached New York yesterday with a committment to produce "The Gamblers" for Warners and a plan to develop his own repertory theatre here. All photos by Cosmo-Sileo.

LeBaron to Take Vacation

HOLLYWOOD, Oct. 14.—William LeBaron, who has been in charge of Paramount production during Adolph Zukor's absence, will leave on an extended motor vacation as soon as Zukor returns from the east.

Lou Smith Goes to Coast

HOLLYWOOD, Oct. 14.—Lou Smith has been transferred from the home office publicity department to a permanent spot at the studios. His first assignment will be the handling of publicity for the Ernst Lubitsch production unit on "Bluebeard's Eighth Wife." Smith plans to move his family here shortly.

John Loder Arrives

John Loder, who last appeared in "Non-Stop New York" for G.B., arrived yesterday on the *Normandie* with his wife, Micheliene Cheirel, who played a leading role in "Carnival in Flanders." This is the first American visit for the actress. The Loders will spend a week in New York and then visit Hollywood and San Francisco.

Reinhardt to Have Repertory Theatre

Plans are under way to organize a permanent repertory theatre for Max Reinhardt, it was learned yesterday with the arrival of the producer from Salzburg. According to the plans now being discussed, Reinhardt will produce some of his greatest plays in New York in a theatre which will bear his name.

Reinhardt will remain in New York for a few days and then leave for the coast where he is scheduled to make "The Gamblers" for Warners. He is due to return from Hollywood next July, by which time the repertory theatre plan is expected to be completed. Reinhardt's last spectacle produced at Manhattan Opera House was "The Eternal Road," which is expected to be revived shortly.

Harry Foster Here; Has Stories, Plays

Harry Foster, an agent in England who is affiliated with the William Morris agency here, arrived yesterday on the *Normandie* to offer American producers a number of stories held by G. B., it was learned. Foster would not comment other than to say he has a number of screen tests and stories with him and that he was here to buy plays and secure talent. He will remain in New York for about two weeks and then proceed to the coast. Foster will return to England in two months, he said.

Maxwell Gets Union Circuit; U.K.'s Biggest

(*Continued from page* 1)

for a full accounting of directors' actions. The point in issue will be the preferred dividend, which was recently declared, and which is said to be unjustified by the company's figures.

The preferred stockholders' vote would put Maxwell in, giving him a dominating circuit of 700 theatres. Alternatively, his legal action may indirectly oust the Ostrers from G. B.

On Oct. 6, the G. B. financial statement showed a net profit from theatres and investments of £561,701, increased by a balance brought forward of £147,021 and the transfer from reserve of £435,278, making a total of £1,144,001 available.

A stormy session is predicted at the meeting tomorrow as a result of the passing of the dividend for the second year.

Pacts on Bargaining Up at S W G Hearing

HOLLYWOOD, Oct. 14.—Leonard Janofsky, counsel for the Screen Writers' Guild, today scored an important point in the Guild's collective bargaining hearing before the National Labor Relations Board when he drew admissions from Ken Thomson, secretary of the Screen Actors' Guild, and John Arnold, past president of the American Society of Cinematographers, that the organizations negotiated with the producers as a group. This was held by Janofsky to be an important point in the presentation of the Guild's side of the lengthy hearing.

Arnold testified concerning the 1933 I. A. T. S. E. cameramen strike and the subsequent signing of a bargaining agreement by the A. S. C., an opposition group, with the producers. He said Louis Mayer acted as spokesman for the producers in the negotiations. Thomson told of the recent signing of the Guild contract and a copy of the pact was entered in the records of the hearing despite objections by respondents' counsel.

The first morning witness was Sherman Lowe who said his salary as a writer at Warners was $150 weekly. He stated that writers are not all highly paid. Janofsky indicated that he would call many writers to the stand to divulge their salaries to combat the playwright and producer contention that writers are a highly paid class of craftsmen.

Sears Goes to Coast

CHICAGO, Oct. 14.—Gradwell L. Sears, general sales manager of Warners, today left for the coast to confer with H. M. Warner, Hal Wallis and S. Charles Einfeld. He is expected to be gone about two weeks.

Sam Schneider, assistant to H. M. Warner, is accompanying Sears.

YOU CAN'T GET

ALCA

IS THE KIND OF HEAD

GET ONLY FROM



'Alcatraz Island' • A First National Picture • A Cosmopolitan Production

MPTO of Northwest To Meet on Oct. 25

SEATTLE, Oct. 14.—The 15th annual convention of the M.P.T.O. of the Northwest will be held at the New Washington Hotel Oct. 25. There will be a display of equipment, with trailers, posters, etc. State, county and city officials will be guests.

Ed Kuykendall will be one of the speakers. Three trustees will be elected for three years and two trustees for two years. The annual ball will be held in the Civic Auditorium. The committee in charge includes: L. O. Lukan, Hal Daigler, William Foreman, Paul Aust, L. J. McGinley, J. M. Hone, Mrs. B. F. Shearer, Mrs. Neal East and Mrs. John Danz.

Congress Tax Study To Start on Nov. 4

WASHINGTON, Oct. 4.—Members of the special Internal Revenue Sub-Committee of the House Ways and Means Committee will meet Nov. 4 to begin their study of tax revision.

At the Treasury, Secretary Morgenhau revealed that his department has completed its studies of the tax situation and he will be ready to confer with the sub-committee at any time.

One of the major questions to come up in connection with the proposed tax revision is that of making the admission tax a permanent part of the law.

Dr. Giannini Denies Wanger to Quit U.A.

(*Continued from page* 1)

ing with Walter Wanger, Mr. Wanger has a long contract with United Artists and is president and general manager of Walter Wanger Prod., of which he owns 50 per cent and of which United Artists owns the other 50 per cent. Mr. Wanger is thoroughly satisfied at United Artists, having just completed six pictures and will resume active production again the first of the year."

Wall Street

Few Gain on Board

	Open	High	Low	Close	Net Change
Col.	17	17	15¾	16½	— ½
Cons.	2	2	1⅞	1⅞	— ⅛
Cons. pfd.	7½	7⅝	7	7¼	— ¼
E. K.	161	164	159	159	.....
E. K. pfd.	162	162	162	162	+1
G. T. E.	15¾	16⅜	15	15	— ¾
Loew	64¼	66½	64⅛	64¾	+1
Para.	14⅝	15	13¾	13¾	— ⅝
Para. 1	103⅜	107	101	101	— ¼
Para. 2	13¼	13½	12⅞	12⅞	— ⅝
Pathe	7	7	6⅜	6⅜	— ⅝
R. K. O.	4½	4¾	4⅜	4⅜	.....
20th Fox	26¾	28	26½	26¾	— ½
Univ. pfd.	33¾	34	33½	34	+1
W. B.	8½	8¾	8⅛	8⅛	— ⅜

Curb Rises Lightly

	Open	High	Low	Close	Net Change
G. N.	1¾	1¾	1⅝	1⅝	— ⅛
Monogram	1¼	1⅞	1¾	1⅞	+ ⅛
Sonotone	1½	1½	1½	1½	.....
Tech.	21⅞	22	21½	21¾	+ ¼
Trans-Lux	2⅞	3	2⅞	3	.....
Univ. Pict.	4	4	4	4	.....

Bonds Generally Decline

	High	Low	Close	Net Change
Keith 6s '46	94	93½	93½	— ½
Loew 3½s '46	98⅝	98½	98½	— ¼
Para. B'way 3s '55	66⅛	66	66	— ½
R. K. O. 6s '41	84	84	84	.....
W. B. 6s '39	85	84	84½	+ ½

(Quotations at close of Oct. 14)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Alcatraz Island"

(*Cosmopolitan-First National*)

HOLLYWOOD, Oct. 14.—"Alcatraz Island" obviously is designed to use the current interest in the prison fortress in San Francisco Bay as one of the selling features. At the same time it gives an opportunity for some of the younger talent on the Warner lot to demonstrate their ability. They turn in creditable performances in a story that maintains interest without hitting any emotional heights.

It is the story of a gangster regenerated in prison by the devotion of his daughter and an older woman, directed by William McGann from an original screenplay by Crane Wilbur. The woman in the case, Ann Sheridan, is certainly pleasant to watch, and brings sincerity to the role. The daughter, Mary Maguire, has looks and talent that probably will be enhanced by experience.

The story starts like a typical gangster yarn, but soon concentrates on the father-love theme when John Litel, the gangster, is sent to prison on an income tax charge and is transferred to Alcatraz after a brawl with a former member of his gang. At Alcatraz he is charged with murder, but is acquitted at the finish by the aid of Gordon Oliver, young district attorney, who has fallen in love with the daughter. Oliver is a promising young actor who will bear watching.

Running time, 61 minutes. "G."

"Wallaby Jim of the Islands"

(*Bud Barsky-Grand National*)

HOLLYWOOD, Oct. 14.—In Albert Wetjen's *Collier's* stories Wallaby Jim is a ruthless, hardboiled character. As Bud Barsky recreates him on the screen, Wallaby is still tough. But with George Houston in the role, he's a singing hero who uses his fists, wits, and eschews guns, to bring about triumph of virtue. The transition reflects a good deal of intelligence.

As the sustained production of "Wallaby Jim of the Islands" is above average, so is the merit of the story, as well as the potential exploitation angles. The background is in the South Seas. Ruth Coleman, bound to meet her sweetheart, Douglas Walton, boards Houston's schooner. Walton, a victim of the temptations which befall many white men in the tropics, is in the power of pearl highjacker William von Bricken. Houston has three jobs to do—bring about Walton's regeneration so that he will be a suitable mate for Miss Coleman, remove von Bricken as scourge of the natives and prevent him from jumping a pearl bed claim. All is accomplished to the tune of engaging romantic interest, melodramatic action, the required comedy touches and quite a lot of music which accentuates both the romance and drama.

Houston, Walton, Miss Coleman, Mamo Clarke, Colin Campbell and Syd Saylor check in with credible performances and the support is up to standard. The screenplay by Bennett R. Cohen and Houston Branch is a workmanlike job and the manner in which Charles Lamont handled his material and characters, as well as worked in the Felix Bernard and Irving Bibo song numbers, gives the film the desired swing and sock.

Running time, 65 minutes. "G."

Looking 'Em Over

"This Is China"

(*Leon Wechsler*)

An attempt to reveal the Chinese character with scenes of pitiful labor, vices, sicknesses and ultimate cooperation in the conflict with Japan—the united action of formerly dissenting provinces—is offered here in this documentary film.

Much of the material is down-to-earth facts. They hit hard. Coolie labor, opium addiction, pestilence and disease parade before the camera. Military movements, fine architecture centuries old and modern medical science are juxtaposed with the unending struggle of the native to eke out a living.

The film is definitely anti-Japanese. Jack Foster of the *New York World-Telegram* staff wrote the narrative continuity. Alois Havrilla does the narration. Eric Berna photographed.

The film is very apt to create much comment.

Running time, 72 minutes. "G."

Ampa Members Have Afternoon of Waiting

Some of the Ampa members who left their offices about 12:30 to attend the first meeting at the International Casino had to be introduced to their co-workers when they returned.

About 2:10 waiters hove over the horizon on the 45th St. end of the huge dining room equipped with rolls and butter. People wandered about looking for seats. Those who already had them munched rolls.

Some time before 2:30 P.M., E.S.T., Paul Lazarus told the expectant diners that next week's meeting would be different—the head table would be on the 44th St. end and all the seats would face it, and the management would be told that the members couldn't take the day off for lunch, or afternoon tea. When the food finally arrived it was all right. The dessert looked as though it had been designed by Rembrandt—or Tony Sarg.

Lazarus—presiding in the absence of Ralph Rolan—told the guests all about the next two meetings in detail. Then he gave a list of the guests of honor who hadn't arrived. Then he introduced several women. In the course of time he convinced the diners Bob Taplinger was about to speak. The bright spot of the afternoon was Estelle's Taylor's singing.

After the applause for her numbers had died down Commissioner Bert Adler of the Sanitation Dept. was presented. He introduced Bruce Barton. Bruce explained why he was running for Congress.

About 3:30 the working members went back to their offices.

Equity Members Ask Livelier Magazine

A council committee of Actors' Equity Ass'n has been appointed to study possibilities of improvement in the content and makeup of the organization's official publication, *Equity*, as a result of membership charges that the organ bars any but administration viewpoints from its columns, it was learned yesterday.

The current issue of *Equity*, published today, contains an article by Ilka Chase which sharply criticizes the "dullness" of the publication and pleads for "a better magazine." The issue also contains an article, published at the direction of the organization's council, setting forth the case of 54 Equity members whose sentences, imposed by the council for refusing to continue work on a struck Federal theatre project in violation of Equity orders, were revoked recently on appeal to the Equity membership.

Frank Gillmore, *Equity* president, is expected in New York this weekend from the A. F. of L. convention at Denver and probably will immediately head a movement to induce Paul Dullzell to reconsider his resignation as executive secretary. The resignation was handed to the *Equity* council on Tuesday and tabled by it for a two-week period.

Flash Preview

"Boots and Saddles"—A western built around the activities of horse-breakers who supply the cavalry of the U. S. Army.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

"Wife" Pulls Big $26,000 On the Loop

CHICAGO, Oct. 14.—"Wife, Doctor and Nurse" was the top attraction in the Loop last week at the Oriental. The gross was $26,000 which was $8,000 over average. Since starting to show "A" pictures at advanced prices the Oriental has been in the big money class.

Milton Berle at the Palace was credited with the excellent business there. The screen attraction was "Music For Madame" and the $25,600 gross was $6,600 above normal.

The Roosevelt with "Thin Ice" held over a second week was above the average line with a gross of $14,800. The Apollo with "Lost Horizon" did a nice business and "Marry the Girl" at the State-Lake was satisfactory.

Total first run business was $132,300. Average is $121,000.

Estimated takings:

Week Ending Oct. 7:

"SOULS AT SEA" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Evans Ballet and Revue. **Gross:** $30,000. (Average, $32,000)

"THAT CERTAIN WOMAN" (W.B.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $6,200. (Average, $6,500)

"WIFE, DOCTOR AND NURSE" (20th-Fox)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $26,000. (Average, $18,000)

"MUSIC FOR MADAME" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Milton Berle and Revue. **Gross:** $25,600. (Average, $19,000)

"MARRY THE GIRL" (W.B.)
STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $13,000. (Average, $13,000)

Week Ending Oct. 8:

"LOST HORIZON" (Col.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,700. (Average, $6,500)

"THIN ICE" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 2nd week. **Gross:** $14,800. (Average, $11,000)

"BIG CITY" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $15,000)

Halt Zenith Foreclosure

MILWAUKEE, Oct. 14.—Foreclosure action on the Zenith theatre building here has been forestalled by an agreement calling for the payment of $10,000 on the $140,000 principal still due the A. J. Strauss Paying Agency, Inc., and Arthur J. Strauss, trustees for a bond issue on the building and liquidation by monthly payments of delinquent interest of $13,000.

Arnold-Schulberg Split

HOLLYWOOD, Oct. 14.—The five year business association of Edward Arnold with B. P. Schulberg has ended. Schulberg had Arnold under contract for his personal services at $750 a week, and loaned him to other studios.

Henceforth, Berg-Allenberg will represent Arnold.

Ralph Ruben a Father

DETROIT, Oct. 14. — Ralph Ruben, president of Amusement Supply Co., is passing around the cigars. The reason—arrival of an eight-pound baby daughter, his second. Mrs. Ruben and the new arrival are doing nicely.

Looking 'Em Over

"Forlorn River"

(*Paramount*)

"Forlorn River" stands comfortably above the regular run of westerns and should be pleasing to the youngsters and the adults who like straightforward action pictures. Against a background of beautiful western mountain scenery is told a more or less routine yarn, with the romance nicely subordinated, and for once, not involving the hero, but his friend.

Larry Crabbe, once famous as a swimmer, looks as though he might be on the way up as a western player. He rides well, has all the requisite physical presence, and has learned to handle himself and his dialogue smoothly and engagingly. June Martel supplies the romance. John Patterson is Crabbe's friend; Harvey Stephens, the menace, and Syd Saylor offers the comedy as Crabbe's buddy.

Charles Barton directed from a screenplay by Stuart Anthony and Robert Yost, and a novel by Zane Grey. Crabbe and Saylor take stolen money from a gang, escape the sheriff and run across Stephens again as he poses as a horse buyer for the army, planning a raid. Some excellent shots of herds of horses on the move are interspersed with a full quota of hard riding and shooting, before the gang is brought to book, and the romance saved.

Running time, 57 minutes. "G."

"Counsel for Crime"

(*Columbia*)

Straight program material, telling an old story in satisfactory fashion, "Counsel for Crime" probably will prove all right on duals and, in some spots, will be able to stand alone.

There is little to sell in cast names, although Otto Kruger and Douglass Montgomery offer their expected finished performances as the young lawyer and his older and clever employer. Jacqueline Wells, as secretary to Kruger, has but little to do, and romance is subordinated.

John Brahm, in his direction, focussed the action on the drama, in the courtroom and revolving about the skeleton in the closet which nearly emerges to ruin the boy's career. Harold Shumate's story indicates early that Montgomery, who believes himself adopted by his parents, actually is the child of his foster-mother and Kruger, who takes him into his office after graduation and teaches the younger man the wiles of the law.

But when Montgomery learns that a fat gangster fee means more to Kruger than the ethics of the profession, he quits him, joints the district attorney's office and becomes his antagonist. When, in the course of a defense plan, Kruger's man brings back evidence of the past episode, and Kruger kills him in a struggle. Montgomery prosecutes and Kruger goes to prison rather than reveal the truth of the case.

Running time, 60 minutes. "G."

"Green Fields"

(*New Star*)

If the production standard set by this film is maintained, a fresh brand of entertainment for a specialized audience may appear on the market. It is first rate film in every respect, based on a Jewish folk tale. The dialogue is wholly in Yiddish. "Green Fields" is something new that will be found highly enjoyable by Jewish audiences. The story is acted to perfection by a well-chosen cast of Artef and Jewish Art Theatre players.

The screenplay is a bucolic comedy of Jews living on Russian farms prior to the revolution. They lead a simple and ignorant existence until a Talmudic scholar appears on the scene. He is out to see the world in its reality. By nature, he is sensitive and retiring and his appearance strikes a new note in the people's existence. He is taken in by one David-Noich and treated with great respect. A scheming neighboring farmer, Avrum-Yankon, soon tries to lure him to his domicile. Much of the humor revolves around this competitive game. Noich's son is courting Yankon's daughter and the girl's parents attempt to use this romance to force Noich into permitting the scholar to visit them. Finally after much bickering and heated argument is it shown that the scholar has fallen in love with Noich's young daughter and asks for her hand. Tears and laughter follow as the two families are once more on good terms. The story is projected against the honest atmosphere of simple labor in the fields. The photography on every hand is admirable.

Jacob Ben-Ami directed in association with Edgar G. Ulmer. Their joint effort is a good blend of stage and film dramatic handling. The cast includes Michael Goldstein, Helen Beverly, Isadore Cashier, Anna Appel, Saul Levine and Hershel Bernardi. Leon Drennen's English titles adequately translate the story.

Running time, 105 minutes. "G."

(Additional Reviews on Page 16)

"100 Men" 2d Week Leader, San Francisco

SAN FRANCISCO, Oct. 14. — "100 Men and a Girl," on a dual with "Counsel for Crime," continued as an outstanding draw in its second week at the Orpheum. The $12,200 take was $4,200 over normal.

The only other attraction to get into the big money was "Saturday's Heroes," with a stage show headed by Sally Rand, at the Golden Gate where the $18,500 gross was $4,500 to the good.

Total first run business was $93,700. Average is $92,000.

Estimated takings:

Week Ending Oct. 5:

GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage, Sally Rand. **Gross:** $18,500. (Average, $16,000)

Week Ending Oct. 6:

"LIFE BEGINS IN COLLEGE" (20th-Fox)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $21,000. (Average, $17,000)

"100 MEN AND A GIRL" (Univ.)
"COUNSEL FOR CRIME" (Col.)
ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $12,200. (Average, $8,000)

"MADAME X" (M-G-M)
"MY DEAR MISS ALDRICH" (M-G-M)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $9,500. (Average, $13,000)

"LIFE OF EMILE ZOLA" (W.B.)
ST. FRANCIS—(1,400), 55c-83c-$1.10-$1.65, 7 days, 3rd week. **Gross:** $6,500. (Average, $10,000)

Week Ending Oct. 7:

"STELLA DALLAS" (U.A.)
EMBASSY—(1,400), 15c-35c-40c-55c, 6 days, 5th week. **Gross:** $4,800. (Average, $6,000)

"BACK IN CIRCULATION" (W.B.)
"SOPHIE LANG GOES WEST" (Para.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,000. (Average, $14,000)

Week Ending Oct. 8:

"DREAMING LIPS" (U.A.)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,400. (Average, $1,000)

"WALTER WANGER'S VOGUES OF 1938" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $6,800. (Average, $7,000)

Peru Passes 769 Films

WASHINGTON, Oct. 14.—A total of 769 films were passed by the Peruvian censor during the first eight months of 1937, according to a report to the U. S. Dep't. of Commerce from Assistant Trade Commissioner David M. Clark, at Lima. Six were rejected, three American, and one each Mexican, British and German.

To Rent in Washington

WASHINGTON, Oct. 14.—On Oct. 18 the Rialto will inaugurate a new policy, going into a type of "town hall" with the theatre being for rent. The opening attraction will be a week of grand opera, by the Columbia Opera Co., of New York. On Nov. 8 "Dead End" will go in for a week.

Wallis Resigns from G.N.

HOLLYWOOD, Oct. 14.—S. R. Wallis has resigned as chief auditor of the Grand National studio and will open his own office as an accountant in Hollywood. No successor has been named yet.

NEVER BEFORE HAVE CRITICS GIVEN A PICTURE SUCH PRAISE!

Day after day . . . from city after city . . . they're piling up unprecedented tribute to Columbia's greatest comedy triumph!

IRENE DUNNE
CARY GRANT

RALPH BELLAMY
ALEXANDER D'ARCY
CECIL CUNNINGHAM

A LEO McCAREY PRODUCTION

Screen Play by Vina Delmar

THE *Awful Truth*

Associate Producer, EVERETT RISKIN · Directed by LEO McCAREY · A COLUMBIA PICTURE

JIMMY FIDLER
Ace Radio Commentator

"Put this on your must-see list. It is one of the funniest comedies of the year."

LOUELLA PARSONS
Noted Screen Authority

"If there is any picture funnier than 'THE AWFUL TRUTH' I haven't seen it."

JIMMY STARR
Celebrated Film Critic

"I'm urging, begging and pleading with you not to miss 'THE AWFUL TRUTH'."

RUTH WATERBURY
Photoplay

"Best picture that has come out of Hollywood in a year."

ADOLPHE MENJOU

"It's top comedy. A marvelous picture."

ERNST LUBITSCH

"I would be a proud and happy man to have directed 'THE AWFUL TRUTH'."

UNITED PRESS

"Is one of the finest pictures of the year."

HOLLYWOOD REPORTER

"New Columbia smash is unquestionably the funniest picture ever filmed."

ED SULLIVAN
Famous Columnist

"Season's greatest. You'll love it. I've never heard such yells of laughter."

LOS ANGELES TIMES

"A hundred percent winner of light comedy. A masterpiece of its type."

MODERN SCREEN

"The truth about 'THE AWFUL TRUTH' is it's terrific."

HOLLYWOOD CITIZEN-NEWS

"An all-around smash hit."

SCREEN BOOK

"The best comedy out of Hollywood in ages."

CHARLES R. ROGERS
Universal Pictures

"Greatest comedy ever produced."

MERVYN LeROY
Famous Director

"Greatest piece of theatre entertainment I've ever seen. A comedy knockout."

We request that you review it yourself at our nationwide trade showings!

And soon... **GRACE MOORE** *in "I'll Take Romance"* *with* **MELVYN DOUGLAS**

Mass of Film For Schools' Use Is Found

(*Continued from page* 1)

their reports to the board. Indications are that distributing arrangements will not be completed for some time to come.

The committee of educators is headed by Dr. Mark A. May, director of the Yale Institute of Human Relations. Its other members are Frederick H. Bair, Isaiah Bowman, Karl T. Compton, Edmund E. Day, Royal B. Farnum, Willard E. Givens and Jay B. Nash.

The film subjects selected by the committee included material which may be used in art, biology, nature study, elementary education, physical education, social studies, music, geography, science and history classes.

The committee's report declared that "if education is to be adequate for the future needs of our increasingly complex life, it must avail itself of every modern device for teaching. The motion picture is destined to take its place beside the text book, the laboratory and the workshop as a factor of major significance in education."

Further Study Planned

The committee's report was received and discussed by the board and will be studier further, it was stated following the meeting. In thanking the committee for its work, Will H. Hays declared that the development of "the classroom usefulness" of films has been one of the "purposes" of the M. P. P. D. A. since its organization.

"It is gratifying that you have found such a high percentage of pedagogic values in the films examined," Hays said. "These values will be developed for the classroom in a field and with a technique separate from the essential service of theatres in furnishing wholesome entertainment."

Attending yesterday's meeting in addition to Hays were Barney Balaban, Paramount; Harry D. Buckley, United Artists; R. H. Cochrane, Universal; Earle W. Hammons, Educational; E. B. Hatrick, Cosmopolitan; Frederick W. Herron, M. P. P. D. A.; Leo Spitz, RKO; Nicholas M. Schenck, Loew's; Sidney R. Kent, 20th Century-Fox, and Albert W. Warner, Warners.

Texas Theatres Face New Taxation Threat

HOUSTON, Oct. 14.—The tax bugaboo is again giving Texas theatre operators the jitters since Gov. James Allred's determined efforts to force his special tax bills through an extra session of the state legislature.

The bills propose to place a 10 per cent state tax on theatre admissions over 25 cents. This will be in addition to a first 10 per cent state tax on admissions over 50 cents and a Federal tax of 10 per cent on admissions over 40 cents.

Local theatres now charge 50 cents top admission, stating it is a 45-cent admission plus five cents Federal tax. Houston managers say any further tax burden will result in an increase in admissions. The state bill is still pending.

Looking 'Em Over

"Live, Love and Learn"

(M-G-M)

M-G-M has woven a wholly delightful piece of smart and laugh-laden entertainment in "Live, Love and Learn," which is the kind of thing audiences should go for in a large way, and in which showmen should revel. It has names, comedy, a touch of honest drama which at times is truly moving and is endowed at the same time with splendid production values. It is in the best tradition of M-G-M's smart comedy-drama.

The cast is topped by Robert Montgomery, offering one of his suave, finished performances as the young artist; Rosalind Russell, as his charming wife, who captures audience sympathy at the start and holds it throughout; Helen Vinson as the feminine villain of the piece, and, Robert Benchley as the slightly shabby and completely engaging friend of the couple. It must be recorded that the slightly corpulent Benchley, who has demonstrated his skill in a number of short subjects, comes very, very close to tucking the picture into his hip pocket and walking off with it. Monty Wooley, E. E. Clive and Al Shean, in lesser parts, offer highly commendable support.

Harry Rapf produced, and George Fitzmaurice, who directed, has maintained a fine pace, timed the laughs expertly, and withal, done an excellent job. The screenplay was by Charles Brackett, Cyril Hume and Richard Maibaum, from an original by Marion Parsonnet, in turn suggested by a story by Helen Grace Carlisle.

The story finds wealthy Miss Russell tumbling off a horse into painter Montgomery's careless life and forcing him to marry her. In the garret, with Benchley much in evidence, and to the tune of some hilarious comedy, they are all happy. Then Miss Vinson, friend of Miss Russell, walks in, proceeds to carve a "money" career for the young artist, which is one way of making a play for him, and follows the inevitable parting. But the lesson is learned, following the living and loving, and a grand reunion, accompanied by more laughs, writes finis.

Running time, 78 minutes. "G."

"The Bride Wore Red," yesterday morning's opener at the Capitol, was previewed by wire from the coast on Sept. 24.

"Souls at Sea," previewed by wire from Hollywood on Aug. 7, is now being shown at the Paramount.

"Stage Door" at the Radio City Music Hall, "Life Begins in College" at the Roxy and "Wife, Doctor and Nurse" at the Rivoli are holdovers.

"Stage Door" Gets $113,000 1st Week

"Stage Door" garnered $113,000 for the first seven days at the Music Hall. Yesterday's business was as good as the opening day, according to the management. It is likely the picture will be held a third week.

"Life Begins at College" finished a first week at the Roxy last night with $63,500. The picture is now in its second week and also may be held a third.

Columbia Will Hold Meeting in Atlanta

Columbia will hold the second of a series of three divisional metings at Atlanta on Saturday and Sunday, Oct. 23 and 24. The last of the series will be in San Francisco the second week in November.

Home office executives will leave today for the first meeting at Chicago tomorrow and Sunday.

Sells British Films

Budd Rogers, vice-president of Alliance Films Corp., has sold the American distribution rights to a group of Associated British Pictures to J. H. Hoffberg Co., Inc. In the group are "Invitation to the Waltz," "I Give My Heart," "Kathleen Mavourneen" and "Student's Romance."

Hoffberg will leave soon on a trip through the midwest and to the coast.

May Impose Higher Fees in Milwaukee

MADISON, Oct. 14.—An attempt is being made to re-enact the old theatre ordinance which provides for higher annual license fees.

Under the proposed measure, vaudeville houses would be required to pay $200 a year, unless they have 1,200 or more seats, when the fee would be $300; $75 for film houses with 500 seats or less, $150 for more than 500 or less than 1,200 seats; $300 for over 1,200 seats and an additional $50 if used for shows and exhibitions other than films.

The present ordinance provides for an annual $50 fee for houses with 500 seats or less, $100 for more than 500 and less than 1,200 seats and $200 for 1,200 or more seats.

Reade to Construct New Red Bank House

Walter Reade will construct a new theatre at Red Bank, N. J., the third for the circuit in that town. He now operates the Carlton and Strand. Reade's new Community at Morristown, N. J., will be ready for opening next month.

RKO Signs Kemp Band

HOLLYWOOD, Oct. 14.—Hal Kemp and his orchestra have been signed for RKO's "Radio City Revels."

S.M.P.E. Concludes Four-Day Convention

The Society of M.P. Engineers concluded its four-day semi-annual convention at the Hotel Pennsylvania yesterday, with a continuation of the long series of technical papers which featured the meeting.

A demonstration of television, conducted by RCA, was the concluding feature of the meeting. The demonstration and its results are discussed elsewhere on these pages today.

Yesterday's session was divided into two sections, an apparatus symposium and manufacturers announcements, and a sound and photography session. In the first period, held during the morning, the following papers were read:

"The Sound Level Meter in the Motion Picture Industry," by H. H. Scott and L. E. Packard, General Radio Co.; "A New Motion Picture Camera Crane," by E. H. Heyer and E. L. Fischer, Universal; "New Ideas in Mobile Sound Recording Equipment," by J. G. Matthews and C. M. Ralph, General Service Studios; "A Mobile Sound Recording Channel," by L. T. Goldsmith and B. F. Ryan, Warners; "A Device for Cleaning the Sound-Track of Motion Picture Film During Projection," by R. J. Fisher; "A Flash Fire-Valve for Fire Prevention in Motion Picture Projectors," by R. J. Fisher; "A Sound Film Phonograph," by D. Canady and V. A. Wellman, Canady Sound Appliance Co.

Afternoon Final Session

The afternoon papers included: "Reduction of Loop-Length Variations in Non-Slip Printers," by E. W. Kellogg, RCA; "A Recorder for Making Buzz-Tracks," by E. W. Kellogg; "Recording Tests on Some Recent High-Resolution Experimental Emulsions," by J. O. Baker, RCA; "Sound Pick-Up Methods for Motion Pictures," by J. P. Maxfield, A. W. Colledge and R. T. Friebus, Erpi; "Grain-Size Determination and Other Applications of the Callier Effect," by J. Eggert and A. Kuester, Germany; "Advantages of Spark Illumination in Certain Types of Photography," by M. A. Durand.

Academy Silent on SMPE's Criticism

(*Continued from page* 1)

the day and other officials of the organization declined to comment.

The projection practice committee of the S.M.P.E. not only branded the Academy's proposals as unnecessarily costly, but advanced a proposal of its own which, it was claimed, would achieve the same result at virtually no cost, and is backed by a favorable opinion from the American Projection Society, the committe said.

Review Case to Court

ALBANY, Oct. 14.—Litigation on the film "Tomorrow's Children," which has sterilization as its theme, has reached the Appellate Division of the Supreme Court, as a result of Supreme Court Justice Francis A. Bergan's decision. He ruled that the motion designed to have him review the film was without his jurisdiction, and directed the motion to the Appellate Division. The censor had refused to pass the film.

Appeal to N.L.R.B. To Be Made by KFXR

OKLAHOMA CITY, Oct. 14. — Charges against KFXR of this city will be filed immediately with the National Labor Relations Board by the A.R.T.A., a C.I.O. affiliate. Joseph Harris, union organizer, told MOTION PICTURE DAILY that the plea to the labor board is the result of the station's refusal to negotiate with the A.R.T.A. which had asked an increase of $7.50 for engineers with $1.50 an hour for overtime, also raises of $40 a week for the chief engineer and $25 a week for his assistant. Also requested were a voluntary closed shop and sick leave with pay.

Harris claims that the entire staff of KOMA here, including continuity men, announcers and engineers, has signed with the A.R.T.A. At the present time the operators are awaiting further instructions from the Hearst offices in New York. Harris added that other Oklahoma stations are in the process of organization and that working condition demands will be made shortly.

Sauter Says Music Program Will Go On

James E. Sauter, producer of the bank sponsored Philadelphia Orchestra program, states that the series will get underway Monday over NBC as scheduled, despite a report that the series would be postponed.

The report of postponement was founded on the fact that WFIL, Philadelphia, would be unable to carry the broadcast due to its music troubles with Local 77 of the A. F. of M. Sauter states that the program may be heard over another Philadelphia station in the event WFIL is unable to carry the program, but that in any event the network broadcast will not be affected by the Philadelphia situation.

Morton Downey Returns

Morton Downey, who returned from England yesterday on the *Normandie*, will make a series of personal appearances at the RKO theatres in Boston and Chicago and at the Fox, Detroit, he said yesterday. After he completes the bookings, he will go to the coast to start on his new 26-week radio contract with General Motors.

Downey has spent the last six months appearing at G.B. theatres in England. He said he had just finished a series of four 15-minute radio programs for Procter & Gamble from Continental stations to England.

"Concert Trio" on KFSD

SAN DIEGO, Oct. 14.—"The Concert Trio" is the title of a new half-hour all-live talent show, produced over KFSD, NBC-Blue outlet, Wednesdays at 7 P. M. The program of classical music features Carmen Conger and Charles Cannon as soloists, with Julius and Bob Leib, violinists, and Pauline Gleason, pianist, furnishing the musical accompaniment.

Butcher, Chapman Resume

Jesse Butcher, of NBC's station relations staff has resigned to rejoin his former partner, Bruce Chapman, in program building. Butcher severed his partnership about six months ago. The firm name of Chapman & Butcher has been resumed.

Now What?

By JACK BANNER

THE extraordinary session of the NAB, the first special convention to be called in the history of the organization, is now on the record. Perhaps its most notable accomplishment was that it again showed the broadcasters to be among the most disorganized group of big business men in America.

Faced by the most serious threat that has ever confronted them—the A. F. of M. demands —the broadcasters conducted their meeting in the manner of a schoolboy fraternal organization. Several of the more serious-minded attendants grew so exasperated with the way things were progressing that they gave utterance to bitter remarks, openly, on the floor, in the form of resolutions.

Samuel R. Rosenbaum, for instance, "annoyed to the point of tears" because the convention behaved at its silliest after the members had agreed to tax themselves 50 per cent more in dues, sarcastically offered a resolution asking the convention to increase the dues by at least another 25 per cent. The resolution was accompanied by a not-to-be-misconstrued slap at John Elmer, president of the NAB. Rosenbaum subsequently apologized to Elmer for his remark. Others also hotly attacked the ineffectual manner in which the convention was progressing, with apologies from most subsequently taking the stings from their remarks.

THE main point, however, is that the special session was called only because of the A. F. of M. threat, yet the convention did little or nothing in this situation. The INRA committee on its own has already accomplished more for its group than the NAB can do in a dozen conventions such as the one which has just been concluded. As for the non-network NAB members, they are no better off at the moment than if the convention had not taken place. It is true they appointed a committee to represent their group, but this committee is authorized only to study, not to act. The committee will not even meet with the A. F. of M. to learn its attitude toward them; to ascertain what kind of a deal they can make.

As far as we can determine, and we know that many of the NAB members are of this same opinion, the convention succeeded only in quickening the pace of the merry-go-round on which the NAB is riding. The acceleration is liable to bring about many cases of *mal de mer*; to make many so dizzy they'll have to drop off.

Perhaps many, after reading the foregoing , will form the opinion that we are against the NAB and the broadcasters as a whole. This, of course, is not true. But it does seem that with the A. F. of M. closing down, with a Federal investigation of radio just around the corner, with Ascap still in the advantageous position of having the station owners "over a barrel," as Jim Baldwin said, that the special convention could have accomplished far more than it did.

Chrysler to Sponsor Comment on Football

The Chrysler Motor Co. will sponsor a weekly football commentary titled "Chrysler Football Parade" over WABC only, beginning this evening from 7:15 to 7:30 P. M., and Fridays thereafter for the remainder of the gridiron season.

Frank G. Menke will be the commentator. Anne Leaf and John Reed Kennedy will also participate in the series. The Lee Anderson agency of Detroit set the account.

Renew Pittsburgh Program

PITTSBURGH, Oct. 14.—The twice-weekly contract of the "Sophisticated Ladies" on WSAE has just been renewed by their sponsor, the Max Azen Fur Co. The trio consists of the Rosenberg Sisters and Jeanne Galbraith every Wednesday and Friday at 12:30 P. M. The girls are also featured on Old Shay's "Night at the Inn" show every Wednesday night on the same station, but under the billing of the "Three Little Maids."

CBS Stations to Get 'Workshop' Program

The CBS "Workshop" programs. the most successful experimental drama series on the air, will be offered to various CBS stations in unit form, with local players in the plays Irving Reis, author and producer of the network series, however, will retain general supervision over the unit productions.

Unit No. 1 will be broadcast over WCAO, Baltimore, on Oct. 20.

Drop Frisco Artists Service

SAN FRANCISCO, Oct. 14.—In line with a general retrenchment, NBC's Artists Service here is being disbanded. Manager Larry Allen will move over to the sales force.

Ruth Barry in New Job

Ruth Barry, for the past year in the publicity department of Kenyon & Eckhart, Inc., has resigned to join the publicity staff of Batten, Barton, Durstine & Osborn. She succeeds Mary Watson there, who has been promoted to copy writer.

WOR Raises Rates; Is First Since 1935

The first new rate card to be issued by WOR since May, 1935, when the rates were raised following the installation of the station's 50,000 watt transmitter, was issued yesterday. The new rates will go into effect Nov. 14.

The new weekday, daytime rate is $600 per hour; $360 per half-hour, and $240 per quarter-hour. The daily night time rate, beginning from 6 P.M., is $1,100 per hour; $660 per half-hour; $440 per quarter-hour.

The Sunday rates, 12 noon to 6 P.M. are $825 per hour, $495 per half-hour, and $330 per quarter-hour.

Current advertisers may extend or renew at present rates for 52-weeks from the date at which time the new rates go into effect. The scale of discounts remains the same.

McNinch Drops FCC Division Procedure

By BERTRAM F. LINZ

WASHINGTON, Oct. 14.—First steps toward cleaning up unsavory conditions in the F.C.C. were taken today with publication of an order abolishing the division of the commission into separate sections for the handling, respectively, of broadcasting, telephone and telegraph matters.

Under the new order, it was explained by Chairman McNinch, the full commission, or a quorum thereof, will act on every matter.

Under the original setup, three members of the commission comprised each division and all matters pertaining to that division could be handled by a quorum of two. The chairman comprised the third member of each division, but, McNinch pointed out, could not possibly actively participate in all matters.

The change, bringing all broadcasting matters before all members of the commission, is the first of a series which McNinch, appointed by President Roosevelt as "clean up" man to eliminate criticism of the F.C.C., is expected to make in the near future.

G. B. Shaw's Series To Go on NBC's Net

George Bernard Shaw will inaugurate a new series of informal talk programs on NBC Nov. 2 at 4:20 P.M. The programs have been arranged by the B.B.C., and will be relayed to NBC via short wave over the Blue network.

Others who have been engaged to appear on subsequent programs in the series are Gracie Fields, Lady Astor and H. G. Wells.

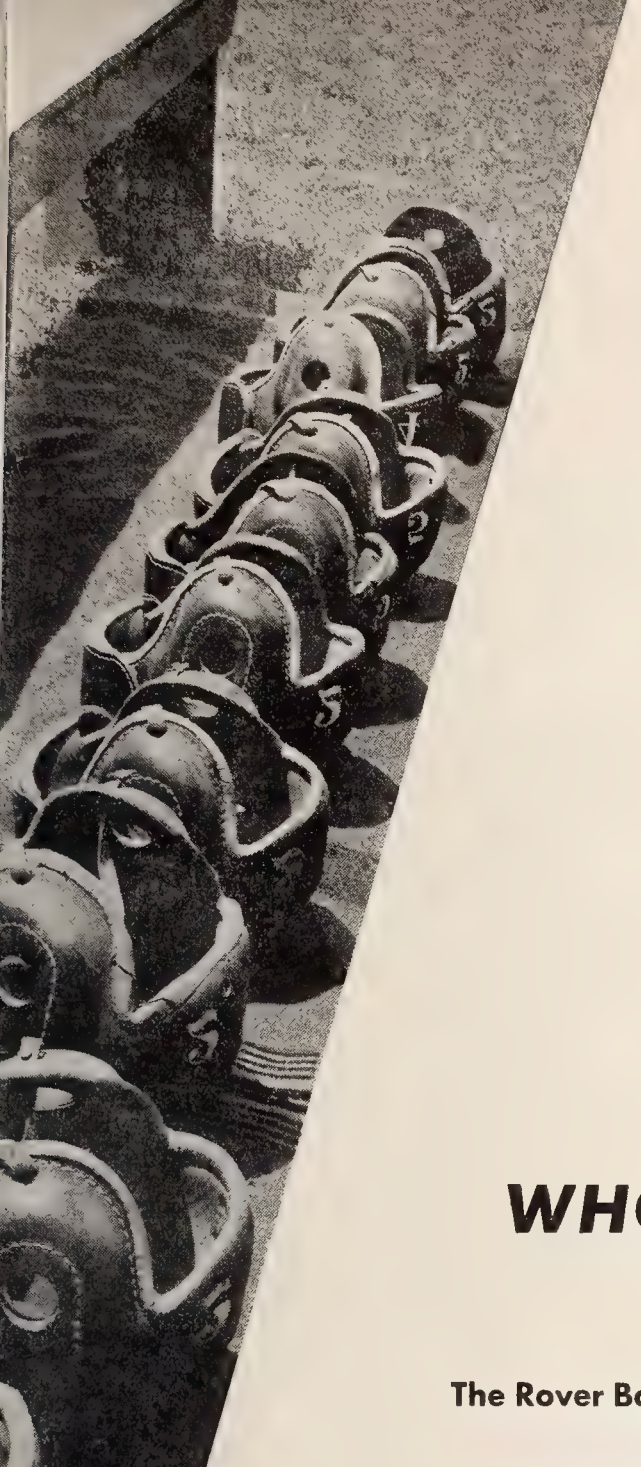
KFSD Gets New Account

SAN DIEGO, Oct. 14.—The Home Appliance Co. has been signed by John Babcock of KFSD to sponsor a two-hour Sunday afternoon program of popular music for six months. An all-transcribed program, it is dubbed "Make Believe Ballroom" and aired Sundays from 12 to 2 P. M., P.S.T.

Additional KFSD business includes two spot announcements a day for Hages Ice Cream & Dairy Co., for 12 weeks through the Norman Tolle agency; renewals for Lyon Van & Storage Co., for 52 weeks through the Mayne agency and renewals for two transcribed spot announcements a day for 52 weeks for Carter's Health Productions.



THE COLUMBIA



WHO'S GOING IN?

The Rover Boys at end? Stover of Yale? Hardly. The coach is short on fiction and strong on facts. He'll send in a young dynamo. Packed with brawn. Fast as an antelope.

WHO'S GOING IN **for the successful advertiser? Radio packs both power and speed. Tackles every distribution problem. Puts 86,000,000 customers on the line. And gets brand names over. It's today's high-scorer for All-American advertisers!**

WHO'S GOING IN **on Columbia? Year after year, the Columbia Broadcasting System is the choice of more of the country's largest advertisers than any other network.**

SOME COLUMBIA SCORES AT THE BEGINNING OF THE LAST QUARTER:

For the first nine months of 1937 over 1936, the volume of advertising on Columbia (after a record-breaking 1936) increased 33.7%. TOBACCO, FOOD and AUTOMOBILE advertising increased over 50% . . . And since January 1st, 15 additional radio stations have increased the Columbia "team" to a grand total of 107 Columbia Network stations . . . the largest network in the world.

B R O A D C A S T I N G S Y S T E M

Nichols Wins Long Suit on KFJF Site

OKLAHOMA CITY, Oct. 14.—Dr. G. A. Nichols, Oklahoma City real estate man, has won a five-year Federal courts battle for a $7,392 judgment against four radio companies which at one time operated KFJF in Nicoma Park outside of Oklahoma City.

Dr. Nichols contended the money was due him from the National Radio Corp., the National Radio Mfg. Co., the Radio Corp. of Oklahoma and the Southwest Broadcasting Co.

Under the terms of a contract negotiated in 1928, Dr. Nichols claimed the station was to be operated in Nicoma Park where Dr. Nichols sold the radio site. When KOMA replaced KFJF, it vacated the Nicoma Park site and Dr. Nichols alleged breach of contract. The Southwest Broadcasting Co. subsequently sold KOMA to the W. R. Hearst interests.

Cleveland Program Will Discuss Films

CLEVELAND, Oct. 14. — Starting Friday, WCLE will offer a novel series of 15-minute weekly broadcasts called "Movie Art and Problems." The program will be conducted by Bertelle M. Lyttle, editor of the Cleveland Cinema Club Bulletin and sponsor of the Movie Art course at the Cleveland Museum of Art.

The purpose is to give the public an idea on how to judge films, to arouse interest in them and to stimulate in them as a cultural force. The programs will not be interviews. They will consist of conversation between Miss Lyttle and experts as her guests.

Powel Crosley, III, Promoted

CINCINNATI, Oct. 14.—Powel Crosley, III, a vice-president of Crosley Radio Corp., has been placed in charge of the radio set manufacturing division of the company.

J. P. Rogers, another vice-president, has been placed in charge of the private brand division of the company which covers the sale of automobile sets, special brand radios and refrigerators.

WLW Adds 13 Programs

CINCINNATI, Oct. 14.—Thirteen new programs, and at least six old ones under new titles have been inaugurated over WLW during the past past week. Opening time of the station has been moved up 15 minutes to 5:45 A. M., for a 20-hour weekday broadcasting stretch. The Sunday broadcasting schedule of 18 hours has not been changed.

To Aid Red Cross

Washington, Oct. 14.—Arthur Godfrey will devote his all-night program on WJSV, from 1 A. M. to 9 A. M., to the Red Cross, by playing only requests from listeners who promise in their wires to become members of the Red Cross. The organization is expected to derive much benefit as a result.

RCA Television on 3 by 4 Ft. Screen; Use Film Technique

By RED KANN

(*Continued from page 1*)

sort of greenish in color and the performers, while they spoke with exceeding clarity, lacked sharp visual definition. Yet there they were, stepped up from the 7½ by 10-inch maximum put on display by NBC and RCA on Nov. 6 of last year and pointing up a whole, vast future with limitations and possibilities which only that future might determine.

The demonstration had been arranged as a sort of grand finale for the convention of the S.M.P.E. This time and again there was a battery of about 30 television receiving sets. But this time it was different. For, while the 16 simultaneous receivers gave out with their show, down the hall a thick telescopic-looking affair, set on a plane horizontal with the floor, was projecting on a moving picture screen the same images, speaking the same lines and playing the same music, five times larger in the height and four times greater in the length.

First Time on Screen

Attaches willingly supplied the information that this was the first time a television program was being projected on a motion picture screen. So far as this observer is concerned, the claim goes by him without challenge. But he recognized the potential—and it is still only potential—challenge which the television of tomorrow holds for New York and San Francisco and all of the picture theatres between.

RCA and NBC officials readily concede perfection has not been attained. They admit "bugs" are running around in the equipment, but they did hold to the opinion that the larger image now within television's grasp compares favorably with motion pictures in their early days. And on that score and with that observation they are entirely correct.

Improvement Noted

Since the demonstration of last fall, this television system has undergone considerable improvement in another direction, too. Film technique has been aimed at and, in large measure, successfully captured. This time there were closeups, dolly shots, medium and long shots in keeping with the accepted practices of the studios in Hollywood. Thus, a closeup of a xylophonist's hands playing "Some of These Days"; another of a doctor pouring medicine for his patient in a hospital skit; a traveling shot to encompass a whole set.

Television, as RCA and NBC, at least, had it developed last night, is committed to go longer distances before it is entirely satisfactory to its mentors. They admit it, but they also admit—and it is immodest, if you like—that they expect finally to perfect it scientifically and commercially. When, is a matter for tomorrow and the tomorrow after that to determine. They don't seem to be anxious; neither do they appear to be in a hurry.

They call the invention which shoots the image from its 7½ by 10-inch size to the approximate three by four feet the Kinescope. It is the result of several years of experimentation by RCA technicians under the direction of Dr. Vladimir K. Zworykin, W. H. Painter and Dr. R. R. Law. It is a projection tube, the secret of which is light, plenty of it and in high intensity—twin factors without either of which the larger image is not possible.

The show consisting of dramatic sketches, harp solos by Margaret Brill, and a comedy skit by Herman and Banta, plus a newsreel, was picked up by Iconoscope cameras on the third floor of the RCA Building, relayed by coaxial cable to the transmitter in the Empire State Tower and broadcast to the receivers on the 62nd floor of the NBC Building.

It was not much of a show as entertainment content goes. But it was literally a whale of a show for the direction in which it pointed. This was the great significance of the demonstration.

By JACK BANNER

(*Continued from page 1*)

RCA for the first time in the history of the industry.

The show consisted of both film and live entertainment. The images were shown first on the 7½ by 10 inch television screen and were then projected on a screen approximately three by four feet by the new catnode ray tube. The pictures were scanned with the 441 line definition, beyond which engineers have not advanced.

The black and white images were far from being those colors. They were nearer gray and white; on some of the 7½ by 10 screens they had the blue-green tint observed last year.

The manipulation and coordination of the television cameras, however, were much more skillfully handled than in the past. Close-ups and long shots were well defined and the changes from one to the other, while not instantaneous or free from flicker, also showed improvment.

Kinescope Interesting

The "large screen" television was shown on a motion picture screen several feet away from the newly developed projection Kinescope. The Kinescope is a high-current electron gun which generates an extremely slender electric beam of tremendous intensity. The electrons are passed through three metal focusing discs, each having an opening about the size of a pencil lead. They then pass through a fourth disc with an opening too small to admit a human hair. After this the beam is caught by deflection coils and made to scan a small area at the flat end of the tube. The electron bombardment is so intense that the light produced at the end of the tube is 480 times as bright as that on the reviewing screen.

The enlarged image thrown by the projection Kinescope was somewhat "fuzzy" compared to the image seen on the smaller screen.

The entertainment included two dramatic sketches written for television, harp solos by Margaret Brill, a comedy skit and a newsreel. The show was picked up by the Iconoscope cameras in the NBC studios at Radio City, relayed by coaxial cable to the transmitter in the Empire State Tower, and from this point broadcast to the approximately 30-odd receivers on the 62nd floor of the RCA Bldg.

New Shows On the Air

"Mr. Keen, Tracer of Lost Persons"

Mr. Keen fights heartbreak, not crime. So it comes about that he helps the hero find his dream girl, the girl he thinks doesn't exist. However, she does and, conveniently enough, turns out to be Mr. Keen's assistant. Since love and its course never run without hurdles and the script has to be extended to make this a serial anyway, not much happened in the first episode Wednesday evening beyond establishing the premise. Indications were Mr. Keen would bring the unwitting lovebirds together within a week and that suggests the end of this part of the show. Not a bad idea.

The program is sponsored by American Home Products Co. on behalf of Bi-So-Dol and is heard over the NBC Blue from 7:15 to 7:30 P. M. Tuesday, Wednesday and Thursday. Blackett, Sample and Hummert, the agency. K.

Yasha Davidoff

Yasha Davidoff is well known in this country and abroad due to his many appearances on the concert and operatic stage. He sings well in a fine baritone-basso voice. His repertoire includes many light romantic numbers which he delivers with well-modulated voice. On his initial program he sung "Under Your Spell," "Thine Alone," "Can I Forget You" and "The Rogue Song." Davidoff is heard every Thursday from 4:30 to 4:45 P. M. over Mutual as a sustainer. P.

Flash Preview

"March of Time"—The new March of Time made its debut over NBC last night. It meets stern opposition from the Rudy Vallee Hour and the Kate Smith show but it will survive even against these.

"Polish Melodies" for Mutual

"Polish Melodies," a new series for Katro-Lek Laboratories, will be broadcast Sundays over the Mutual network from 12:15 to 12:30 P. M., beginning Oct. 17. The contract is for 52 weeks through Chambers-Wiswell of Boston.

The series will originate in the studios of WAAB, and will be offered over the following stations: WOR, WGN, CKLW, WAAB, WFIL, WCLE, WEAN, WICC, WSPR, WCAE and WKBW.

Home-Made

To achieve an "experimental audience," RCA shortly will place on the market parts from which a radio amateur operator can construct a home television set. The RCA laboratories are now perfecting experiments for small size receivers.

The sale of the parts will be limited, for the time being, to the New York and Philadelphia areas.

Radio Personals

RONNIE AMES, ex-Waring publicist, flew to Detroit last night to consult with the Ford Co., relative to an invention . . . Mrs. Peter Van Steeden is off to join her husband in Bermuda . . .

✚

Weber and Fields will appear on Jessel's "30 Minutes in Hollywood" Sunday over Mutual . . . Hilda Burke will be the "Hit Parade" guest on CBS, Oct. 23 . . . When he was unexpectedly detained in New York, Edward R. Dunning, vice-president of N. W. Ayer & Son, addressed a sales conference in Detroit by telephone . . . Victor Bay inaugurates his new CBS series "Essays in Music" this evening . . .

✚

Morton Gould celebrates his 24th birthday this week. . . . Harold Stokes sold his yacht yesterday. . . . Francis Faye and Gordon and Revel will appear on the Benny Davis revue on Mutual Sunday. . . . Joyce Howard, singer and pianist, has been signed under CBS Artist Bureau management. . . . Elisabeth Rethberg will be Andre Kostelanetz's guest on the Chesterfield show Oct. 20. . . .

✚

Paul Specht, the orchestra leader, is making a series of transcriptions for the State of Pennsylvania. The platters will be used in radio programs tying in with a statewide publicity campaign . . . Willie Howard is talking about returning to the air with his "Professor Ginsberg" characterization. Bob Stanley may furnish the musical background for a new commercial, but there's no detail about it . . . Doris Fischer, recently signed by CBS, now does a song cycle over WABC Mondays from 9 to 9:30 A.M., and Thursdays from 3 to 3:30 P.M. James H. Street, who wrote the story for "Nothing Sacred," a forthcoming Selznick International film, has joined *Radio Guide* as a staff writer. He was at one time assistant city editor on the *New York World-Telegram.*

Wagner Named Head Of Wisconsin Unit

FOND DU LAC, Wis., Oct. 14.—James A. Wagner, WHBY, Green Bay, has been elected president of the Wisconsin Radio Network, formerly the Wisconsin Broadcasting System.

Other officers named are: William Forrest, WIBU, Poynette, vice-president; A. H. Lange, KFIZ, Fond du Lac, secretary-treasurer, and Lynn N. Fairbanks, KFIZ, Fond du Lac, assistant secretary-treasurer.

The change in name was decided upon because a Wisconsin Broadcasting Co. is already in existence.

The network's latest program is the Pal-O-Pak Songsters, Dean, Lloyd and Evelyn Hartung, sponsored by the Palmer-Wittkopp Co., Hartland, Wis., and aired each Sunday at 9 A.M., C.S.T.

"Arrowsmith" on Lux Hour

"Arrowsmith," the Sinclair Lewis story, will be dramatized on the Lux "Radio Theatre" Oct. 26, with Spencer Tracy playing the title role.

The Newsreel Parade

Movietone News
Vol. 20, No. 10
(20th Century-Fox)

Some spectacular shots of the Sino-Japanese conflict stand out in this release, which is varied in content, splendidly photographed, ably edited and narrated.

Five clips from the Orient comprise an impressive panorama of the deadly conflict being waged in China. From scenes of fleeing refugees and long lines of invading forces on the march to those entire communities silenced by shell fire and the destruction caused by air raids, these shots portray vividly the seriousness and horror of the struggle in the Far East. The camera catches a Japanese plane shot from the skies and follows its downward course into a river. Shelled hospitals, captured Japanese fliers, the landing of American Marine reinforcements, China's defenders, and the American ambassador at Nanking, a danger zone, are all included in this footage photographed by Eric Mayell and Bonney Powell, and narrated by Lowell Thomas.

Ed Thorgersen covers the Long Island Steeplechase at the West Hills Hunt meet; Thomas describes the opening of New York's West Side highway; Vyvyan Donner and Helen Claire a juvenile auto show, and Lew Lehr a motorized kangaroo hunt to complete the reel. The release rates high for news, action and amusement.

Running time, 10 minutes. K.

News of the Day
Vol. 9, No. 208
(M-G-M)

The dramatic highlight of News of the Day in this issue is the bombing of Nanking. How the cameramen obtained the shots without themselves being blown up is a mystery. The scenes build up.

After showing the arrival of Marines at Shanghai in the *Chaumont* and taking rides in rickshas, the films turn to views of Japanese planes in midair as they approach Nanking. The descent of the bombs and their devastating explosions are visible. Details are given of the damage done to the Rockefeller Hospital. Chinese soldiers clearing the tracks after a train has been bombed and pulling bodies out from beneath are shown. In one extraordinary shot a plane falls in flames and dives into a river almost directly in front of the camera.

President Roosevelt is shown discussing this country's intention to stay out of war. General Pershing is presented at the dedication of his monument at Versailles. Air shots give a good idea of the extent of the new express highway along Riverside Drive, and some fashion shots are presented.

Running time, 9 mins. J.

Paramount News
No. 21
(Paramount)

The highlight of this reel is the bombing of Nanking vividly caught by the camera of Arthur Menken. Repelling tactics by Chinese anti-aircraft batteries bring down a Japanese bomber in flames. The crash looks like the real stuff.

The new west side highway in New York opens the reel. It is followed by President Roosevelt calling a special session of Congress in November. In Bangor, Me., the activity of the main street is caught a few minutes after the Federals eliminated a few public enemies. This clip, too, is good. The American Legion in Paris, Versailles and Rome is shown parading and saluting. The first snowfall at Mt. Washington, N. H., is shown and, also in New England, at Presque Isle, Me., champion potato pickers do their stuff.

Running time, 10½ mins. P.

Reel Suspends

London, Oct. 14.—The National News, new British newsreel, which was planned to run 1,200 feet as against the usual reel running time of 900 feet, and also was to include a sequence in color and one in cartoon, has been suspended to permit reorganization, following the first issue.

Pathe News
Vol. 9, No. 25
(RKO)

There is nothing outstanding in this issue of the Pathe reel, the highlights being the President's latest fireside chat to the nation, and some fast football action in the Columbia-Army game.

An interesting feature of the shooting of the President's speech is the camera play on the battery of radio sound men in the White House, keeping the airwaves clear as the President spoke. For the rest, the reel showed, in rapid succession, the killing of Al Brady and his companion in Bangor, Me., the academic parade at the induction of Dr. Edward E. Day, Cornell's fifth president, the operation of a new mechanical cotton picker in the south, which will cut costs, and a fashion parade with squirrel fur as the *piece de resistance.*

Clem McCarthy imparts plenty of punch to the description of the spectacular gridiron battle at West Point while the boys themselves should keep any fan on the edge of his seat.

Running time, 8 mins. A.

Universal News
No. 606
(Universal)

This is the newsreel which the Japanese Chamber of Commerce sought to purchase from Charles E. Ford, Universal News editor, as revealed by MOTION PICTURE DAILY. The reason given by spokesmen for the Japanese association for the attempt to acquire the reel was a desire to suppress it on the grounds of doubt as to the authenticity of footage showing Japanese airmen taken captive by the Chinese, as well as other scenes of the conflict which, however, were described as "of no concern."

In view of this statement it must be admitted after viewing the reel that the camera does not present the conclusive evidence which a court of law would require before identifying the prisoners either as Japanese airmen or as combat prisoners. Whether or not this fact, or the scenes themselves, are sufficient to justify attempts at suppression of the reel, becomes a matter, therefore, of individual approach.

The camera does not show the prisoners being taken captive. It does not show them with any identifying insignia, either of the air force or of any other branch of the Japanese armed forces. Most Occidentals, in fact, will be obliged to rely upon the narrator's words that the men shown are of the Japanese race. The shots show a dozen Orientals garbed only in underclothing and shirts, taking setting up exercises and enjoying a smoke under armed Chinese guard in what is presumably a prison camp. That is all there is of the footage which apparently gave the Japanese Chamber of Commerce so much concern.

Destruction Shown

The reel depicts the devastation of air raids in Shanghai and Nanking, with the mute evidence of holes torn in the roofs of hospital buildings and great bomb craters in hospital yards. It shows civilians running for cover in bomb-proof shelters as air raid warnings are sounded. It shows the American consul at Shanghai inspecting the underground shelter recently completed on the consulate premises, and it shows a plane falling in flames while an attack from the air is in progress.

China's leaders, Chiang Kai Shek and Madame Chiang Kai Shek, are pictured, the latter at the dedication of a new hospital. Chinese civilians are shown bearing the remnants of a wrecked Japanese plane to a public exhibition place and a Chinese plane which has been shot down is found by the camera in an open field. Japanese troop movements are shown, and so is the arrival of U. S. Marine reinforcements for Shanghai.

George Krainukov and Howard Winner are the photographers. Running time, 9½ minutes. K.

"U" 9-Week Income $400,000 Over '36

(*Continued from page* 1)

Universal will release a big picture made on the production scale that marked "100 Men and a Girl," Cochrane states. This is in accord with the plan to release 12 top budget features during the year.

The first of these will be "Merry-Go-Round of 1938," a B. G. DeSylva production; the second will be "You're a Sweethheart," starring Alice Faye, and the third will be "Mad About Music," starring Deanna Durbin.

Roach Due Today to See Mussolini Sail

(*Continued from page* 1)

departure for the coast that he would return to Italy with Mussolini, it could not be learned yesterday whether he would sail on the *Rex.* However it is believed, that Roach will not make the trip at this time.

Grace Rosenfeld, eastern representative for Roach, has returned from a month's visit to the studio.

Huston, Bondi, Stone Set

HOLLYWOOD, Oct. 14.—Walter Huston, Beulah Bondi and Lewis Stone will draw the top spots in M-G-M's "Benefits Forgot," Civil War story.



HELLO! ooH! aM I H-A-p-P-y!

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tHis iS jUSt THe stARt AS
wE go to PReSs!
oh!

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 91 NEW YORK, SATURDAY, OCTOBER 16, 1937 TEN CENTS

Ostrers Win Approval of Stockholders

Allege Meeting "Packed" To Gain Endorsement

By BRUCE ALLAN

LONDON, Oct. 15.—The Ostrer brothers stole a march on their opponents at the meeting of stockholders of Gaumont British today. The gallery, crowded with 700 shareholders, who were reported to have been chosen by the Ostrers, voted five to one in favor of the directors, approved the recently-issued financial report of the company and reelected the directorate by large majorities.

It was freely alleged during the meeting that employes were given shares and instructions to interrupt and shout down any criticism of the proceedings. Observers were inclined to find the allegations borne out during the session.

The noisy scenes began when

(*Continued on page 3*)

Local 306 Contract Runs into Next Year

New contracts between Local 306 and independent circuits will not be negotiated until next September, it was stated yesterday by Joseph D. Basson, president of the union. Basson said that the deal with the independents was not set until 1936, and according to the agreement no new scales can be discussed until two years later.

Basson and a committee yesterday conferred with major circuit executives at the Loew home office. Progress was reported on the new two-year arrangement for the circuits. Further meetings are planned before a new scale is set up for the next two years.

Goldman Building 2 Philadelphia Houses

William Goldman, former Warner zone head in Philadelphia and now an independent exhibitor with a circuit of 10 theatres, is building two new houses in Philadelphia, he stated yesterday. One of them will be a newsreel theatre at 13th & Market.

Goldman came in town yesterday to see Al Lichtman, Loew executive, off on the *Normandie*. He returned to the Quaker City in the afternoon.

Radio—Page 4

Ask Roxy Fees Of $512,010 In Petitions

Others Filed Late Will Raise This Amount

Fourteen petitions for allowances in the Roxy Theatre reorganization totaling $512,010 were filed in the U. S. District Court yesterday, the last day for filing petitions. A number of additional requests for allowances were filed at the last moment. The amounts could not be learned. Federal Judge Francis G. Caffey set Nov. 19 for a hearing.

Howard S. Cullman, Roxy trustee, asked for $120,000 in addition to $80,000 previously received. In his report Cullman revealed that the gross receipts during his administration from Dec. 15, 1932, to Sept. 2, 1937, were $7,975,586 as against disbursements

(*Continued on page 2*)

Griffis Sells a Big Block of Debentures

WASHINGTON, Oct. 15.—Receipt of reports that Stanton Griffis, New York, director, disposed through Hemphill, Noyes & Co., of 23,000 3¼ per cent Paramount convertible debentures in July and a similar volume in August, reducing his holdings from 88,000 on June 30 to 42,000 on Aug. 31, was made known tonight by S. E. C. in its semi-monthly summary of the transactions of officers, directors and principal stockholders in the securities of their corporations.

The report also showed that Jack Barnstyn, New York, who became an officer in Grand National Films Jan. 12, at which time he held no equity securities, acquired 1,000 shares of $1 par common stock during August.

C I O Active

Further indications of the desire of the C. I. O. to gain a foothold among "white collar" workers in the industry came to light with the knowledge that much literature, similar to that circulated among Loew's, Inc., employes, has been distributed among RKO workers as well.

U. A. Selling Away From F. P. Canadian

United Artists is selling away from Famous Players Canadian in Canada. Several deals have been closed by George J. Schaefer, vice-president and general manager, with Loew houses and with independents.

Among the deals are: Orpheum, Montreal; Garrick, Winnipeg; Loew's, Toronto; Center, Ottawa; Empire, Quebec; Loew's, London; Strand, Calgary; Vanity, Windsor; Roxy, Saskatoon; Rex, Regina; Imperial, Moncton, N. B.; Orpheum, Moosejaw; Esquire, Brantford, Ont.

Columbia Attends Play Bureau Meet

Columbia, which recently declared through its president, Harry Cohn, that it would re-enter the Broadway play financing field this season, yesterday sent its representative to the first fall meeting of the board of the Bureau of New Plays, the organization sponsored by seven major producing companies on their withdrawal from play financing activities two years ago. The bureau's objective is to discover its own playwriting talent and production material before it gets to Broadway.

Marion Avery represented Columbia at the meeting; J. Robert Rubin, M-G-M; Russell Holman, Paramount; Leda Bauer, RKO; Edwin

(*Continued on page 3*)

Lichtman Is Appointed to Loew's Board

Succeeds T. N. Perkins; Sails for England

Al Lichtman, assistant to Nicholas M. Schenck, president of Loew's, is now a director in addition to being a vice-president of the company. The appointment as a director was made at the last board meeting. Lichtman replaces Thomas Nelson Perkins, who died recently. Perkins was a trustee of Film Securities Corp.



It will be two years next month that Lichtman joined Loew's as assistant to Schenck. Within a few weeks, he was made vice-president with the dissolution of M-G-M.

Lichtman sailed yesterday on the *Normandie* to spend several months abroad "to help develop the M-G-M producing organization."

Asked how many pictures the company will make in England, Lichtman said: "I don't know. We will

(*Continued on page 3*)

Loew's May Give Up Kansas City Midland

Loew's is expected to drop the Midland, Kansas City, it was learned yesterday. The circuit has a 10-year lease on the theatre which expires Oct. 28. No negotiations have been held on a renewal of the lease, it was stated. Loew's, however, is understood to have declined to discuss new terms.

For some time, Joseph R. Vogel, in charge of out-of-town operations for the circuit, had been trying to get a reduction in rent without success. The house has been in the red for several years.

Phil Meyer Dies; Ill for Long Time

Philip E. (Phil) Meyer, 46, died late Thursday night at his home after a lingering illness. He had been in the film business for 25 years and his last job was manager of the local Principal Exchange. He had also been identified in sales capacities with G.B., Columbia, Tiffany and Pathe

(*Continued on page 3*)

May Shelve LaGuardia Reel Here Until Election Is Over

The showing in New York neighborhood theatres prior to Election Day, Nov. 2, of March of Time's production starring Mayor LaGuardia and city department heads, and depicting the Mayor's public career, is extremely doubtful at this time.

RKO's Greater New York circuit, which has first call on the picture, will not play it until after Election Day in order to avoid suspicion of political partisanship in the municipal campaign, it was reported in reliable quarters yesterday. Efforts to check the report with N. J. Blumberg, RKO theatre head, were not successful.

The picture was withdrawn from the Music Hall last week after completing seven days of a 14-day run, which makes it available to the Embassy next Thursday. Officials of the theatre said last night that it would

(*Continued on page 2*)

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STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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May Shelve LaGuardia Reel Here Until Election Is Over

(*Continued from page* 1)

open there according to schedule. No other Broadway bookings of the film for dates prior to Election Day are set, according to RKO, distributors of March of Time, and no neighborhood dates have been set yet.

Harry Michalson, RKO short subjects manager, offered the explanation that the 18 minutes running time of the La Guardia production "make it difficult to fit in on double feature programs" and said that this has delayed the setting of dates for the picture in RKO neighborhood houses. He added that the metropolitan bookings for the film would be discussed at RKO early next week with some possibility that dates would be set then. He declared, however, that it was not certain that these dates would be in advance of Election Day. Michalson will leave Sunday for Cleveland and Pittsburgh, to be away a week.

Time Executives Unmoved

March of Time officials were undisturbed, apparently, by the delay of the production in reaching the city's screens.

A March of Time spokesman said there was "no trouble" over the reel as far as March of Time is concerned, and no complaints have been received from exhibitors due to any indicated delay in the availability of the film. He belittled the reports that delivery and bookings of the picture were being held up because of "threats" from the Mayor's political opposition, as did the distributor and numerous metropolitan exhibitors, none of whom had heard of any attempt at intimidation to discourage the exhibition of the picture until after the city election.

Player Group Backs Mayor

A theatrical and film division of the Non-Partisan Committee in support of Mayor LaGuardia for reelection and Thomas E. Dewey for Manhattan District Attorney, has been formed here. Daniel Frohman is honorary chairman, Louis Nizer, chairman; Major Edward Bowes and Theresa Helburn, vice-chairmen; J. Robert Rubin, treasurer, and Meyer W. Weisgal, secretary.

Thus far the membership of the committee includes: George Abbott, Luther Adler, Richard Aldrich, Kelcey Allen, Maxwell Anderson, Helen Arthur, Brooks Atkinson, Edith Barrett, Norman Bel Geddes. Owen Davis, Crosby Gaige, Margalo Gillmore, Dorothy Gordon, George Heller, Arthur Hopkins, Lawrence Langner, Sam Levene, Philip Loeb, Leonard Lyons, Guthrie McClintic, Paul McGrath, Victor Moore, Clifford Odets, Donald Oenslager, Brock Pemberton, George Ross, Morris Ryskind, Sam Sax, Arthur Schwarz, Herman Shumlin, Leonard Sillman, Henry Travers, Richard Watts, Jr., and Rita Weiman.

Ask Fees of $512,010 In Petitions on Roxy

(*Continued from page* 1)

of $7,561,445. Cash on hand at present is $421,446. During his period as foreclosure receiver, the Roxy lost $124,186, but earned $543,990 while he acted as reorganization trustee. Together with other income of $3,692, the net operating profit for the entire period of four years and 39 weeks was $405,495.

Creditors of the reorganization proceedings hold claims totaling $47,318. Bernard Appel, Cullman's attorney, suggested that money of the creditors who failed to claim their 100 per cent dividends should go to the bondholders after 30 days. However, Judge Caffey vetoed the suggestion and ordered the money deposited with the clerk in the court until claimed. Class A stockholders who will receive $1 per share from 20th Century-Fox Film Corp., which took over the Roxy, under the settlement not included in the reorganization plan have been notified to exchange their shares for cash.

Program costs for the entire period totaled $3,046,481 and other operating expenses were $2,474,606. Admissions, less taxes, were $6,627,114; film rentals, $1,030,892; special talent, $984,162; orchestra, $505,622; stage, $311,029; projectionists, $203,619, and ballet, $11,155. There were over 17,000,000 paid admissions.

Advertising costs were $806,202; house salaries, $678,489; administration costs, $336,796; advisory supervision, $258,595.

Besides Cullman's request for fees, the following also were filed: White & Case, attorneys for the Pound bondholders protective committee, proponents of the plan, $65,000 for fees and $1,565 for disbursements; the Pound committee, which represented 63 per cent of the first mortgage bonds, asked $23,318 for fees and $37,394 for disbursements; Beekman, Bogue, Leake, Stephen and Black, attorneys for the gold note holders second mortgage protective committee, sought $25,000 for fees and $497 for disbursements; the gold noteholders committee, $10,000 for fees and $17,297 for disbursements; Daniel W. Blumenthal, attorney for the Adler committee, $12,500 for fees. The Adler committee made no claims, either for fees or disbursements.

Cullman Attorneys Ask Fee

Continental Bank & Trust Co., trustees under the mortgage, asked $12,263 for fees and $2,989 for disbursements; Proskauer, Rose and Paskus, attorneys for Cullman, $50,000 for fees and $209 for disbursements. They previously had received $62,000; Hoffman & Hoffman, attorneys for a number of bondholders, $2,500; Thomas J. Ryan, attorney for John Kane whose suit sent the Roxy into receivership, $3,500 for fees; Milton H. Reuben, attorney for the Roxy theatre, the debtor corporation, $5,000 in fees; Barrow, Wade Guthrie & Co., accountants, $13,434 for fees; George M. Garrson and Roemer-Kenny Co., Inc., filed a joint request for $58,692 for brokerage fees on the sale of the Roxy. Carl Erikson also made a claim for brokerage fees and asked $50,952.

Brackett Cites SWG Problems at Hearing

LOS ANGELES, Oct. 15.—Charles Brackett, acting president of the Screen Writers' Guild, today told of the ups and downs of the organization since its revival in 1933 as the chief witness in the hearing on the petition for the designation of a collective bargaining agency election before the Labor Relations Board here.

Brackett placed the present total of active and associate members at 523. He said two attempts were made to talk to the producers on behalf of guild recognition, but that the producers never answered the guild letters.

At one point Brackett declared that Patterson McNutt, one of the organizers of Screen Playwrights, Inc., threatened writers at Paramount with possible loss of jobs and pay cuts unless they joined his organization which now holds a bargaining agreement with the producers. Attorney Neil McCarthy called the testimony false and stated that he will demand specific proof.

Brackett testified that his present salary is $1,100 weekly, this being $100 more than his salary of a year ago.

Purely Personal

GREGORY DICKSON will arrive from the coast Monday to confer with HAL SLOANE, eastern representative for WALT DISNEY and RKO on advertising and publicity campaigns.

•

ANNABELLA, French star who arrived on the *Normandie* Thursday, was the center of attraction at a cocktail party held at the Waldorf yesterday. She there met the press.

•

LYNN FARNOL will indulge in wood chopping over the weekend, interrupted, however, by a football game this afternoon. He'll attend, not play in it, with GUS EYSELL.

•

HARRY MICHALSON, RKO short subjects sales manager, leaves tomorrow for Cleveland and Pittsburgh, and is scheduled to be back in New York by the end of the week.

•

SIDNEY R. KENT, ordered several weeks ago by his physician to take an extended rest, is expected back at his office some time during the coming week.

•

MARTIN FINKELSTEIN of Globe Pictures Corp. is in town from the coast and will set up offices here shortly for the handling of "Spirit of Youth."

•

LEO MCCAREY, who recently finished directing "The Awful Truth" for Columbia, will arrive in New York Monday on the 20th Century.

•

CHARLES STERN returned yesterday from Gloversville after negotiating a deal with the Schine circuit for approximately 90 theatres.

•

A. A. SCHUBART, RKO head of exchange operations, has returned from a three-week tour of midwestern and southern branches.

•

HELEN HUGHES, recently signed by M-G-M in a New England talent hunt, has gone to the coast.

•

ARTHUR GUTTMAN, composer under contract to M-G-M, will arrive today on the *Staatendam*.

•

PAUL MUNI and MRS. MUNI will arrive Tuesday on the *Santa Paula* from the coast.

•

CHARLES E. MCCARTHY, now on the coast, is expected back early next week.

•

NOEL COWARD and MISCHA AUER sailed yesterday on the *Normandie*.

•

JULES LEVY, general sales manager of RKO, is en route to the coast.

•

HARRY C. ARTHUR is due to return from St. Louis in two weeks.

•

SAMUEL GOLDWYN will arrive from the coast next Thursday.

•

GEORGE J. SCHAEFER is in New Orleans on a U. A. deal.

•

M. B. SHANBERG plans to return to Florida in a week.

•

ELEANOR ROTH yesterday left United Artists.

Ostrers Win Approval of Stockholders

(*Continued from page* 1)

Charles Nordon, acting for a stockholder's committee, moved an amendment rejecting the financial report and demanding a Board of Trade investigation. There were continual interruptions on fictitious points of order, shouts of "sit down," concerted cries of "paid agitator" and continual coughing.

Nordon declared that the Ostrers had to account for £4,500,000 of £7,000,000 handed to them. The accounts really showed a net loss, he said, and contended that the preferred dividend was wrongly paid. An investigation is the only means of preventing stockholders from losing their entire investments, he said.

W. H. Drown seconded Nordon's motion amid continuous interruption. He referred to "obstructive agitation by paid employes."

Drown Called "Employed"

Jeffrey Bernerd, G. B. executive, retorted, "So are you employed by Mr. Maxwell (John Maxwell, head of Associated British Pictures)."

Drown said that Bernerd drew £9,000 a year; shareholders got nothing.

"It's £9,500," replied Bernerd.

Drown concluded by saying that the Board of Trade, upon investigating, would know what action to take if they found evidence of misfeasance. "That is our only hope of retribution," he declared. He wanted to know what happened to the £10,000,000 in theatre revenue.

Isidore Ostrer, presiding, interrupted both Nordon and Drown to hear frequent points of order and suggested that Nordon limit his speech in deference to the opinion of the meeting, but refused to interfere with a lengthy following speech by a supporter describing the company's distribution venture in the United States, and blaming America for the company's abandonment of production. However, Ostrer did interpose with, "We know all that already."

American Revenue Belittled

In his opening address, Ostrer also attributed the company's position to the absence of income from its production and distribution branches. He said, "It can be simply attributed to the fact that America made no real contribution to the cost of any of our films. We had to face the fact that for a British company to obtain revenue from America is entirely different from an American company obtaining revenue from England."

In the deal with General Film Distributors, the company had recovered the film loss, as shown in the accounts, and profits are expected, he said. The Northolt exterior lot was sold for £50,000, he added. A consolidated balance sheet will be issued when it is possible to merge 100 subsidiaries, the chairman said.

Ostrer said that the preference dividend was paid because the cumulative arrears on the issue would be due next year if no dividend were paid this year. The question of the preference dividend payment would not recur, owing to the company's improved condition, he maintained.

Maxwell, entering the meeting late, received a round of applause but said nothing. Nordon cited Maxwell's 60 per cent earnings and 18 per cent on distribution as compared to no G. B. dividend

Ufa Asks Judgment Against Lina Firm

Ufa Films, Inc., will ask Justice Charles B. McLaughlin to grant summary judgment in the N. Y. Supreme Court on Monday in its replevin suit against the Lina Pictures Corp. and J. Briskman.

Ufa claims that it granted exclusive rights to Talking Picture Epics, Inc., in 1931 on "White Devil," "Immortal Vagabond" and "The Last Company." After Epics had been adjudicated a bankrupt in 1933, Ufa cancelled the contract and demanded the return of 54 prints of the pictures. Briskman further allegedly purchased the prints and contract from the trustee in bankruptcy and assigned his rights to the defendant, Lina Pictures. The defendants deny that they have more than one print of each picture and are counterclaiming for storage charges. Ufa alleges that "White Devil" was exhibited in New York City as recently as May and also demanded an accounting of the profits. Otta Marbach was originally named as one of the defendants, but was later dropped.

To Seek End of Gaige Suit

Twentieth Century-Fox Film Corp. will move to dismiss the $50,000 infringement action brought by Crosby Gaige in the N. Y. Supreme Court on Oct. 10 on motion that the plaintiff has failed to prosecute his suit diligently.

Gaige claims that the title of his story, "Little Miss Nobody," which was published in *Modern Romances* in 1931 was used by 20th Century-Fox in the picture of the same name. The picture was adapted from the story, "The Matron's Report," by Frederick H. Brennan. Gaige alleges that he submitted the story to 20th Century-Fox in 1931 and that it was rejected, but the title was used without his permission. A general denial was filed by the defendant. Dismissal is asked because of the failure of the plaintiff to notice the case for trial, although it has been pending since last November.

Re-Sign Fred Scott

Spectrum Pictures has re-signed Fred Scott for another series of six musical westerns, each one with an increased production budget. Fred Bellin, Spectrum distributing supervisor, stated yesterday the six musicals recently completed starring Scott are at present being released through 24 key city exchanges.

RKO in Minnesota Deal

RKO has closed a deal with the Minnesota Amusement Co. for the company's 1937-'38 product in 91 theatres. Jules Levy acted for RKO and John J. Friedl represented the circuit.

Lust Starts Another

WASHINGTON, Oct. 15. — Ground has been broken in Bethesda, Md., for a 1,000-seat house to be operated by Sidney B. Lust, the seventh in his circuit.

Columbia to Start Chicago Meet Today

CHICAGO, Oct. 15.—Joe McConville, national sales supervisor for Columbia, will preside today at the first of a series of three regional sales meetings which started this morning at the Drake.

Among the speakers will be Rube Jackter, Louis Astor, Lou Weinberg, Max Weisfeldt, Hank C. Kaufman, George Josephs and Milton Mannock.

Among those attending are the following division managers, branch managers and salesmen: West coast division manager, Jerome Safron; Chicago — District Manager Phil Dunas, and C. W. Phillips, G. St. Claire, T. Greenwood, F. Flaherty and J. Kaufman, salesmen; Detroit—District Manager Carl Shalit, and M. E. Cohen, G. L. McCoy, R. F. Cloud and C. H. Townsend, salesmen; Washington—District Manager Sam A. Galanty, and C. D. Weems, C. Wingfield, J. B. Walsh and B. Caplon, salesmen; Milwaukee—Branch Manager O. J. Ruby, and T. J. MacEvoy, M. Weisner and S. R. Chapman, salesmen.

Des Moines—Branch Manager M. H. Evidon, and A. B. Leake, M. Goodman and M. Godwin, salesmen; Minneapolis—Branch Manager H. J. Chapman, and J. H. Jacobs, A. L. Aved, I. Marks, M. S. Sgutt and D. H. Conley, salesmen; St. Louis—Branch Manager C. D. Hill, and C. S. Ferris, J. Morphet, J. Bradford and H. F. Wermeier, salesmen; Omaha—Branch Manager I. M. Weiner, and S. Yaeger, W. E. Barker and J. Armm, salesmen; Indianapolis—W. G. Craig, H. Kaufman, A. J. Gelman and E. Dunas, salesmen; Kansas City—Branch Manager B. C. Marcus, and L. E. Royster, W. Bradfield, C. E. Reynolds and H. S. Stulz, salesmen; Pittsburgh—Branch Manager A. H. Levy, and J. Gins, G. Tice, S. Sugarman and C. B. Koscow, salesmen; Cincinnati—Branch Manager A. S. Moritz, and C. R. Palmer, H. W. Rullman, L. E. Davis and N. Niland, salesmen; Cleveland—Branch Manager L. Zucker, and G. J. Becker, M. Glick and S. Gerson, salesmen.

Columbia Attends Play Bureau Meet

(*Continued from page* 1)

P. Kilroe, 20th Century-Fox; Charles Beahan, Universal, and Jacob Wilk, Warners.

Organization policies were discussed at the meeting and reports were received on the bureau's second annual play competition, which opened two weeks ago.

"Hurricane" to Astor

"Hurricane" will probably open at the Astor on a two-a-day policy Nov. 9. It is expected that the picture will have a day-and-date premiere with the Carthay Circle in Los Angeles. Two other openings are scheduled. They are the Colonial, Boston, Oct. 14, and the Locust, Philadelphia, same date.

Award Schlaifer Prize

The United Artists Denver exchange, headed by Al Hoffman, has been awarded the Jack Schlaifer silver jubilee silver spurs. During the drive which ended Oct. 2 the western exchanges participating were said to have tripled the business recorded up to the same date last year.

Lichtman Is Appointed to Loew's Board

(*Continued from page* 1)

make as many as we can properly release all over the world."

Litchman asserted he didn't know what stars would be sent over, "but we are going to do whatever it takes to make good pictures and whatever help the British organization will need from Hollywood will be given it. We will try to make pictures there up to the M-G-M standard." He is expected to visit a number of other foreign countries. He said he hoped to return by Christmas, but this was not definite.

Bidding him bon voyage were Schenck, C. C. Moskowitz, William F. Rodgers, E. M. Saunders, William Goldman of Philadelphia and Harry Bernstein. Mrs. Litchman accompanied him.

Phil Meyer Dies; Ill for Long Time

(*Continued from page* 1)

and at one time operated the General Exchange in the Film Center.

Funeral services will be held Sunday at the Riverside Memorial Chapel. He is survived by his father, his widow, Helen; a daughter, Bernice, three sisters and his brothers. Manny Meyer is associated with Ben Levine at the Royal Exchange, George Meyer is a song writer and the third brother is with Columbia at the studios.

Guaranteed Gets "China"

Guaranteed Pictures has acquired American rights to Leon Wechsler's documentary film, "This Is China." Wechsler, who previously had produced "Wings Over Ethiopia," also controlled here by Guaranteed, left yesterday for his home in Switzerland where he intends to start production on a winter sports picture.

Wall Street

Kodak Lone Board Gain

	Open	High	Low	Close	Net Change
Col.	16⅜	16⅜	15	15	—1½
Cons.	1⅝	1⅝	1⅝	1⅝	— ¼
Cons., pfd.	7⅛	7⅛	6⅞	7	— ¼
E. K.	159½	160	158	160	+1
G. T. E.	15¾	15¾	14¼	15	.....
Loew	64½	65½	63½	64¼	— ½
Para.	13¾	14¼	13⅛	13⅛	— ⅝
Para. 1.	102½	102¾	100	100	—1
Para. 2.	12¼	12⅞	12	12	— ⅛
Pathe	6⅜	6½	6⅛	6¼	— ⅛
R. K. O.	4⅜	4⅝	4	4	— ⅜
20th Fox	26¼	27⅛	26¼	26½	— ¼
W. B.	8¼	8⅜	7	7¼	— ⅛

Sonotone in Small Advance

	Open	High	Low	Close	Net Change
G. N.	1⅝	1⅝	1½	1½	— ⅛
Sonotone	1½	1⅝	1½	1⅝	+ ⅛
Tech.	20½	21½	20⅜	20⅜	— ⅝
Trans-Lux	3	3	2⅞	2⅞	.....

Bond Declines General

	High	Low	Close	Net Change
Loew 3½s '46	98½	98	98	— ½
Para. B'way 3s '55	65¾	63½	63½	—2½
Para. Pict. 6s '55	95	94½	94½	— ½
W. B. 6s '39	84½	84	84	— ½

(Quotations at close of Oct. 15)

Radio Personals

BOB GOLDSTEIN will visit England on business again soon . . . A famous radio personality who has never been on the air before will serve as Georgie Jessel's guest star over Mutual Oct. 31. We refer to Ida Cantor . . . Bert Wheeler and Judy Garland will be Jessel's guests on the Oct. 24 broadcast . . . Jane Cowl will make one of her rare radio appearances on "Hobby Lobby" over CBS-WOR Oct. 20 . . . Sylvia Sidney will offer some scenes from "Dead End" when she emotes for Kate Smith Oct. 21 . . . Fred Allen and Portland Hoffa will guest appear on the Packard show Oct. 26, and Eddie Cantor will sub for Burns and Allen Oct. 25 . . . James Kirkwood will guest appear on Hammerstein Music Hall Oct. 22, and Lenore Ulric serves as Al Pierce's guest Oct. 26 . . .

+

Paul Strand, director of "China Strikes Back," will be interviewed by Sidney Kaufman Monday on the "Cinema Comments" over WQXR . . . Alan Courtney's "Joymakers" will celebrate Courtney's third anniversary on WNEW the week of Oct. 18. . . . Another celebrant during the month of November will be Uncle Don, with 10 years in radio behind him. . . . Frenchie Graffolier, Jimmy Dorsey and Jan Garber are now heard via WHN. . . . Ruby Keeler will appear on the "Seein' Stars" program tomorrow. . . . Mary Small will be a guest on the "Magic Key" tomorrow. . . .

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WIP to Air Musical Finale

PHILADELPHIA, Oct. 15.—The finale of the new Dietz-Schwartz musical, "Between the Devil," will be broadcast by WIP on opening night, Oct. 19. The station's engineers have evolved a plan for placing hidden microphones in the wings, pit and on the stage. At conclusion of the play, microphones will be placed in the dressing rooms of Jack Buchanan, Evalyn Laye and Vilma Ebsen.

WIP's theatrical commentator Top Hat (really James Allen, station's program chief) will handle the interviews. This is the beginning of a new series of exclusive air presentations arranged by the station president, Benedict Gimble, Jr., and Lawrence Shubert Lawrence, representing the local Shubert interests.

Report on CBS Holdings

WASHINGTON, Oct. 15.—Further reports on the equity holdings in CBS by officers of the company when its registration became effective Aug. 1 were released tonight by S. E. C. showing that Herbert V. Akerberg, New York, held 238 shares of Class A stock; S. R. Dean, New York, 40 shares, and Lawrence W. Lowman, New York, 4,068 shares.

Renew "Tommy Thatcher"

CLEVELAND, Oct. 15.—"The Adventures of Tommy Thatcher," children's serial which recently completed a 10-week airing over WTAM here, will be renewed starting Oct. 18 over Michigan's network, with WXYZ, Detroit, as the key station. The H. J. Heinz Co. sponsors, through Maxon, Inc.

English Production Will Be Televised

LONDON, Oct. 8.—Following the televising of production activities at the Pinewood studios, operations at the Denham plant will be transmitted twice daily for four days in 15-minute sessions. Alexander Korda will initiate the series by a welcome.

Later scenes will be seen in production for the Technicolor "Over the Moon," "The Drum" and "The Divorce of Lady X" and for "The Challenge." Directors seen in action will include W. K. Howard, Zoltan Korda, Tim Whelan and Milton Rosmer and among stars to go on the ether will be Vivien Leigh, Sabu, Raymond Massey, Laurence Olivier, Margaretta Scott and Joan Gardner. The items will go out on the BBC program from Alexandra Palace.

Chicago Symphony to WOR for 3rd Season

For the third successive season, Mutual will air the concerts of the Chicago Symphony orchestra exclusively. The concerts will be broadcast on alternate Saturdays from 9:15 to 11:15 P. M., beginning Oct. 23. The concerts will conclude April 16.

Dr. Frederick Stock will be the regular conductor. Hans Lang will be the alternate. Henry Weber, WGN musical director, will serve as commentator.

Continue "Pet Milky Way"

The "Pet Milky Way," featuring a talk and recipes by Mary Lee Taylor, will continue over CBS through a contract renewal just effected. The series is heard Tuesdays and Thursdays from 11 to 11:15 A. M., over 65 stations of the CBS network. Gardner Advertising Co., St. Louis, is the agency.

"Hilltop House" for Colgate

The new Colgate-Palmolive-Peet show on CBS, which begins Nov. 1, from 5:45 to 6 P. M., will be a serial script titled "Hilltop House." The network lineup for the series is 66 stations.

One in 4 on Series

The Cooperative Bureau of Analysis (Crosley Report) says that on an average one out of every four radio homes reported listening each day to the World Series broadcast of Oct. 6 to 9 inclusive. The height was for the Wednesday and Saturday games with a figure of 27 per cent. The Friday audience dropped to 20 per cent.

In the 1935 Detroit-Chicago games the average size of the audience for four weekdays was approximately 32 per cent.

Press Division Hit By NBC Dismissals

The shakeup in NBC's press division, expected for the past week or so, took place yesterday. Those who found themselves removed from the payroll include Dave Casem, Frank Sheily, Amelia Umnitz, "Hank" Dougherty, and Bill Betz. Nellie Revell, who contributed to the network's weekly news report, also was dismissed.

Mutual Gets London Talks

Mutual has scheduled a new series of talks on world affairs, to be broadcast from London through an arrangement with BBC. John Steele, Mutual's European representative, is now lining up guest speakers for the series. The broadcast will be offered on alternate Saturdays from 9 to 9:15 P. M. The first broadcast is scheduled to start Oct. 23.

McSwain Shifted by WSPA

SPARTANBURG, S. C., Oct. 15.—Pat McSwain, formerly manager of the Criterion here, and more recently announcer for WSPA here, has been transferred to the commercial department.

Kayton-Spiero Gets 20th-Fox Ad Account

Twentieth Century-Fox advertising is to be handled in the future by Kayton-Spiero. This is a switch from Buchanan & Co., successors to Hanff-Metzger, which has had the account since shortly after S. R. Kent assumed the presidency.

Morris Kinzler has resigned as publicity director for the Roxy and will become account executive for Kayton-Spiero next Monday. The first picture to be handled by the company will be "Second Honeymoon."

Rodney Bush joined Buchanan & Co. a few days ago. It was announced that he would be account executive for 20th Century-Fox.

Recess Bartholomew Trial

LOS ANGELES, Oct. 15.—A recess until Monday was ordered today by Superior Court Judge Clement Shinn in the trial of the suit brought by Myllicent Bartholomew, aunt of Freddie Bartholomew, to void the young actor's contract with M-G-M. The recess was called in order to give Louis B. Mayer and the Bartholomews an opportunity to reach a settlement on a new contract. It is understood that agreement on a new pact is likely.

Mayer, testifying today, said that no sane film executive would spend any money building up a child actor unless the youngster was under an enforceable contract.

Flash Previews

"45 *Fathers*"—Jane Withers as the ward of an "Explorers' Club." Interesting stuff; should prove generally acceptable.

"Hollywood Roundup"—Certainly a different type of western in that its plot revolves around the *filming* of cowboy stories.

"Lucrezia Borgia"—Picturization of the life of the notorious 15th Century family of Borgias. Too brutally realistic to be family entertainment.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Buy Ziegfeld Shows

WHITE PLAINS, N. Y., Oct. 15.—A group of composers and lyric writers today bought at auction for $28,000 the copyrights to the books, music and lyrics of the 72 shows included among the assets of the estate of the late Florenz Ziegfeld. The purchase by the group was for the purpose of clearing their own titles to avoid future litigation in case they used any of the material again. The buyers collaborated on many of the shows, and included Jerome Kern, Otto Harbach, Irving Berlin, Oscar Hammerstein, 2nd, and Sigmund Romberg.

KMTA Board to Meet

KANSAS CITY, Oct. 15. — John Stapel, president of the K.M.T.A., has called a meeting of the directors here Nov. 4 during the time Ed Kuykendall, president of the M.P.T.O.A., will be in Kansas City.

Fox Midwest Celebrates

KANSAS CITY, Oct. 15.—Fox Midwest Theatres are celebrating their seventh anniversary by conducting a sales drive on scrip ticket books. The $1.25 worth of tickets are selling for $1.

New Shows on the Air

"March of Time"

The "March of Time," for the past six years a CBS highlight, bowed in Thursday on the NBC-Blue, its new abode. It bucks stern opposition in the Vallee hour and the Kate Smith show, but it has nothing to fear even in these, for the "March of Time" no longer is an ordinary radio program. It has become an institution.

The opening instalment offered dramatizations of the slaying of the Brady gang by the G-Men, a stirring panorama of the rise and fall of Father Coughlin as a political power, the Duke of Windsor's visit to Germany, the unveiling of the monument to the American soldiers who fell at Chateau Thierry, the heroic doctor who injected the cancer virus in his blood in an effort to solve the riddle of the dread disease.

The careful and utterly impartial editorial handling of the news that has always distinguished "March of Time" re-enactments was evident throughout the broadcast. The voice duplications of course still are uncannily accurate.

The series, sponsored by the publishers of *Life* and *Time*, is broadcast Thursdays on the Blue from 8:30 to 9 P. M. Batten, Barton, Durstine & Osborn is the agency. BANNER

"Dere Teecher"

Here is a cleverly arranged question-and-answer contest for children in grade schools that is just aching to be sponsored. It is called a mental hurdle race and prizes are given to the children coming out ahead. Listeners are invited to send in questions and, if they are that good, appropriate prizes will be sent. The program is smartly paced and should find a wide audience.

Did anyone know that Coney Island got its name from the Indian word for rabbits? The redskins used to chase the creatures there, it seems.

"Dere Teecher" is heard on Tuesday and Thursday from 5:45 to 6 P. M. over CBS. P.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 92 NEW YORK, MONDAY, OCTOBER 18, 1937 TEN CENTS

CIO Unit in Drive for All Office Staffs

Continuing Move to Get 10,000 Workers Here

The United Office and Professional Workers' Union, the C.I.O. affiliated unit concerned with office employes, is actively continuing its drive to organize all home office employes in the film business in New York, Anne Berenholz, in charge of the film work of the C.I.O. affiliate, told MOTION PICTURE DAILY over the weekend.

Miss Berenholz declared that there is a total of 10,000 persons employed in the home offices of the film companies in New York alone, and cited approximately 1,100 employed by Warners here and between 700 and 800 at Paramount to prove her contention.

The organizer declared that the unit has been actively engaged in the move to organize the workers under the Lewis banner since last summer and that progress is being made. She refused to divulge the extent of the "progress" or to disclose the number of home office workers who are members of the organization. She did say, however, that virtually all companies are represented by units.

No specific company has been singled out for attention in the drive, she declared, although recent reports indicated organization activity especially in Universal, Loew's and RKO.

New Sullivan County Group Being Talked

Exhibitors in Sullivan County, N. Y., are reported to be forming an organization for the purpose of booking and buying and to protect themselves from invasion of other independent exhibitors and major circuits. Towns included in Sullivan County are Liberty, Fallsburg, Monticello, Loch Sheldrake and Livingston Manor.

Reports which have been circulating

(*Continued on page 8*)

Homer Harmon Gets Kinzler's Roxy Job

Homer Harmon, publicity and advertising head for the Ambassador, St. Louis, will arrive in town this week to handle the publicity for the Roxy. He will assume part of

(*Continued on page 8*)

Radio—Pp. 11-12

Shanghai Film Situation Is Seen Improving Slowly

By J. P. KOEHLER

SHANGHAI, Oct. 1. (*Via China Clipper*)—The film situation in Shanghai is improving slowly. Four first runs and several subsequents are open, and receipts are encouraging. Houses in Tsingtao, Tientsin, Peiping, Cheefoo, Changsha and Chengtu are open, as are first runs showing foreign pictures in Hankow, despite bombings.

Theatres in Nanking are closed but are expected to reopen soon. Shipments are possible to the outer ports by steamer. Mails from the United States are much delayed, but local mails and the Yangtse River airmail is all right with slight delays. Foreign banks are engaged in normal operation and Chinese banks apparently are easing their restrictions. Importation is faced with difficulty as a result of cargo being dumped elsewhere and the situation is causing considerable anxiety. Parcel post apparently is best.

Eight major American distributing offices in Shanghai are operating. H. Dunn of Warners, L. Britton of RKO and J. E. Perkins of Paramount have sailed for the United States. The Gov-

(*Continued on page 4*)

Music Hall Lines Up Five After "Stage"

W. G. Van Schmus has lined up five pictures to follow "Stage Door" at the Music Hall. The first will be "Victoria the Great." Next, in the order named, will be "The Awful Truth," "Nothing Sacred," "I'll Take Romance" and "Damsel in Distress."

Indications are that "52nd Street" will be booked into the Rivoli. Although "Stand-In" had been dated into the Music Hall for the latter part of the month, the picture has been moved back indefinitely.

Dakotans Cite Advantages of Circuit Spots

Six alleged trade advantages of affiliated theatres over independently operated theatres are cited by North Dakota officials in justification of the state's theatre divorce measure in their reply to Paramount's complaint which seeks an injunction against enforcement of the law on the grounds that it is unconstitutional.

Copies of the North Dakota answer were received in New York over the weekend after having been filed in Fargo last week.

The alleged trade advantages of affiliated theatres, as set forth in the answer, are their ability to obtain first runs without competitive bidding against independents; their alleged

(*Continued on page 8*)

Mussolini Departs; More Study on Ram

Vittorio Mussolini sailed on the *Rex* Saturday, reputedly carrying with him to Italy the impression that the ramifications involved in organizing any international producing unit will preclude immediate possibility of launching RAM in which Hal E. Roach is his partner.

As a result of his short Hollywood visit, Mussolini is understood now to recognize that a working knowledge of the intricacies of production can-

(*Continued on page 8*)

Disney Multi-Plane Camera $70,000 Gadget, Now in Use

By WILLIAM R. WEAVER

HOLLYWOOD, Oct. 17.—At a not very closely computed cost of some $70,000 stretched loosely over a two-year period the Walt Disney technicians have put together in somewhat terrifying complexity the bulky and incredibly precise instrument mentioned in recent despatches as the multi-plane camera. The things it does that other cameras used in production of cartoon comics don't are to be seen first in "The Old Mill," a Silly Symphony of imminent release. How it does them is patiently explained and demonstrated to the interested visitor in words of one syllable while he fumbles among indistinct memories of photographic technology which appear to have remarkably little to do with the case.

The chief thing it does is to achieve a screen effect of depth, as sharply differentiated from third dimension, in certain types of scenes and under

(*Continued on page 4*)

Seeks Parley To End Fight With Param't

Exhibitor Committee Is UMPTO's Plan

PHILADELPHIA, Oct. 17.—The UMPTO on Saturday held forth an olive branch to Paramount and, in a lengthy and blistering statement, suggested that distributor confer with one exhibitor from each area where disaffection over sales policy is rife as a means of reaching an accord.

George Aarons, secretary of the organization and over whose signature the statement was issued, listed these cities and these areas from which such a committee would be drawn: Philadelphia, Minneapolis, Pittsburgh, Boston, Northern New Jersey, Los Angeles, Milwaukee and Ohio.

"No sane exhibitor wants to see Paramount harmed or the quality or quantity of the Paramount release depreciated," ran the text at one point. "Our opposition is directed solely against certain of their sales policies. We feel that many of the differences between the disputants could be ironed out by an exchange of views at a round table. We believe that Paramount's refusal to meet with any committee representing an exhibitor organization is not grounded in good business sense if these differences can by that procedure be quickly settled. 'Face saving' is one thing, but to continue a war needlessly is futile and foolish."

Then followed the suggested plan

(*Continued on page 4*)

Indiana Firm Sues Para. on 10 Films

An action for a mandatory injunction to compel Paramount to deliver 10 feature pictures alleged to have been included in the company's 1936-'37 contracts was instituted by the Gary (Ind.) Theatre Co. in State Superior Court at Marion against the distributor last week, it was learned here on Saturday. The complainant operates the Palace and Gary at Gary.

The application for the injunction

(*Continued on page 4*)

AFL Ignores Talent Claims of the IATSE

The I.A.T.S.E.'s claims to jurisdiction over the Screen Actors' Guild, included in its general jurisdictional claims over all Hollywood unions, was not acted upon or discussed at the A. F. of L. convention in Denver dur-

(*Continued on page 8*)

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Author Suing M-G-M On 'Unguarded Hour'

LOS ANGELES, Oct. 17.—Charging that M-G-M's "The Unguarded Hour" is based, without her authority, on either her novel, "Kingdoms of the World," or her scenario, "The Unguarded Hour," which was sold to First National in 1925, Margaretta Tuttle has filed suit against Metro in Federal Court here.

The plaintiff asks all profits earned by the film and an injunction against its further distribution.

Berman Favors the Rails

When Agnes McColl and Walter Cosden, winners in the *Daily News* Harvest Moon dance contest, visited the RKO studios last month, they flew out via American Airlines as the result of a tieup made between the airline and RKO.

Pandro Berman has sent for the dancers for "Having a Wonderful Time." The producer insists that they take a train.

McColl and Cosden will leave tomorrow and arrive in Hollywood Friday, the day production will start.

Purely Personal

HECTOR DODS, head of the 20th Century-Fox studio cutting department, will return to the studios tomorrow by air. He came in by plane late last week with the first print of "Ali Baba Goes to Town," which was screened Thursday at the home office.

•

AILEEN STANLEY, who has made a number of television appearances, will arrive today on the *Queen Mary* en route to Hollywood, where she will report for picture work. On the same boat are RICHARD TAUBER and his wife. CESAR SAERCHINGER, formerly European manager for CBS and now a writer, is among the passengers.

•

EDGAR ANSTEY, March of Time director of production for Great Britain, has arrived here for several months stay to study March of Time technique in the studios of New York under the guidance of LOUIS DE ROCHEMONT.

•

OSCAR SERLIN will present "Sing, Sweet Angels," his initial stage production venture, at the Pasadena (Cal.) Playhouse, Nov. 16. He leaves here by plane a few days in advance to attend the premiere.

•

EDWARD A. GOLDEN, Monogram general sales manager, will be guest of honor at the Detroit Variety Club luncheon today.

•

J. CHEEVER COWDIN and WILLARD MCKAY, after another change of plans, now expect to leave the coast tomorrow for New York by plane.

•

LEON BRITTON, general manager for RKO in Shanghai, is in town and plans to remain a week before sailing for China.

•

RUTH SELWYN missed the *Normandie* last Friday and will probably sail for England on the *Queen Mary* on Wednesday.

•

ANNABELLA will leave for the 20th Century-Fox studios on the coast tomorrow. She will be accompanied by her mother, brother and secretary.

•

GEORGE LOTTMAN, J. BREGMAN and L. CLAYTON flew to Hollywood Saturday to report at the M-G-M studios.

•

PAUL MUNI will arrive today from the coast on the *Santa Paula.*

•

Y. FRANK FREEMAN returned from Dallas over the weekend.

•

MORRIS KINZLER celebrated another birthday Saturday.

•

GAIL PATRICK left via American Airlines Saturday for the coast.

•

. . . Washington

FRANK LAFALCE, Warner theatres' exploitation chief, has been named to handle the theatre publicity in connection with the Community Chest Drive.

WILLIAM J. STORTZ, JAMES A. GLEASON, LAWRENCE A. KENNEDY, Movietonews men from New York, substituted here while ARTHUR A. DETITTA'S regular staff traveled with PRESIDENT ROOSEVELT.

End First Columbia Regional in Chicago

CHICAGO, Oct. 17.—Joe McConville, Rube Jackter, Louis Astor, Lou Weinberg, Max Weisfeldt, Hank C. Kaufman, George Josephs and Milton Hannock discussed various sales angles of Columbia's current lineup at the first of a series of three regional sales sessions held here at the Drake over the weekend.

Seventy-five salesmen, representing 15 exchanges, were present as well as district, division and branch managers from the west and midwest. Among the subjects treated were the cleanup dates for "Lost Horizon" and distribution plans for "The Awful Truth." The sales forces left for their various offices tonight.

The next regional is expected to be held in the south, probably New Orleans.

Abe Montague, general sales manager, was absent due to the death of his mother last week in Boston. McConville conducted the sessions.

Companies in Court Hands Face Levies

BOSTON, Oct. 17.—Federal officials here say the decision of Referee in Bankruptcy Arthur Black that the Amoskeag Mfg. Co. is subject to the Social Security law paves the way for collection by the Treasury Dept. of huge sums from other corporations undergoing reorganization or liquidation.

The Amoskeag case was viewed by Washington as a national test. Trustees now in control of Amoskeag have 10 days to appeal.

Referee Black decided that a corporation undergoing reorganization or liquidation under section 77B of the Bankruptcy Act cannot be classified as a Federal agency and thus escape contributions for Social Security and Unemployment Insurance. Black found that the Federal Court did not assume control by naming trustees, but only assisted the company to liquidate.

Kansas City Theatre Discards Price Rise

KANSAS CITY, Oct. 17.—After a four-week test of substantially increased prices, the Fox Tower, first run house featuring pictures and vaudeville, has returned to its former price of 25 cents and 40 cents, with 25 cents in the balcony nights and Sunday.

The theatre introduced the increase (25 cents to 2 P.M., 35 cents to 6 P.M.) and 40 cents for the entire house for evenings) on Sept. 3, and the increase represented the first substantial raise in Kansas City theatres since the depression.

Now it is back to the same prices as charged by other major first runs. When it went to the higher price, the management's hope was that other first runs would follow. Since this now is apparently impossible for this season, the management feels it must meet competition.

LaGuardia Luncheon Set

The Theatrical Division of the Non-Partisan Committee in support of Mayor LaGuardia and Thomas E. Dewey will hold a luncheon on Oct. 25 at the Hotel Astor.

File 11 New Pleas For Roxy Allowances

Eleven additional requests totaling $93,896 for allowances in the Roxy reorganization were revealed in the U. S. District Court on Saturday. A hearing on all petitions for fees will be heard on Nov. 19 by Federal Judge Francis G. Caffey.

The additional requests were filed by Ira Goldstein, who appraised the Roxy for the Class A stockholders, $2,050; Leon Fleischman, who also appraised the Roxy for Class A stockholders, $2,500; Marshall, Bratter & Seligson, attorneys for the Tipton bondholders' committee, $10,000 for fees and $102 for disbursements; the Tipton Committee, $5,000 for fees, $391 for disbursements; Miller, Owen, Otis & Bailley, attorneys for the Pound Committee, $20,000; Epstein & Goodman, attorneys for the bondholders, $350; Wise, Shepard, Houghton & Hoffman, attorneys for the Continental Bank & Trust Co., trustees under one of the mortgages, $20,000; the Manufacturers Trust Co., depository for the bondholders, $14,156 for fees and $995 for disbursements; the Chase National Bank, trustees under one of the mortgages, $3,270; Milbank, Tweed, Hope & Webb, attorneys for the Chase National Bank, $5,000 for fees and $82 for disbursements; Kramer & Kleinfeld, attorneys for Class A stockholders committee, $10,000 in fees and $727 for disbursements.

Legion Approves 15 Of 18 New Pictures

The National Legion of Decency, in its list of 18 new pictures reviewed for the current week, has classified nine as unobjectionable for general patronage, six as unobjectionable for adults, one as objectionable in part and has condemned two, both foreign. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "Boots and Saddles," "The Great Garrick," "Luck of Roaring Camp," "Roll Along Cowboy," "Stand In," "Texas Trail," "Thanks for Listening," "Wallaby Jim of the Islands," "Youth on Parole." Class A-2, Unobjectionable for Adults — "Alcatraz Island," "Danger—Love at Work," "Double Wedding," "Evforduo" (Hungarian), "52nd Street," "Ora Ponciano" (Spanish). Class B, Objectionable in Part — "Angel." Class C, Condemned—"Adolph Armstrong" (Swedish), "Lucrezia Borgia" (French).

End Bartholomew Case

HOLLYWOOD, Oct. 17.—M-G-M has arrived at a settlement, subject to the approval of the court, of the controversy over the services of Freddie Bartholomew. The agreement was reached between the studio and the boy's aunt.

Wood Gets Ohio Post

COLUMBUS, Oct. 17.—P. J. Wood, secretary of the I.T.O. of Ohio, has been named a member of the Ohio Board of Building Standards.

Retitle "Park Avenue"

HOLLYWOOD, Oct. 17.—"Murder in Greenwich Village" has been chosen by Columbia as the release title for "Park Avenue Dame."



LIGHTS!

The Attention of the Industry is Focussed on "STAND-IN"

Seeks Parley To End Fight With Param't

(*Continued from page* 1)

calling for an exhibitor parley composed of one exhibitor from each of the disgruntled areas.

The statement was captioned "A Paramount Peace Plan." It charged, at its outset, that the Paramount "high command" had committed a "tactical blunder in its war on its customers." The "blunder" was explained as a decision by Paramount to sell away from "recognized, established accounts."

Declared the statement:

"If in doing so Paramount could recoup its losses, the move might have some economic justification. But with UMPTO holding voluntary powers of attorney to buy for most of the exhibitors and with other territories adopting similar plans, the newest Paramount move must be construed as a punitive act directed against a few of the stalwarts in the exhibitor ranks."

Indiana Firm Sues Para. on 10 Films

(*Continued from page* 1)

was to have been returnable today in the Indiana court but Paramount attorneys moved on Saturday to have the case transferred to the U. S. District Court at Indianapolis on the grounds of a diversity of citizenship involved in the action. No date has been set yet for the Federal court hearing on the application.

The action to compel the distributor to deliver the 10 pictures alleged to have been purchased on last season's contract is identical to the procedure which Allied Theatres of the Northwest recently declared it would institute against the distributor at Minneapolis. That action has not been filed yet, however.

M-G-M to Use More Color Photographs

HOLLYWOOD, Oct. 17.—M-G-M's publicity department intends to use color stills in publicizing its stars and productions, it was indicated today when the new still camera laboratory went into use.

The laboratory, in addition to being equipped with what the studio describes as the most modern equipment of any photographic studio in the west, has devices for two-color still processes—Carbro and Dufay—already set up, and provisions for equipment for other color processes.

Included is a copy camera which takes three-color pictures with one setting—leaving impressions on red, blue and greenish-yellow plate emulsions.

The laboratory is completely air conditioned to facilitate the better handling of liquids used in developing and printing.

Phillips Named Officer

NEW HAVEN, Oct. 17.—Louis Phillips, for the past four years Connecticut manager for Modern Theatre Equipment Co., has been made a vice-president of the firm.

Disney Multi-Plane Camera $70,000 Gadget, Now in Use

(*Continued from page* 1)

certain circumstances. A very important thing it does not do is to achieve this by means of the old familiar trick of trucking a camera trained upon a focal center along a circumferential sector of track. It does manifest its effectiveness most strikingly in dolly (approach and retreat) shots, although this is by no means the limit of its usefulness.

In common with what may be referred to for clarity in this connection as the single-plane cartoon camera, the lens of the multi-plane camera is poised directly above the horizontally placed subject matter, or drawing. But the multi-plane camera is so constructed as to facilitate a breaking up of the subject matter into from two to seven planes—depending upon the character of the scene to be photographed—and a simultaneous shooting of the matter distributed among the several planes.

Clarification

For an example to clear up that snarl of wordage, a scene to be shot may contain a background of sky with clouds drifting across it while a windmill in middle distance turns round, trees nearer at hand bow to the wind, a pond in the foreground ripples to the beat of rain and ducks parade the near bank, all this being seen through a window. In standard cartoon production all this is drawn upon a single or several tightly superimposed sheets of celluloid and shot as a single, flat subject, with the artist relied upon to suggest depth, or perspective, as best he may. For the multi-plane camera the scene is broken up, or separated, into component parts, on the basis of their respective proportionate distances from the eye of the observer.

Thus, in the example stated, the celluloid sheet on which the window is drawn is "staged" on the uppermost of a series of seven horizontal and parallel planes mounted, and vertically movable, on what technicians call a crane and a layman associates roughly with an old-fashioned four-poster bed The celluloid sheet on which the ducks are drawn is staged on the next to uppermost plane, the pond ripples on the one below, the trees curtsey on the next one, the windmill spins on the next, the clouds occupy the next shelf and the sky lies flat on the bottom one. The lens looks down upon and through all these planes and records what it sees.

Improvement Marked

That the thing the lens sees is considered by the Disney forces to be importantly superior to the picture obtainable by single-plane photography is substantiated by statistics. A good day's work with a single-plane camera nets 100 ft. of film; the multi-plane camera is counted functioning at par if it nets 15 feet of film in the same number of working hours. Additionally, operation of the multi-plane camera requires, according to the number of planes being used, the services of from two to four times as many men. As is fairly well known, operation of a single-plane camera requires one man to focus and shoot, one to stage the successive pictures for the lens, another to follow script and check operations of the second man. To this staff two men must be added for each additional plane brought into use by the multi-plane camera, since the two latter operations must be duplicated on each level.

The foregoing is as much as appears to the untutored reportorial eye. The untrained ear picks up much talk about proportionate.

The device will get its real screen test, of course, when "Snow White and the Seven Dwarfs" goes into the theatres.

Mondays Best

Joe Pollak is back from an extended European tour.

"I enjoyed getting *Motion Picture Daily* and reading it. However, I liked the Monday issue best."

"Why?"

"Because it carried few stock market quotations."

Shanghai Situation Improving Slowly

(*Continued from page* 1)

ernment film censors are in full operation daily in Shanghai. Local business conditions indicate every attempt at normalcy despite continual day and night battle and bombardment around the settlements, where casualties from "archies" are very slight.

The cholera is under control and the population is orderly. Food is plentiful but prices are high. Reports here indicate that two theatres in Hongkew have been demolished, while 10 other subsequent runs in districts occupied by the Japanese are unable to operate.

A terrific street battle is raging three-quarters of a mile from this office but all staffs are working as usual, despite rocking bombardments from heavy guns and aircraft bombings. Many foreign refugees are returning to Shanghai from other ports.

M-G-M Signs Esmond

LONDON, Oct. 17.—Carl Esmond, currently playing in "Victoria Regina" here, is Louis B. Mayer's latest star capture in England. The MGM chief saw his performance during his recent London visit. Esmond sails for the United States on long-term contract, immediately the Lyric run ends.

Plan a Holiday Short

Max Fleischer has completed details for the production of a two-reel cartoon subject similar to the film released last year by Paramount. It will be in Technicolor and is entitled "Popeye the Sailor Meets Ali Baba's 40 Thieves." It will be released by Paramount during the holiday season.

Chamberlain at Studio

LONDON, Oct. 8.—Neville Chamberlain, British Prime Minister, visited the Denham studios to make a Conservative Party film. He was escorted by Sir Albert Clavering, honorary organizer of the Conservative and Unionist Films Ass'n.

M-G-M Issues Book On Short Subjects

M-G-M's publicity and advertising department has turned out a book that looks like a fan magazine for the purpose of stimulating interest in shorts. It has 20 pages and measures 12¾ in. by 9½ in. and has varied color and art work.

A foreword is supplied by Howard Dietz. There's an article by Halsey Raines, a biographical sketch of Pete Smith, a discussion of foreign sales of shorts by Charles Cohen, and exploitation stunts.

It is entirely different from a pressbook and is designed for reproduction in newspapers as well as supplying selling ideas to exhibitors. A few paragraphs on the inside of the front cover indicate that it will be continued only if its reception warrants it, and will be mailed only to those who request it.

Book for "Victoria" An Elaborate Layout

S. Barret McCormick's publicity and advertising department at RKO has turned out a pressbook on "Victoria the Great" that is done up in a box like a rare first edition. The cover has the British royal crown in full color, full size, and it's considerably impressive.

The shape of the book is odd—11¾ inches high by 18 inches wide—and the cover is done in color. The first six pages are in sepia on heavy stock, followed by another page in full color. The tieups and advertising are also done in the regal manner.

To Teach Film Writing

HANOVER, N. H., Oct. 17.—Instruction in film script writing is to be taught at Dartmouth College. The plan is to have instruction from outstanding writers, directors, actors and others. The idea was developed by Walter Wanger, a Dartmouth alumnus.

Wall Street

Board Declines Continue

	Open	High	Low	Close	Net Change
Col.	15¼	15½	14½	15	.....
Cons.	1⅝	1¾	1½	1⅝	.....
Cons., pfd.	6½	6⅝	6¼	6⅝	— ⅜
E. K.	160	160⅝	160	160	.....
G. T. E.	14⅞	14⅞	14⅜	14⅜	— ⅝
K. A. O.	85	85	85	85	.....
Loew	64⅝	65	63	63⅛	—1⅛
Loew, pfd.	105	105	105	105	— ⅜
Para.	13¼	13¾	12¾	13⅛	.....
Para. 1.	100	101	97¾	97¾	—2¼
Para. 2.	12⅛	12⅜	11⅞	12	.....
Pathe	6⅛	6¼	5¾	6	— ¼
R. K. O.	4	4⅛	3¾	3⅞	— ⅛
20th Fox.	26½	26½	26	26¼	— ¼
Univ., pfd.	33½	33½	33½	33½	— ½
W. B.	7⅛	7¼	7	7⅛	— ⅛

Curb Off Lightly

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1½	1½	— ⅛
Monogram.	1⅝	1⅝	1⅝	1⅝	— ⅛
Sonotone	1½	1⅝	1½	1⅝	.....
Technicolor.	20⅝	21¾	20½	20½	— ⅛
Trans-Lux.	2⅞	2⅞	2⅞	2⅞	.....
Univ. Corp.	2	2	2	2	.....

Little Bond Change

	High	Low	Close	Net Change
Keith 6s '46	93½	93½	93½	.....
Loew 3½s '46	97¾	97¾	97¾	— ¼
Para. Pict. 6s '55.	94½	94	94	— ½

(Quotations at close of Oct. 16.)

LESLIE
HOWARD

JOAN
BLONDELL

HUMPHREY BOGART

ALAN MOWBRAY

MARLA SHELTON

. . and speaking of Lights,

WON'T THESE NAMES LOOK DAZZLING
WHEN YOU PLAY "STAND-IN"?

Short Subjects

'Many Unhappy Returns'
(*RKO*)

There are a few laughs in this comedy, in which Ford Sterling is the husband, who, attempting to please his wife by buying her a French doll, is suspected by her of going out with a blonde, when she finds blonde hair on his coat. His attempts to get out of the difficulty and the accidental inclusion of the blonde cigar stand clerk in the problem, make for a number of antics and a little comedy.

Running time, 17 mins. "G."

"Milt Britton and His Orchestra"
(*Vitaphone*)

The Sphinx even gets a hearty laugh from the antics of this well known band as they do their stuff in a Cairo setting. A piano, approximately 20 violins and a 'cello are smashed to accomplish this end. The short is highly entertaining and will be gleefully received. Running time, 11 mins. "G."

"Miss Lonely Hearts"
(*Educational*)

A lonely hearts club, so-called, is the excuse and setting for a group of novelty turns, some of which are entertaining and keep the short going at an active pace. The Michael Sisters, Anita Jacobi, Harriet Hutchins and Aileen O'Connor are among the performers, and the act includes singing, eccentric dancing and acrobatics. A fair short subject.

Running time, 10 mins. "G."

"Love Sick"
(*Universal*)

Oswald's dog, Doxie, falls hard for a French poodle. He moons about and tries to attract her attention, but she ignores him. He is finally cured of his infatuation when he discovers she is the wife of a bulldog. It has clever moments. Running time, 8 mins. "G."

"The Man Without a Country"
(*Vitaphone*)

The patriotic intent of this film overshadows the acting and the coloring. It is based on the familiar story and should find a receptive audience in children. John Litel plays the title role and he is aided in his portrayal of the exiled army lieutenant by Gloria Holden, Theodore Osborn, Donald Brian and Holmes Herbert. Running time, 21 mins. "G."

"The Dancing Bear"
(*Educational*)

Farmer Alfalfa, cartoon character in this Terry-Toon, becomes involved with a dancing bear while its owner sleeps, and the result is one of those wild pursuits through the farmer's house, ending with the farmer accidentally donning a bear skin, taken away by the master of the real bear. An ordinary cartoon.

Running time, 7 mins. "G."

"A Rented Riot"
(*RKO*)

When rubber-legged Leon Errol tries to pay off an $80 debt by renting his apartment for a month, while his wife and mother-in-law are away, he gets more than he bargained for. The new tenant stages a wild party, the police arrive, a girl is left behind and Errol's wife walks in unexpectedly. The moments of genuine comedy which result are chiefly the work of Errol.

Running time, 17 mins. "G."

Looking 'Em Over

"Boots and Saddles"
(*Republic*)

LINCOLN, Neb., Oct. 17.—With Gene Autry leading in draw over the present day crop of western stars, Republic went out and spent some money this time and brought this horse opus more into the real production class. Most of the shots are heavily backgrounded with people and choral support on the singing numbers is frequent.

Autry, according to the story, has to break in a youngster, Ra Hould, from England, who inherited the ranch and wishes to sell it. Autry, in the interest of his ranch cronies, convinces the kid he should hold on and, in order to make money, they seek an army horse-breaking contract. Thus, Autry is ushered to the presence of Judith Allen, the colonel's daughter. To the meanie side leans Gordon Elliott, also after the contract and the ranch.

Autry is supported by Smiley Burnette, the latter sprinkling the yarn with comedy as a sagebush goof. These two, with Teddy Powell, Leonard Whiteup, Walter Samuels, Carson Robinson, Aaron Gonzales, Del Lyons, Lani McIntire, Fleming Allan and Nelson Shawn, wrote the jingling ditties which crop out generously.

Miss Allen, looking very good for this class product, adds from a romance standpoint, her general business with Autry assuring laughs. Supporting players are Guy Usher, John Ward, Frankie Marvin, Chris Marvin, Stanley Blystone and Bud Osborne.

Joseph Kane directed. Running time, 60 minutes. "G."

"Where Trails Divide"
(*Monogram*)

Stagecoach holdups and the violation of the blue laws in Rawhide provide the material for this western story. There is an absence of the old, reliable cattle rustling. The story is acted plausibly, but is such obvious drama that it will please in the lesser spots. Tom Keene, the hero of the piece, doesn't sing, which also has its points.

Keene, fresh from law school, arrives in Rawhide, finding it lives up to its name. He sets up his shingle, but soon runs afoul of the bad elements. His brother, David Sharp, manager of the local express office, is also playing with the outlaws. Keene gets himself appointed sheriff. He is about licked when he finally gets Warner Richmond, leader of the gang, in court and point blank accuses him of the robberies while he himself is on trial for the supposed killing of Sharp. However, Sharp makes an appearance in court. Richmond and his gang make a getaway. Keene and two undercover agents trail them into the desert, where Richmond eliminates his aids one by one until he is finally caught. Keene marries Eleanor Stewart, whom he has met on the stagecoach.

The performances are up to the usual standard. Bert Longenecker's photography is fine. R. N. Bradbury directed.

Running time, 59 minutes. "G."

(Additional Reviews on Page 8.)

"Silly Nights"
(*Educational*)

Jefferson Machamer, cartoonist, brings his "Gags and Gals" material to the screen in a short subject whose comedy is to a large extent lacking in effectiveness. Machamer, seen at his drawing board, is clever, but the story, of which the title is an all too apt description, is a weak effort, at best. Various novelty acts are woven in.

Running time, 19 mins. "G."

"Playing the Ponies"
(*Columbia*)

The Three Stooges swap their restaurant for a race horse. They receive the bad end of the bargain. On the day of a race they discover that certain Chili nuts give their nag plenty of ambition. This discovery wins the race for the trio not, however, before plenty of highly effective and laughable slapstick takes place. The film is a big improvement over the trio's recent efforts. Running time, 17 mins. "G."

"Going Places No. 30"
(*Universal*)

Table tennis is treated in this issue. A quartet of experts go through their bag of tricks in regular and slow motion, each move carefully covered by Lowell Thomas as he narrates. It is fairly good material but has been done before. Running time, 10 mins. "G."

"Community Sing 2-2"
(*Columbia*)

Lilting Irish tunes are offered here. They are familiar stuff such as "Along the Rocky Road to Dublin," "Tipperary," "When Irish Eyes Are Smiling" and "Sweet Rosie O'Grady." Donald Grayson and Gene Morgan take care of the necessary coaxing and the singing of the chorus. It should bring good audience response. Running time, 10 mins. "G."

Short Subjects

"China Strikes Back"
(*Garrison*)

Harry Dunham, a photographer, journeyed to remote regions in China and filmed these scenes of Chinese soldiery. Arranged by Robert Stebbins, Peter Ellis, David Wolff and Eugene Hill, the resulting picture is made to bear on the preparations of the Chinese people against Japanese invasion. There is a varied collection of shots showing soldiers on the march, maneuvers, street speakers, the dead victims of military attack lying in streets, destruction and the hardships forced upon the non-combatant. It is anti-Japanese propaganda particularly well filmed.

Running time, 28 mins. "A."

"Trotting Thoroughbreds"
(*Columbia*)

The training and eventual racing of trotting horses is offered in this News World of Sports number. The material is well put together and achieves a pleasant pictorial effect. The photography is excellent. Running time, 10 mins. "G."

"Mysterious Ceylon"
(*Vitaphone*)

A brief tour of the big island off the tip of India in color. It takes in the historical highlights of the place and shows a number of religious buildings. Fine native types are brought before the camera and of course glimpses of Colombo and Kandy round out the film. Fair. Running time, 10 mins. "G."

"Show for Sale"
(*Mentone-Universal*)

An impresario tries to sell a floor show to a hotel in this musical. He performs in an empty night club. The material he offers is a collection of third rate adagio dancers, roller skaters, tap dancers, a child torch singer and an exhibition of "The Big Apple." At its best it is only fair. Running time, 21 mins. "G."

"All Aboard"
(*Mentone-Universal*)

A railroad terminal serves as a setting for the performance of a number of average vaudeville acts that fail to introduce any novelty by being transferred to celluloid. There are laughs of the obvious variety and it may go well where the audience is not too discriminating. Running time, 17 mins. "G."

"Mechanical Handy Man"
(*Universal*)

Oswald and his assistant, Dumb Cluck, try to sell a robot hand to a farmer. The contrivance runs all over the screen as it pursues a cow in an effort to milk it. Much damage is done before it is finally demolished. Sometimes it's clever. Running time, 7 mins. "G."

"Keeper of the Lions"
(*Universal*)

Oswald inadvertently lets the big cats out of their cage in this cartoon and as a result the rest of the reel is devoted to his efforts to round them up. He managers this end in clever fashion. It is average cartoon fare. Running time, 7 mins. "G."

"STAND-IN" KNOCKED THE CRITICS OFF THEIR FEET AT THE PREVIEW!



- "Smash box-office written all over it and will hold its own among the outstanding offerings of the season." — *Hollywood Daily Variety*
- "Definite box-office attraction for practically all types of houses." — *Norman Webb, National Box-Office Digest*
- "They'll be standing in line for this one." — *Erskine Johnson, King Features*
- "Excellent box-office . . . the best Hollywood yarn yet concocted." — *Joe Blair, Motion Picture Review*
- " 'Stand-In' is a stand-out. A great comedy." — *Jimmy Starr, Los Angeles Herald and Express*
- "The best picture about Hollywood in Hollywood's history." — *Frank Scully, Esquire*
- "The most hilariously funny picture previewed in many a moon." — *John Schwarzkopf, Motion Picture Magazine*
- "Three million Fawcett fan readers are going to be urged to see Walter Wanger's smash production." — *Gordon Fawcett, Screen Book*
- "Packs full quota of laughs. Will delight audiences." — *Film Daily*
- "The audience laughed long, loud and delightedly." — *Motion Picture Herald*
- "Will turn in snug box-office balances. Howard plays to audience response reminiscent of no performance since Gary Cooper's 'Mr. Deed's'!" — *Motion Picture Daily*

Dakotans Cite Advantages of Circuit Spots

(*Continued from page 1*)

preferential treatment in the matters of rentals, selective contracts, bookings and credit; their alleged ability to obtain extended clearance; alleged overbuying; alleged ability to regulate subsequent run admission prices, and their alleged exemption from some contract provisions.

The answer was prepared by Abram F. Myers, chairman of the board of Allied States; John P. Devaney and Louis B. Schwartz, attorneys for Northwest Allied, Minneapolis; Francis Murphy of Fargo and P. O. Sathre of Bismarck. It emphasizes the defendants' fear that without the "divorce" legislation all "home-owned" theatres eventually will be acquired by producer-distributor interests. It sets forth that at the present time there are 11 affiliated theatres in the state, all owned by Paramount, as compared with 100 independent theatres.

Call Paramount "Foreign"

The answer stresses the representations that Paramount and Minnesota Amusements, complainants in the action, are large "foreign" corporations, the parent company allegedly doing a gross business in excess of $100,000,000 last year and having interests in approximately 1,400 theatres. It is represented that the "foreign" concern is not responsive to the "likes and dislikes" of local patronage in film fare and withdraws large sums of money from the state.

Contending that the "divorce" law is within the police power of the state and, therefore, is constitutional, the answer denies Paramount's representations as to the sums for which it would be liable for violation of the law in the event an injunction against its enforcement was not issued. The defendants' answer declares that the penalties "are not now known or predictable" as it will be up to the state courts to fix them upon conviction for violation.

The case will now be placed on the Federal court calendar at Fargo and may be reached for trial during the November term.

Oklahoma Town Cuts Theatres' Tax Rate

CUSHING, Okla., Oct. 17.—The occupation tax on theatres has been lowered by the City Commission here. The reduction had been requested by the theatres.

S. J. Berton, City Attorney, was instructed to draw up an ordinance which will be passed at the next meeting fixing the tax at $5 for each 100 seats or any fraction thereof.

The lowering of the tax on theatres, said Andrew W. Little, chairman of the Board of City Commissioners, is in line with the lowering of taxes in pool halls, bowling alleys and other recreational places which has recently been authorized by the Commission.

In Its Sixth Week

"Maerling" goes into its sixth week at the Filmarte today.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"45 Fathers"

(20th Century-Fox)

HOLLYWOOD, Oct. 17.—Plenty entertainment for the entire family and more than enough showmanship material with which to sell it are provided here. An action farce, geared to provoke laughter, "45 Fathers" is also a Jane Withers' vehicle that should fully satisfy her growing legions of admirers. Dialogue and movement are cleverly balanced against backgrounds of well contrived situations, and the show moves speedily, holding interest at a high pitch.

The plot has waif Jane as the ward of an Explorers' Club composed of elderly men, and directly in charge of Richard Carle. Taken into his home, where her old friends, Paul and Grace Hartman later become servants, Carle's efforts to educate and make a little lady of the child meet with results that are disappointing to him, but which proved gayly amusing to the audience. Becoming the buddy of Carle's nephew, Thomas Beck, Jane quickly senses that Louise Henry's romantic interest in him is inspired by a desire to get his money. With the McCoys, Jane's efforts to expose the plot cause Miss Henry to file a breach of promise suit. Action moves into a courtroom where Jane's testimony and the McCoy's ventriloquistic tricks lead Miss Henry to trap herself.

Not only is tomboyish Jane Withers fully up to standard, but the Hartmans contribute much amusing stuff. Carle, Beck, Miss Henry, Nella Walker and Andrew Tombes give good performances and the supporting cast has plenty to do. Based on a story by Mary Bickel, which Frances Hyland and Albert Ray adapted and James Tinling directed, "45 Fathers" should prove a popular and profitable attraction in any competition.

Running time, 70 minutes. "G."

"Hollywood Round-Up"

(Coronet-Columbia)

HOLLYWOOD, Oct. 17.—The name of Buck Jones, leader in the 1936 *Fame* exhibitor poll on Western stars, tied in with an expose of the "inside" of filming western pictures as included in "Hollywood Round-Up," is a natural draw for youngsters of all ages in the areas where scenes of men on horses galloping across the screen intrigue.

In this, the first of a series of Coronet Prod. starring Jones and released by Columbia, an effort is made to expand the scope of the star's drawing power by subduing the rough action stuff, keying up the dramatic situations and making Jones undertake histrionic tasks other than those necessary for portrayal of his former fast riding, straight shooting cowboy roles.

The original story and screen play by Joseph Hoffman and Monroe Shaff, directed by Ewing Scott, place Jones as a stunt man and double for Grant Withers, conceited cowboy star. Jones, fired from his job on Withers' demands because of his friendliness toward Helen Twelvetrees, is signed up by a robber gang, members of which pose as a film location troupe. A bank is robbed, and Jones is captured. Awaiting trial, he escapes from jail with the aid of little Dickie Jones and captures the gang, which is about to flee in an airplane, by lassoing the tail assembly of the ship and pulling off the rudder. Withers gets the credit for the capture, but is exposed publicly by the boy and Miss Twelvetrees.

Previewed without Production Code Seal. Running time, 63 minutes. "G."

Homer Harmon Gets Kinzler's Roxy Job

(*Continued from page 1*)

Morris Kinzler's duties. Kinzler next Monday will join Kayton-Spiero as account executive handling 20th Century-Fox and the Roxy.

Harmon has been with F. & M. in St. Louis since the circuit took over the three Warner houses there. Kinzler had been with the Roxy for four and a half years.

Rodney Bush, who was to have joined Buchanan & Co. as account executive for 20th Century-Fox, will join Warners, it is reported. This could not be confirmed at the Warner home office Saturday.

New Sullivan County Group Being Talked

(*Continued from page 1*)

for some time that a new theatre will be built at Goshen will come to a head this week when construction on the house will get under way. M. Smith, who handles the buying and booking for five Sussex, N. J., theatres is said to have made a deal to include the Goshen house in his group.

Franchot Tone Re-Signed

HOLLYWOOD, Oct. 17.—Franchot Tone has been signed to a new long term contract by M-G-M. He is now working in "The Four Marys."

"Zenda" Hits Big $17,000, Philadelphia

PHILADELPHIA, Oct. 17. — "The Prisoner of Zenda" got off to a big start at the Aldine, grossing $17,000 and setting itself for at least three weeks.

With Buddy Rogers and other Hollywood talent on the stage, and "Annapolis Salute" on the screen, the Earle took second place in profits with a good $20,000.

"The Life of Emile Zola" held up strongly in its second week at the Boyd, grossing $18,500. "Dead End," at the Stanton following three weeks at the Aldine, surprised everyone with a strong $9,000 and almost rated a second week. The take was $2,000 over normal.

Total first run business was $91,600. Average is $79,960.

Estimated takings for the week ending Oct. 14:

"PRISONER OF ZENDA" (U.A.)
ALDINE — (1,300), 40c-55c-65c, 7 days. **Gross:** $17,000. (Average, $8,160)

"THE SHEIK STEPS OUT" (Republic)
ARCADIA — (600), 25c-40c-50c, 7 days. **Gross:** $1,300. (Average, $2,800)

"LIFE OF EMILE ZOLA" (W.B.)
BOYD—(2,400), 40c-55c-65c, 7 days, 2nd week. **Gross:** $18,500. (Average, $14,00)

"ANNAPOLIS SALUTE" (RKO)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Buddy, Roy Atwill, Toby Wing. **Gross:** $20,000. (Average, $14,000)

"LIFE BEGINS IN COLLEGE" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 6 days, 2nd week. **Gross:** $9,500. (Average, 7 days, $14,000)

"THAT CERTAIN WOMAN" (W.B.)
KARLTON—(1,000), 25c-40c-50c, 7 days, 2nd run. **Gross:** $2,800. (Average, $4,000)

"HIGH, WIDE AND HANDSOME" (Para.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,000. (Average, $4,000)

"THE BRIDE WORE RED" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $10,500. (Average, $14,000)

"DEAD END" (U.A.)
STANTON—(1,700), 30c-40c-50c, 7 days, 2nd run. **Gross:** $9,000. (Average, $7,000)

AFL Ignores Talent Claims of the IATSE

(*Continued from page 1*)

ing the presence there of Frank Gillmore, the latter stated on Saturday.

Gillmore is president of the A. A. A. A., parent A. F. of L. organization for theatrical, radio and concert talent, and which chartered the Screen Actors' Guild.

Gillmore observed that the I.A.'s jurisdictional claims have not been pressed or acted upon by the organization itself and advanced the opinion that "they were never seriously intended."

To Resume 306 Talks

Another meeting between major circuit executives and Local 306 delegates to discuss terms for the next two years will be held Wednesday or Thursday. Progress was reported at the session last Friday.

Mussolini Departs; More Study on Ram

(*Continued from page 1*)

not be grasped in the time spent by him on the coast and that a considerably greater effort must be made before any program planned by the new company can get actively or actually under way.

It's a Riotous Day at the Box-Office

WHEN HOLLYWOOD LOOKS AT ITSELF...



WALTER WANGER *presents*

LESLIE HOWARD · JOAN BLONDELL

in

STAND-IN

with

HUMPHREY BOGART

ALAN MOWBRAY · MARLA SHELTON

C. HENRY GORDON · JACK CARSON

Directed by TAY GARNETT

Screenplay by Gene Towne and Graham Baker

A WALTER WANGER *production*

From the Sat. Eve Post story by Clarence Budington Kelland

RELEASED THRU UNITED ARTISTS

"Lancer Spy" Kansas City Top in Slump

KANSAS CITY, Oct. 17.—First runs felt the effects of a general slump at the box office. "Lancer Spy" and a stage show took $8,000, over par by $1,000 at the Tower, for the best comparative showing.

"High, Wide and Handsome" and "On Again, Off Again" pulled $8,300 at the Mainstreet, $300 up, and the former was moved to the Newman. "Wife, Doctor and Nurse" went $200 over the $4,000 line at the Uptown in its second K. C. week and was held for a third.

Total first run business (excluding Empress) was $35,100. Average is $35,500.

Estimated takings:

Week Ending Oct. 14:

"HIGH, WIDE AND HANDSOME" (Para.)
"ON AGAIN, OFF AGAIN" (RKO)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $8,300. (Average, $8,000)

"WALTER WANGER'S VOGUES OF 1938" (U.A.)
"LONDON BY NIGHT" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $10,500. (Average, $11,500)

"LIFE OF EMILE ZOLA" (W.B.)
NEWMAN—(21,900), 25c-40c, 7 days, 2nd week. **Gross:** $4,100. (Average, $5,000)

"LANCER SPY" (20th-Fox)
TOWER—(2,200), 25c-40c, 7 days. Stage: Carl Freed & His Harmonica Lads, Troy & Lynne, Raymond Wilbert, Three Lorraine Sisters and Ruton's Little Stars. **Gross:** $8,000. (Average, $7,000)

"WIFE, DOCTOR AND NURSE" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd K.C. week. **Gross:** $4,200. (Average, $4,000)

Week Ending Oct. 15:

"TALK OF THE DEVIL" (G.B.)
EMPRESS—(1,500), 25c-35c, 7 days. Stage: Brown Skin Models. **Gross:** $5,200.

"Life," Whiteman $8,200, Oklahoma

OKLAHOMA CITY, Oct. 17.—"Life Begins at College," with Paul Whiteman and his orchestra on the stage for three days at advanced prices, took the cream off the first run business here. The Criterion gross was $8,200, over normal by $3,700.

"Double or Nothing" was the only other attraction to get within shooting distance of par. It took $4,500, down by $500, at the Widwest.

Total first run business was $17,100. Average is $13,750.

Estimated takings for the week ending Oct. 9:

"LIFE BEGINS IN COLLEGE" (20th-Fox)
CRITERION—(1,700), 25c-50c-75c, 7 days. Stage: Paul Whiteman and his orchestra Friday, Saturday, Sunday. **Gross:** $8,200. (Average, $4,500.)

"WHITE BONDAGE" (W. B.)
"WILD AND WOOLLY" (20th-Fox)
LIBERTY—(1,500) 10c-20c-25c, 4 days. **Gross:** $2,000. (Average, 7 days, $2,250.)

"ACCUSED" (U. A.)
"MARRY THE GIRL" (W. B.)
LIBERTY—(1,500), 10c-20c-25c, 3 days. **Gross:** $700. (Average, 7 days, $2,250.)

"DOUBLE OR NOTHING" (Para.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $4,500. (Average, $5,000.)

"CONFESSION" (W. B.)
TOWER—(1,100), 10c-25c-35c, 7 days. **Gross:** $1,700. (Average, $2,000.)

Meet Dec. 6-7

PINEHURST, N. C., Oct. 17.—The Theatre Owners of North and South Carolina will hold their silver anniversary convention here Dec. 6-7. Charles W. Picquet is president.

Variety Club Chatter

Cleveland

CLEVELAND, Oct. 17.—Variety Club has resumed picture shows every week for the shut-ins of the local institutions which are not provided with projection equipment. Two Variety Club members are in charge of each screening. Pictures are donated by the exchanges. Operators volunteer their services and free transportation is furnished by Film Messenger Service. Projectors are transported by the Rappaport Studios.

Dallas

DALLAS, Oct. 17.—Tent No. 17 has resumed its weekly luncheons at the Adolphus Hotel. LLOYD RUST was king for the day at the first one and Prof. R. E. JACKSON of the C. I. A. Girls' School of Denton was guest of honor.

New members are: WALTER KING, Dallas; R. F. CORNES, Farmersville; WILLIAM B. ZOELLNER, Oklahoma City; IRVING BRODY, New York; ANDY MAULDIN, Lubbock; LANCE DAVIS, Rotan; H. S. LEON, Haskell; W. J. CHESHER, Littlefield; J. E. GRIBBLE, Houston; DICK OWEN, Dallas, and GEORGE MARSHALL, Washington.

Detroit

DETROIT, Oct. 17.—S. L. A. Marshall, *Detroit News* writer who recently returned from the Spanish war front, was the speaker at the first fall luncheon of the local Variety Club in the Book-Cadillac. He told the barkers that films are the only recreation left for the Spanish, all other forms of entertainment and sports having been stopped by the war.

Work of remodeling the club rooms on the eighth floor of the hotel has started and work is to be completed in about three weeks, giving the club much larger quarters.

Plans for the annual ball were discussed and it was decided to let the board of directors select the date for the affair. It is believed it will not be held until after the first of the year, due to the remodeling of the club rooms and other events scheduled.

Omaha

OMAHA, Oct. 17.—The eighth annual golf tournament sponsored at the Omaha Field club by the Variety club was won by J. L. Phelps. The runner up was Branch Manager Joe Scott of 20th Century-Fox, and the winner of the consolation flight was Bob Watkins of Republic-Midwest's Des Moines office.

Fifty played golf, while 25 more were present for the noon barbecue and evening dinner.

Pittsburgh

PITTSBURGH, Oct. 17. — The new members are MAX SHULGOLD, resident, and CLYDE P. CHURCH, Mannington, W. Va., JOSEPH SHAPIRO, Mt. Union, Pa., and W. R. STICH, Spangler, Pa., non-residents.

HARRY SEED was called to New York by the serious illness of his father.

Gov. HAROLD HOFFMAN of New Jersey has already accepted his invitation to attend the annual banquet on Nov. 14.

Washington

WASHINGTON, Oct. 17.—Serving as kings-for-the-day, HARDIE MEAKIN and HARRY S. BROWN, presented the 78 barkers and guests assembled for the second luncheon of the new season a novel program.

No entertainment from local theatres was presented. In its place V. F. CALVERTON, writer and traveler, addressed the group on Naziism, characterized as the world's greatest exploitation campaign.

Among the guests were: GLENN NORRIS, RUSSELL HILDEBRAND, LOUIS KRAUSE, WILMOT SQUIRE, SYLVAN KING, FREDERIC WILLIAM WILE, LOUIS GOLDBERG and MURRAY O'HANLON.

The smoker Monday will be in charge of A. E. LICHTMAN and ARCHIE D. ENGLE, members of the House Committee.

Plans are well under way for the fourth annual dinner and dance to be held Nov. 20 at the Willard. SIDNEY B. LUST is the general chairman, with HARRY E. LOHMEYER as assistant and chairman of the Entertainment Committee.

Other committee chairmen are THOMAS A. O'DONNELL and SAMUEL A. GALANTY, dinner; RUDOLPH BERGER, ticket sale; HARRY P. SOMERVILLE, decorations and special talent; J. RAYMOND BELL, publicity; SAMUEL N. WHEELER, hotel reservations; JOSEPH P. MORGAN, printing; SAMUEL A. GALANTY and DR. FRANK T. SHYNE, reception; HARDIE MEAKIN, talent host; A. JULIAN BRYLAWSKI, finance; ARCHIE D. ENGLE, program, and A. E. LICHTMAN, out-of-town guests and contacts.

Charter New Fox Unit

DOVER, Oct. 17.—Fox Port Washington Corp. has been chartered here with a capital of $1,000 by Harold C. Vaughan, Joseph A. Donovan and Edwin E. Lindgren.

New Era Pictures Corp. has changed its name to Globe Pictures Corp., New York.

Open New Alabama House

OZARK, Ala., Oct. 17.—The Dale, new theatre of the Peoples Theatres of Alabama circuit, will be formally opened here tonight. Walter J. Brackin and Fred C. McLendon head the circuit.

N. Y. Incorporations

ALBANY, Oct. 17.—Theatrical companies incorporated recently here include the following:

United M. P. Industries, Ltd., New York, capital, 100 shares no par, by Roy Smeck, C. Gibson, George Orth

New Yorker Amusement Co., Inc., New York, exhibition, capital, 100 shares no par, by Solomon Kleinman, Victor Ellenbogan, Ella Shelnick.

Direct Distributing Corp., New York, capital, 100 no par shares, by Pearl Portnoy, Henrietta Schwartz, Ira H. Gelber.

Seelen Corp., New York, exhibition, capital, 200 no par shares, by Henry and Rose Seelenfreund.

"All Yours," Show $24,300 Detroit Lead

DETROIT, Oct. 17.—"It's All Yours," with a stage show headed by Tex Ritter and Snug Pollard, turned in a big $24,300 at the Fox, thereby topping par by $4,300.

"That Certain Woman," also with a stage show, took $23,600, up by $3,600. "Dead End," in its third week, with "Mr. Dodd Takes the Air" as the other half of a dual bill, was still strong at $6,100, and "Thin Ice," in its second week at the Adams, was $1,700 over the line on a take of $6,700.

Total first run business was $82,200. Average is $70,000.

Estimated takings for the week ending Oct. 14:

"THINK FAST, MR. MOTO" (20th-Fox)
"THIN ICE" (20th-Fox)
(2nd Week)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $6,700. (Average, $5,000)

"IT'S ALL YOURS" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Tex Ritter, Snub Pollard, Eileen Barton, Cappy Barra Swing Harmonicas, Stanley Bros., Three Jacksons. **Gross:** $24,300. (Average, $20,000)

"THAT CERTAIN WOMAN" (W.B.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Lottie Mayer's Water ballet, Francis & Carroll, Frank Conville & Co., Bob Hall. **Gross:** $23,600. (Average, $20,000)

"MR. DODD TAKES THE AIR" (W.B.)
"DEAD END" (U.A.)
(3rd Week)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $6,100. (Average, $5,000)

"THE BRIDE WORE RED" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $9,500. (Average, $10,000)

"PRISONER OF ZENDA" (U.A.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $12,000. (Average, $10,000)

Set New Brown Film

HOLLYWOOD, Oct. 17. — Joe E. Brown's first starring vehicle to be released by Columbia will be "Chinese Hooey," in which the current Sino-Japanese war will be the background. Featured with Brown in the David L. Loew production will be Fine, Howard and Fine, Columbia's "Three Stooges" short subject stars, in their first feature appearance. Edward Sedgwick will direct. Under the Loew-Columbia deal, Columbia will release two Joe E. Brown starring pictures, the three-picture deal with RKO having been consummated with "Fit for a King."

Three Companies Formed

DOVER, Oct. 17.—New Era Pictures Corp., has been chartered here with capital of 200 no par shares by Margaret Tully, Brooklyn; Charles Ettinger, New York, and Stanley J. Sragow, Long Island.

Tri-Mension Pictures, Inc., has been formed with 100,000 no par shares by Harold C. Vaughan, David M. Jackman and Edwin E. Lindgren.

The Bonded Film Corp. of America has been chartered with $100,000 capital by S. L. Mackey, J. Skrivan and H. Kennedy.

Warner Gives Apparatus

WINTER PARK, Fla., Oct. 17. — Harry M. Warner, president of Warners, has presented Rollins College a complete modern sound picture recording system, according to Hamilton Holt, president of the college.

NAB Opposes AFM Plan on Licensings

WASHINGTON, Oct. 17.—Because the A. F. of M. seeks to impose a system giving it the sole right to license procurement by stations of network and transcription programs, the NAB board of directors, it became known today, has adopted a resolution recommending "any agreement entered into between the A.F.M. and broadcasting stations should specifically provide that such agreements shall not contain any restrictions designed to prevent any station from broadcasting network, transcription or any other programs including those of civic, educational, religious, fraternal and public events characters construed by it to be in the public interest; and that each station should consult its own counsel in all matters affecting arbitration, sympathetic strikes, inviolability of contracts, possible restraint of trade and its obligations to serve the public interest in providing educational and entertainment programs."

Smithsonian on the Air

Two packages, one containing the original talking machine and the other believed to contain the original telephone inventions of Alexander Graham Bell and Charles Sumner Tainter, deposited in the archives of the Smithsonian Institute 56 years ago will be opened by Institute officials this afternoon.

The description of the findings at the time the packages are opened will be broadcast over Mutual, coast-to-coast, from 2 to 2:15 P. M.

Brewery Takes WIL Sports

ST. LOUIS, Oct. 17.—The Hyde Park Breweries have taken over sponsorship of all sporting events on WIL for the winter season, the only exception being collegiate football, which is sponsored by the Industrial Bank of St. Louis.

Additional new business is Adam Hat Stores, Inc., which is using WIL to publicize the opening of the company's first outlet in this city; and the Hartz Mountain Products Co., contracted for a Sunday program.

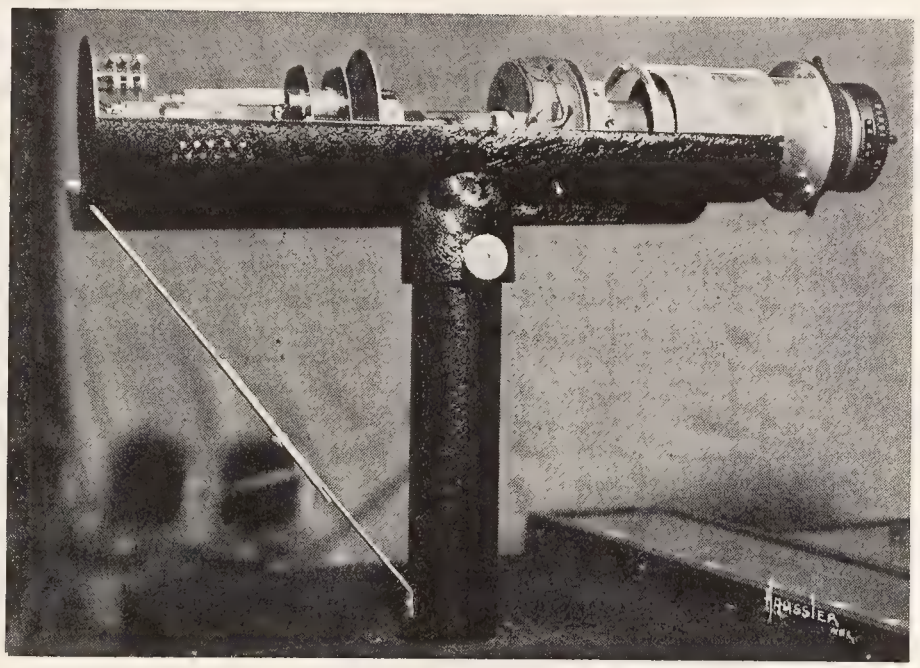
School Pupils on Program

SAN FRANCISCO, Oct. 17.—In cooperation with the school department, a new "Vox Pop" program has been started over KJBS by the Community Chest, in anticipation of the opening of its drive for $2,090,000 Oct. 20. Junior high schools will alternate sending picked pupils to answer brain twister questions on activities of the chest. The show is aired each Monday.

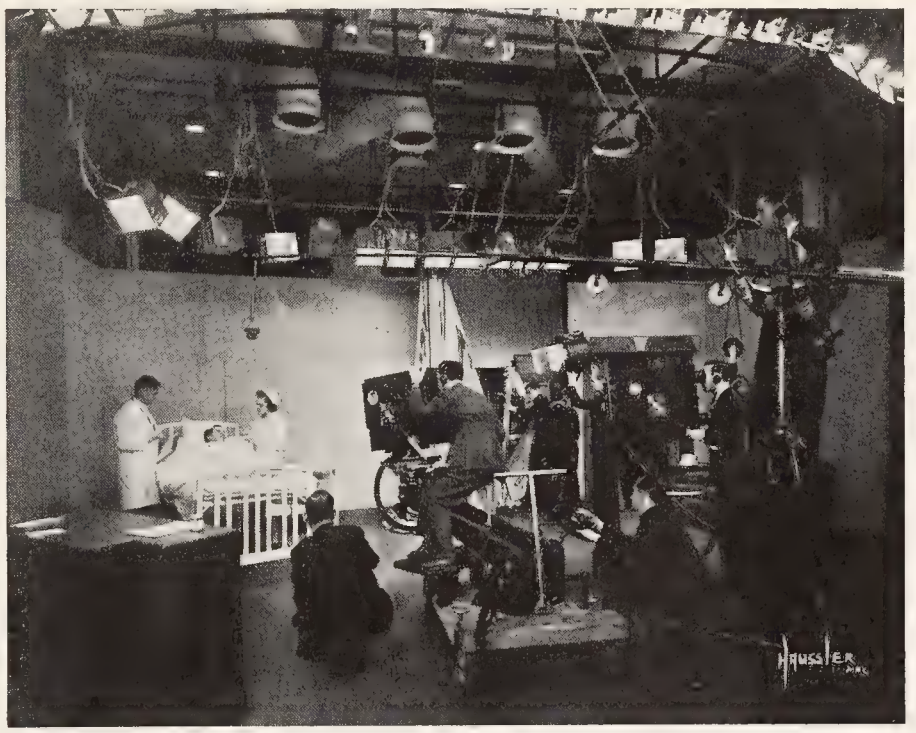
Two New Programs Ready

United Drug Co., through Street & Finney, will sponsor a new musical transcribed show over WNEW, starting Nov. 2. The Chevrolet Co., through William G. Rambeau, today begins a spot campaign over WNEW for an indefinite period.

This Tube Did It



This is the tube by which RCA television projects a televised show with images approximately three by four feet on a moving picture screen. By designation, the device is known as the Kinescope projection tube.



Scene in the NBC television studio in the RCA Bldg. during the television demonstration Thursday evening. The program was described as "television's most elaborate." It involved eight scene shifts and more than 40 different Iconoscope camera positions. Closeups and traveling shots, familiar in film production, were an interesting feature.

Conference Holds Up KFXR Plea to NLRB

OKLAHOMA CITY, Oct. 17.—Wagner Act violations which were to be filed with the National Labor Relations Board against KFXR here have been held up pending conference tomorrow between station officials and Joseph Harris, ARTA union organizer. Harris has asked for a wage increase for radio operators of the station, time for overtime and four months sick leave privileges with pay. After the station officials indicated their willingness to talk the situation over, the charges were held up by Harris.

Herbert Welch Joins WBNS

COLUMBUS, Oct. 17.—Herbert Welch, formerly of WCOL, local NBC outlet, has been appointed staff announcer of WBNS, CBS affiliate.

Jeritza Is Featured On Concert Tonight

Maria Jeritza will serve as the featured vocalist on tonight's inaugural of the bank-sponsored Philadelphia Orchestra series, replacing Feador Chaliapin, who was originally scheduled to be heard in the opening.

To meet the emergency created by Chaliapin's inability to appear, General Motors, which has Jeritza under exclusive contract, released her to the banks for this broadcast, after she had signified her willingness to appear on the concert.

Agency Places Two Programs

Blackett-Sample-Hummert has placed two of its network shows on WOR in transcribed form. The programs are "The Goldbergs" and "Little Orphan Annie."

FCC Hearing Schedule Is Set for Week

WASHINGTON, Oct. 17.—The F.C.C. has made public its calendar of hearings for the current week, as follows:

Oct. 18, before an examiner—Applications of The Voice of Detroit, Inc., for a 1,120-kilocycle station at Detroit, with 500 watts power night, 1,000 watts day; Cadillac Broadcasting Corp., for a 1,140-kilocycle, 500-watt, daytime station at Detroit; WWPO, Inc., for a 1,120-kilocycle, 250-watt station at Pittsburgh; Times Printing Co., for a 1,120-kilocycle station at Chattanooga, with 500 watts power night, 1,000 watts day; Martin R. O'Brien, for a 1,250-kilocycle, 250-watt, daytime station at Aurora, Ill., and Gerald A. Travis for a 1,420-kilocycle, 250-watt, daytime station at La Porte, Ind.

Oct. 19, before an examiner—Applications for new stations of Sam Houston Broadcasting Ass'n., Huntsville, Tex., 1,500 kilocycles, 100 watts, daytime; Pacific Radio Corp., Grant's Pass, Ore., 1,320 kilocycles, 500 watts, daytime; Shirley D. Parker, Yakima, Wash., 1,310 kilocycles, 100 watts night, 250 watts day, and Kanawha Valley Broadcasting Co., Charleston, W. Va., 1,500 kilocycles, 100 watts.

Will Hear Texas Group

Oct. 20, before an examiner—Applications of O. C. Burke for a 1,500-kilocycle, 100-watt station at Dickinson, Tex.; Charles F. Engle, for a 1,210-kilocycle station at Natchez, Miss., 100 watts night, 250 watts day; KVEC, San Luis Obispo, Cal., for increase of time to operate night with 100 watts; KVOL, Lafayette, Ind., for increase of day power from 100 to 250 watts, and WIBG, Glenside, Pa., increase from 100 to 5,000 watts.

Oct. 21, before the broadcast division—Applications of WMBH, Joplin, Mo., for change of frequency from 1,420 to 1,380 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts; Valley Broadcasting Co., for a 1,350-kilocycle, 1,000-watt station at Youngstown, and Juan Piza for a 1,500-kilocycle station at San Juan, P. R., 100 watts night, 250 watts day.

Oct. 22, before an examiner—Application of the Gila Broadcasting Co., 1,420-kliocycle station at Safford, Ariz., 100 watts night, 250 watts day.

Seek New W. Va. Station

WASHINGTON, Oct. 17.—Application for authority to build a new broadcasting station at Beckley, W. Va., to operate on 1,210 kilocycles with a power of 100 watts night, 250 watts day, has been filed with the F.C.C. by Joe L. Smith, Jr.

The commission also was asked to approve an increase of night power from 1,000 to 5,000 watts by WFLA, Clearwater, Fla., a similar increase for WMC, Memphis, and a change of frequency from 1,370 to 560 kilocycles and an increase from 100 to 250 watts for KUJ, Walla Walla, Wash.

More Radio on P. 12

Radio Personals

JOE WEBER, president of the A. F. of M., returns from the Denver A. F. of L. convention today, and radio parleys with Weber will be resumed today. . . . Emily Earle has joined the cast of the Pat Barnes "Opera House" on Mutual. . . . Albert Payson Terhune will be a guest on the "For Men Only" series over WHN tonight. . . . A delegation of local newspapermen will visit Philadelphia tonight to attend the inaugural of the bank-sponsored Philadelphia Orchestra series. . . . Amelia Umnitz, it appears, is still a member of the NBC press division. . . . J. Biggie Levin, Chicago booker who handles talent for the Wessel agency of Chicago, is in town . . . Ethel Shutta will be heard over Mutual beginning Oct. 27. . . . NBC has refused to allow *Time* magazine to distribute sample copies of the publication to the studio audience, nipping an excellent promotion stunt. . . . Lanny Ross, who was a member of the "Showboat" cast for almost the entire six years of its stay on the air, will return as a guest next Thursday, the final "Showboat" broadcast. . . .

✚

Albany Town Pump

ALBANY, Oct. 17.—Gene O'Haire, sportscaster for Kentucky Club over WGY, Schenectady, has had his contract extended from October until the end of the year . . . Gene does the 6:45-7 P.M. stretch Thursdays and Saturdays with Chester Vedder announcing . . . George and Mrs. Nelson (Leighton and Nelson, radio advertising experts) are the parents of a baby girl . . . Mary O'Neill is embarking on a 13-week 15-minute trick for American Rock Wool, Tuesday nights, Bert Madden announcing.

Royden N. (Doc) Rand, ballcaster (Wheaties and Goodrich Silvertowns) for WOKO, is ill at his home . . . Meanwhile, his 24-year-old son, Greenfell Rand, is substituting for him on the Spalding's quick-quiz program at noon . . . Rand was all set to broadcast bowling twice weekly for Albany Diners, Inc., but the contract was cancelled until he regains his health . . . Marjory Hannan and Hugh Studebaker, who co-star on WOKO's "Bachelor Children" have just been married.

✚

Oklahoma City Town Pump

OKLAHOMA CITY, Oct. 17.—Eddie Koontz, WKY announcer, has resigned to go to Tulsa, to take charge of the Barnsdall Refining Co., radio shows as account executive with the Co-operative Advertising Agency . . . Bob Donley, WKY announcer, is the father of a boy born recently . . . Earl Hull, WKY chief engineer, has invented a device which shows the players' position on the field on an illuminated box in the press box . . . An operator on the sidelines who can readily see the players presses buttons which indicate in the press box the play which is about to be called. It has already been used in the broadcasting of Oklahoma University games over WKY . . . Lloyd C. Stokely, WKY salesman, is back on the job after two weeks in bed following a taxicab collision.

New Shows on the Air

"Chrysler Football Parade"

Frank G. Menke, sports authority and editor of the *All Sports Record Book,* now broadcasting on football Fridays for the Chrysler Motor Co. over WABC only, should find a cordial welcome from local listeners who are football enthusiasts. Menke not only chats enjoyably about the game and its history, but offers dope on the probable winners of the Saturday games.

Menke, in beginning his series, backtracked to the formative days of the intercollegiate games, when the players wore long beards and even longer head hair, and were called "gorillas." The long hair and beards, he related, were grown to enable teammates and opponents to grasp the players by the hair or beard and propel them forward or backward, depending on who had hold.

"Chrysler Football Parade" is offered Fridays from 7:15 to 7:30 P. M. Lee Anderson of Detroit is the agency. Ann Leaf, at the organ, supplies the college songs. BANNER

"Skelly Court of Missing Heirs"

CHICAGO, Oct. 17. — The "Skelly Court of Missing Heirs" turns out to be a dramatic show of merit. It is filled with episodes of human interest and the subject matter is of a type that lends itself well to dramatization.

Two cases of persons who had died and left estates of $9,000 and $22,000 were the subjects for dramatization on the opening program. The story of George Henry Watson, a World War hero, was first depicted and the adventures of the gold-seeking Patrick Noonan were the subject of the second skit. Episodes in their lives were acted by a capable cast of well known radio artists from this vicinity. These episodes, it is hoped, will serve as a means of divulging any possible heirs to the estates left by the men about whom the stories have been written.

The script was well written, and under the direction of Fritz Blocki, Chicago playwright and producer, made a good show. Fast-moving, well-dialogued and with excellent musical interludes the program proved most interesting. Peter Cavallo, Jr., headed the orchestra.

Skelly Oil stations have bulletins available to their customers who may want additional information.

The program originates in the Chicago studio of CBS every Monday from 6 to 6:30 P.M., C.S.T. C.

"Saturday Night Serenade"

CHICAGO, Oct. 17.—Musical entertainment of wide appeal is "Saturday Night Serenade" which is offered once a week over CBS by the Pet Milk Co. from 8:30 to 9:30 P.M., C.S.T.

An array of splendid artists, assisted by Gus Haenschen and his orchestra, provides a half hour of music that is delightful. Helen Marshall, soprano; Bill Perry, tenor, and the Serenaders do the song numbers and with great success.

Saturday's show opened with the orchestra and Serenaders doing "Love Is on the Air" and doing it very well. "Mine Alone" was the first solo by Miss Marshall and her rendition was extremely good. Outstanding among the orchestra numbers was the special arrangement of "Limehouse Blues."

The 14 Serenaders in singing "Moon over Shanghai" were at their best and scored heavily. Bill Perry with the Serenaders assisting was most pleasing with the song, "Just A Wearyin' For You." The orchestra next played "September In the Rain" and "Gee, But You're Swell." Miss Marshall and Perry both were impressive in their singing of "Remember Me." The final number utilized the entire cast with "Johnny One Note." It was well suited to the capabilities of the group and nicely done.

As a musical program of merit "Saturday Night Serenade" ranks among the best. C.

"News Through a Woman's Eyes"

The feminine viewpoint revealed by Kathryn Cravens on this thrice-weekly spot should, no doubt, hold its listeners for another 52 weeks. The program has just been renewed. Miss Cravens talks rapidly and pointedly on such subjects as Columbus and the discovery of America, foreign elements in New York City, gas warfare and war in general, the American Legion and Elsie Janis. She drifts from one topic to another with ease and manages to endow them with interest. The period is heard over CBS Monday, Wednesday and Friday from 2 to 2:15 P. M. McManus, John & Adams is the agency. Pontiac Motors sponsors. P.

WHN Broadcasts of NBC Shows Affirmed

NBC and WHN on Saturday both issued statements acknowledging that a deal had been made whereby commercial programs carried by NBC will be duplicated on WHN.

The statements stressed that the deal did not make WHN a direct affiliation of NBC, but was merely a connecting service available to prospective advertisers.

The first NBC sponsor to take advantage of the deal is the Packard Motor Co., whose "Hollywood Mardi Gras," offered over the Red network Tuesdays from 9:30 to 10 P. M., will be heard simultaneously locally over WEAF and WHN, beginning tomorrow, and weekly thereafter. The M-G-M show, starting Nov. 4, unquestionably will be duplicated.

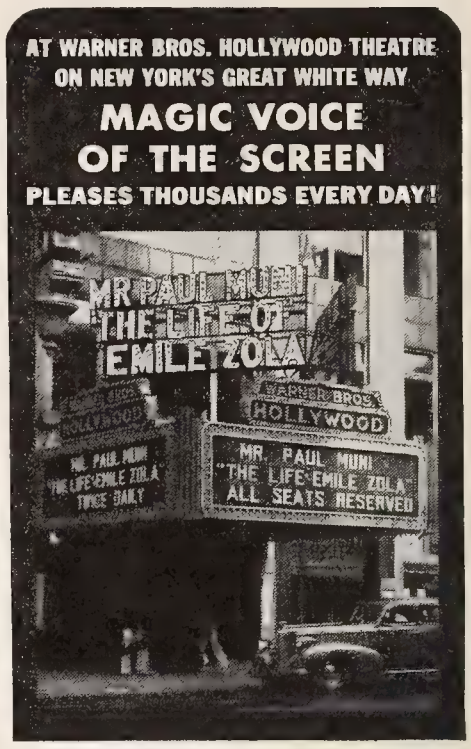
Packard will pay WHN the usual time rates, according to the station management.

Clark WATL Announcer

ATLANTA, Oct. 17.—The newest addition to the announcing staff of WATL is John H. Clark, who was at Lookout Mountain Hotel and sports announcer for International News Service.

WHIO Starts 15 Minutes Earlier

DAYTON, Oct. 17.—WHIO now begins its daily schedule at 5:45 A.M. instead of 6 A.M.



PUT BROADWAY'S FAVORITE SOUND IN YOUR THEATRE *at Low Cost!*

No matter how big or small it is—there's RCA equipment to suit it—at a price to suit you!

OVER half the theatres on New York's Great White Way are RCA Photophone equipped! Every day, more and more houses all over the land are joining the swing to this superior sound apparatus. Because it means *better* sound. And better sound means better box office.

Your theatre can offer patrons the very same sound that New Yorkers enjoy at Warner's Hollywood Theatre! And at low cost! For Photophone equipment is available to theatres of every size, at prices to suit your own requirements. Cash in on RCA's sound experience—win more patrons with the Magic Voice of the Screen. It's a "sound" investment!

Magic Voice of the Screen offers 10 Proofs of Superiority!

Rotary Stabilizer . . Cellular Speakers . . Low Cost Maintenance, Liberal Service . . Simple Operation . . Economical Operation . . Push-pull Adaptability . . High Fidelity Reproduction . . Simple Installation . . Accessibility . . Sole Ownership

RCA Photophone

THE MAGIC VOICE OF THE SCREEN

RCA Mfg. Co., Inc. • Camden, N. J.

A Service of the Radio Corp. of America

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 93 NEW YORK, TUESDAY, OCTOBER 19, 1937 TEN CENTS

Philadelphia "Buyers' Strike" End Is in Sight

U.A. Transfer To Be Decided In Talks Here

"Three or Four" Plans Up For Conferences

One of "three or four" plans for exercising the options by Samuel Goldwyn and Alexander Korda for the purchase of U.A. stock held by Charles Chaplin, Mary Pickford and Douglas Fairbanks for $6,000,000 will be decided upon at conferences which will get under way here next week, it was learned yesterday with the arrival on the *Queen Mary* of David Rose, vice-president and financial adviser for Samuel Goldwyn, Inc., and E. H. Lever, secretary of Prudential Assurance Co., of England.

Although Rose and Lever would not discuss the deal, it was learned from sources close to them that one of the three deals provides for all-English financing and two other plans call for American financing. In one of the American plans is a provision whereby Mervyn LeRoy may participate, but to what extent, it could not be ascertained.

Prudential, which is the heaviest backer of London Films, may not

(*Continued on page* 11)

Depositions Start In Hub Trust Case

The taking of depositions was begun here yesterday in the anti-trust action brought in the U. S. District Court at Boston against major distributors, the Maine & New Hampshire and M. A. Shea circuits by Morse & Rothenberg, New England independent theatre operators. Indications are that the taking of depositions will continue throughout the week.

Gabriel L. Hess, attorney for the M.P.P.D.A., was questioned yesterday, and Louis Weinberg, in charge of

(*Continued on page* 11)

Cohn Dickers

London, Oct. 18.—Jack Cohn is negotiating with Max Shach to produce here for Columbia under a joint financing plan. Hollywood talent would be used. Four or more are contemplated as big pictures. Eight to 12 would be made at a lower negative cost for distribution in the United Kingdom only.

Allied Ready To Talk, Says Yamins, But—

Fall River, Oct. 18.—The Allied States board of directors would authorize its representatives to participate in a national exhibitor meeting to draft a trade practice program for presentation to distributors providing it was not asked to forego its legislative program for industry reform in the meantime, in the opinion of Nathan Yamins, Allied president.

Yamins' statement was made in reply to an offer by the I.T.O.A. of New York to call a national exhibitor meeting at its own expense if Allied and the M.P.T.O.A. would cooperate in the effort to form a united exhibitor front, both in drafting a trade practice program and in placing it before distributors. The I.T.O.A. proposal was made in an open letter to

(*Continued on page* 4)

Le Maire Resigns As Aide to Rogers

Hollywood, Oct. 18.—Rufus Le Maire, who since March of 1936 has been executive assistant to Charles R. Rogers, Universal vice-president in charge of production, resigned today.

Le Maire's contract with Universal had a year and a half still to run.

Even Today

By RED KANN

THESE are difficult times. These are times when the expressed political opinion of the individual, emphasizing the right to free thinking, continues to pillory the industry in the dictator nations where free thinking is a mockery.

But by conduct established as reputable, there has been reason to believe these were no longer times when the bounds of decent expression would be exceeded in newspaper copy advertising a first run, or any other kind of run, on Broadway.

▼

Tucked away in the amusement section of Sunday's *New York Times,* the Globe Theatre, in paid space, told of the approaching run of "Madame X."

"Which was she? A street walker or over sexed?" asked that copy which suggested the answer might be found at Harry Brandt's house beginning Saturday. This begins and concludes its own story. To amplify it beyond the context would serve to advance a discussion about which there is not now, and never has been, an issue—the matter of

(*Continued on page* 4)

UMPTO Group Confers With Agnew; Both Sides Optimistic

A settlement of the Philadelphia exhibitors' "buyers' strike" against Paramount is imminent and may be concluded this week, it was learned yesterday following a conference between Paramount home office officials and a committee of Philadelphia exhibitors.

No indication was given of the basis on which the settlement would be made, but it was learned that considerable progress had been achieved at yesterday's meeting and the attitude of the conferees at the close of the session was optimistic and friendly.

The Philadelphia exhibitor committee which conferred with Neil F. Agnew, Paramount vice-president and general sales manager, and Austin C. Keough, vice-president and secretary, consisted of Lewen Pizor, president of the U.M.P.T.O., who only recently left Temple University Hospital after a serious illness; Charles

(*Continued on page* 9)

Wilby Due Today to Discuss 5-Year Pact

R. B. Wilby is expected in New York today from Atlanta to go over with Y. Frank Freeman the new five-year operating contract with Paramount for the Wilby-Kincey circuit. Indications are that the new long-term contract will be signed here this week.

The old operating agreement between Paramount and Wilby-Kincey expired last June 30. Negotiation of the new contract was begun at that time, but various circumstances prevented its signing. In the meantime, it has been revised to cover a five-year period instead of the one-year period for which the new contract was originally drawn.

Expect Appeal Move On Dallas Decision

Indications are that distributor defendants in the Government's Dallas anti-trust action will appeal from the Federal District Court decision which bars them from entering into contracts with a first-run theatre which include

(*Continued on page* 4)

Adolf Zukor Is Optimistic For Gains In Foreign Sales

By J. M. JERAULD

Adolph Zukor painted a rosy picture of European film prospects at a luncheon given yesterday in his honor at the Waldorf-Astoria. Conditions have improved so greatly in England and on the Continent during the seven years since his previous trip abroad that he expects Paramount to get from 33 1/3 to 40 per cent of its revenue from the foreign market, he said.

The contrast between present conditions and those he encountered the last time he was abroad was greatest in Budapest, he said. He spent 12 days there and was surprised to find heavy traffic, a general air of optimism and indications of good business.

In Vienna, he said, he conferred with Franz Lehar, the composer, and was hopeful that Lehar would come to this country and aid in production of "The Count of Luxembourg."

His review of conditions in Britain

(*Continued on page* 4)

Radio—Pp. 10-11

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(Registered U. S. Patent Office)

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STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant. Representative.

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"Wife, Doctor" Gets $24,500 First Week

"Wife, Doctor and Nurse" drew approximately $24,500 in the first week at the Rivoli. The picture is now in its second week. "The Firefly" got about $7,000 in the ninth week at the Astor on a two-a-day.

Para. Settlement Up Soon

An attorneys' conference with Federal Judge Alfred C. Coxe which was scheduled for yesterday for the purpose of agreeing upon a hearing date for the petition of the Paramount trustee for authorization to settle for $2,150,000 cash a suit against former officers and directors of the company, was postponed without date due to the inability of several attorneys to be present. A new appointment will be sought from Judge Coxe today or tomorrow.

Hays Board Meets Today

An adjourned meeting of the board of the M. P. P. D. A. will be held at the Hays office today to take up unfinished business remaining from last Thursday's board session.

Purely Personal

WILLIAM F. RODGERS, general sales manager of M-G-M, will leave Thursday for Chicago to confer with JACK FLYNN and SAM SHIRLEY. After the meeting, RODGERS will make up an itinerary which may keep him on the road several weeks.

•

LEO MCCAREY, having completed direction of "The Awful Truth," will arrive here today and will leave tomorrow on the *Queen Mary* for a European vacation.

•

HAL ROACH is expected to remain here for two weeks, according to advices from the coast.

•

KARL FREUND, cameraman on "The Good Earth," will sail tomorrow on the *Queen Mary* for a vacation on the Continent.

•

SAM E. MORRIS, Warner vice-president in charge of foreign distribution, will leave France for New York tomorrow aboard the *Ile de France*.

•

TYRONE POWER arrived from Hollywood last night by plane and will return the same way the end of the week.

•

ARCHIE MAYO arrived in New York from Hollywood yesterday and on Saturday sails for a European vacation.

C. C. KELLENBERG, office manager and assistant sales manager of the Pittsburgh 20th Century-Fox exchange; GEORGE WHEELER, G.B. manager in that city; SAM SPERAMZA of Warners, and SOL GOLDBERG, owner of the Roosevelt, Elkins, W. Va., were in town over the weekend to witness the various pigskin games. GOLDBERG's son, MARSHALL GOLDBERG of Pitt, played against Fordham.

•

ED ZABEL, assistant to SPYROS SKOURAS, returned yesterday from a vacation spent with his family in Wisconsin.

•

TOM WALLER of the Paramount eastern publicity department returned from a short Hollywood visit yesterday.

•

HERBERT J. YATES will arrive today from Hollywood. He was due late last week, but delayed his departure.

•

TOM CONNORS reported back on the job at M-G-M yesterday, recuperated from a recent appendicitis operation.

•

CLINTON M. WHITE, G. B. assistant general manager, went to Albany yesterday.

•

EDWARD L. ALPERSON is being bothered with a bad cold these days and is waiting for EDWARD J. PESKAY to return from a trip of exchanges before he leaves for the coast.

•

STEVEN BEKASSY, whom LOUIS B. MAYER while in Europe signed to an M-G-M contract, will arrive Thursday on the *Champlain*.

•

PERC WESTMORE, Warner makeup head, will leave tomorrow for the coast to resume his duties.

•

R. S. LIDDLE of Ilford, Ltd., London raw stock company, sailed Saturday on the *Britannic*.

•

JEAN MUIR is aboard the *Europa* bound for London to appear in a play by J. B. PRIESTLEY.

•

HATTIE HELBORN got back yesterday from a two-week rest at Atlantic City.

•

ALICE FAYE was in Chicago yesterday and is due in this morning.

•

JACK ALICOATE is taking to cigar smoking.

•

GRACE MOORE arrives from the coast tomorrow.

"Bride Wore Red" Out Front With "Stage Door" in Keys

"The Bride Wore Red" was added to the list of top-notch grossers last week. It took the lead in Milwaukee, Oklahoma City and Washington and reached second place in Cincinnati.

"Stage Door" stepped out front in a big way at San Francisco. "Dead End" stirred up some excitement in Seattle. "The Prisoner of Zenda" was out front in Pittsburgh, and '100 Men and a Girl" kept up among the leaders. It was the best New Haven draw, second best in Minneapolis, and it made excellent showings in holdovers in other spots.

Business was a bit weak in San Francisco as a result of the terrific $23,000 rolled up by "Stage Door" at the Golden Gate. "100 Men and a Girl," on a dual with "Counsel for Crime," held up to $10,200 in its third week at the Orpheum. "The Bride Wore Red," dualled with "Wine, Women and Song," took $13,500, only $500 above normal, at the Paramount. "Walter Wanger's Vogues of 1938" held up to $5,800 in a third week at the United Artists.

"High, Wide and Handsome" set the pace in a pickup at Omaha by getting $6,300 at the Omaha. "Lost Horizon" held up to $4,700 in its third week there.

A combination of "Back in Circulation" and Fred Waring at the Minneapolis Orpheum proved a sensation at $18,500, beating the strong $10,000 pull of "100 Men and a Girl" at the Century. These were the only strong grossers in the Twin Cities.

Houston felt the stimulus of a World Oil Exposition, but "The Prisoner of Zenda" with a take of $7,500, over par by $500, and "High, Wide and Handsome" with $8,000 at the Majestic, were the only two first runs to make much of a showing.

At Washington business was in the doldrums. The $17,000 gross of "The Bride Wore Red" at Loew's Palace was over normal by only $1,100. It was held a second week. "Souls at Sea" and "Double or Nothing" were the only other features to get into the money.

"Life Begins at College" led "100 Men and a Girl," "You Can't Have Everything" and "Varsity Show" at Cleveland. The $17,500 take on the Ritz film at Warners' Hippodrome was over normal by $5,500.

The Seattle showing of "Dead End" was sensational. The $9,000 gross in the Liberty was $4,000 over par. "Wife, Doctor and Nurse" and "Annapolis Salute" furnished the only important competition there.

At Pittsburgh the showing of "The Prisoner of Zenda" was outstanding because of stiff competition. "Zenda" reached $23,000 at the Penn, topping the previous showings of "Stella Dallas" and "Dead End," in spite of the fact that it had heavy competition from "Wife, Doctor and Nurse" at the Alvin, where the $11,000 take was $5,500 over normal.

Bartholomew Terms Are Finally Settled

LOS ANGELES, Oct. 18.—Superior Judge Celement Shinn today approved the new M-G-M contract of Freddie Bartholomew under which the boy receives $2,000 weekly for forty weeks of each year for two years. The studio has options for two additional years. An unusual contract angle cuts the boys' salary to $1,250 weekly for the last two years of the option period on the ground that the lad will be adolescent and his boxoffice draw may decrease.

The contract also provides for $3,000 weekly for Bartholomew if the studio exercises the contract clause calling for personal appearances. Personals are limited to six weeks in each forty-week period, however.

All that remains be settled in the litigation brought by Myllicent Bartholomew is how much William Neblett, her attorney, should get for his services. Neblett disclosed in court that Louis B. Mayer already paid him $10,000, but Neblett wants $15,000 more. Judge Shinn directed Neblett to make a showing on the added sum demanded and said the court would determine the legal fee.

Under the contract the aunt gets $100 weekly and if the boy travels she gets that sum plus reasonable expenses for herself.

McConville, Jackter Return from Chicago

Joe McConville and Rube Jackter returned from Chicago by air yesterday after attending the two-day regional sales meeting of Columbia at the Drake. The rest of the home office contingent came back by train.

McConville, Jackter and George Josephs will leave Friday for Atlanta where the second regional will be held Saturday and Sunday, probably at the Ainsley. The third session is slated for San Francisco in a few weeks.

Columbia to Pay 68¾ Cents

A dividend of 68¾ cents per share on the $2.75 convertible preferred stock has been declared by Columbia. It is payable Nov. 15 to preferred stockholders of record Nov. 3.



HOLLYWOOD REPORTER says:—

"'ANGEL' will win its way
and interest women on all levels."

Paramount Pictures

Allied Ready To Talk, Says Yamins, But—

(Continued from page 1)

Yamins and Ed Kuykendall by Harry Brandt, I.T.O.A. president, on Oct. 9. No response has been received yet from the M.P.T.O.A.

Yamins' statement says in part: "Allied will lend its support to any plan to secure benefits for the independent exhibitors by the methods which you (Brandt) favor so long as it is not called upon to abandon its program for securing redress by other methods in case such a plan fails.

"My belief is," he said, "that if independent leaders can by informal conferences or by correspondence, with a minimum of publicity and politics, agree upon the measures which are necessary to the protection of the independent theatre owners, and a joint committee can be organized to canvass the possibilities of securing such measures without legislation, the Allied board will authorize its national officers to make the effort. It is my further belief, however, that the board will not hold its legislative program in abeyance during protracted negotiations in view of the possibility that the effort may end in frustration when it is too late to proceed with plans for legislative relief."

Allied to Hear Report

A report by Irving Dollinger, Louis Gold and Morris Marks, the committee which met with the I.O.TA. to discuss merging that organization with Allied of New Jersey, will highlight the meeting of the Jersey organization today at the Stacey-Trent, Trenton.

No date for another meeting of the committees has been set. The I.T.O.A. is slated to hold its regular meeting at the Astor tomorrow.

Expect Appeal Move On Dallas Decision

(Continued from page 1)

agreements not to sell to subsequent runs which fail to charge a specified minimum admission.

As the Dallas case was instituted by the Government, an appeal from the district court's decision would go directly to the U. S. Supreme Court, instead of to the U. S. Circuit Court of Appeals. The defendants have until Dec. 13 to move for an appeal and, although no final decision has been made yet, it is known that a majority of the defendant companies favor an appeal.

George V. Browne Dead

BOSTON, Oct. 18. — George V. Browne, director of the M.P.T.O.A. in Massachusetts, is dead at his home in Hopkinton as a result of shock. Browne, who was 57, operated the Garden here.

Shift Warner Managers

NEW HAVEN, Oct. 18.—Irving Hillman, former assistant at the Roger Sherman, has been named manager of Warners' Capitol, Danbury. I. Hatkoff has moved from the Capitol to the reopened Warners' Alhambra, Torrington. The assistant's post in New Haven is filled by Paul Hodgins, former chief usher.

Adolf Zukor Is Optimistic For Gains In Foreign Sales



The candid camera lives up to its tradition. Adolph Zukor, Y. Frank Freeman and Stanton Griffis at the Waldorf luncheon for Paramount's chairman of the board yesterday.

(Continued from page 1)

was particularly hopeful. The British are conservative, he said, but they are not backward. Most of the troubles and problems of Europe are focussed there and the settlements are found.

"There is no war scare," he continued. "They are not afraid something untoward is to happen. They are going about their business. They have just passed through an unpleasant experience in production, but this is the experience with all new industries. They have to live down the mistakes, the enthusiasms and overconfidence of men who are taking up something new.

"It is needless for us to go over there and attempt to tell them how to do it. I doubt if we could do as well under the conditions.

"What we can do, however, is to help them make the best pictures possible by filling our quota requirements with pictures up to the Hollywood standard. We should cooperate to make the best pictures possible. We can't hope to make them all.

"The only way we can get our money back is to make the best pictures possible for the foreign market, and the same thing applies to the British industry. I am optimistic about the foreign market for our films and I am convinced the British will also take their place in the world market."

It was at this point that Zukor made his prediction that from 33 1/3 to 40 per cent of American film revenue would come from abroad. He leaves for Hollywood tonight accompanied by Chris Dunphy, newly named his assistant.

Present at yesterday's affair were high Paramount officials, including Barney Balaban, Stanton Griffis, Y. Frank Freeman and Austin G. Keough.

Para. Asks Review Of Credit Verdict

WASHINGTON, Oct. 18.—A Supreme Court review of a decision of the Ninth Circuit Court of Appeals affirming a jury verdict giving Walton Hall Smith damages in the sum of $7,500 for breach of a screen credit clause of a contract with Paramount Prod. for the screen rights of the former's story, "Cruise to Nowhere," subsequently produced as "We're Not Dressing," has been asked by Paramount.

The contract provided that credit was to be given the author, and the company claimed that while the story had originally been purchased for use as a background for a musical picture, it had ultimately been discarded as too heavy and a new story substituted, and the author accordingly was not entitled to credit. At the trial the company produced six writers who had worked on the picture. They testified they had never read or heard of the author's story.

B. & D. Is Required To Post Court Bond

The British & Dominion Film Corp., Ltd., of London was ordered yesterday by N. Y. Supreme Court Justice Bernard L. Shientag to file a bond as security for costs in the $19,410 breach of contract suit brought by it against Wilson Collison and Hopwood Plays, Inc.

The plaintiff claims a breach of a contract made in 1932 under which it allegedly secured exclusive world rights to produce a picture based on Collison's play, "Getting Gertie's Garter." While exhibiting the picture in Australia a Frank O'Neil produced a prior contract and the plaintiff was required to settle with him for $15,000 damages and $4,410 as cost of the settlement.

The defendant has filed a general denial stating that the settlement was unnecessary. Justice Shientag ruled that the plaintiff as a foreign corporation must file a bond for costs. Trial has been set for January.

Even Today

(Continued from page 1)

good taste and the need for it to perpetually play a part in the performance of this industry on all of its fronts.

▼

Because it is obvious that M-G-M, the producer, would not lend countenance to such a transgression, the conclusion appears most patent that the theatre and its management take dubious honor for the circumstance. There are reasons to believe, and quickly, too, that a repetition will not be brooked.

"In all advertising and publicity issued by Exhibitor relating to said motion pictures," reads part of Clause 21 in Metro's exhibition contract, "Exhibitor shall adhere to the form of announcement contained in the advertising matter issued by Distributors." That is sufficient to make clear the procedure for the future. Yet, if it were not, those at Metro understand too well the peril to its merchandise and to the industry to stand for bad taste sensationalism in such an offensive and unwarranted form.

Century Examination Is Ordered by Court

N. Y. Supreme Court Justice Charles Paletti yesterday ordered the Century Circuit, Inc., to submit to an examination before trial on Oct. 25 in connection with the "conspirary" suit brought by Rockbeach, Inc., against Century, Columbia Pictures Corp., Paramount Pictures Distributing Corp., Big-U Film Exchanges, Inc., RKO Distributing Corp. and the U. A. Corp.

Fred Schwartz, assistant treasurer of Century, was ordered to appear at the examination.

Rockbeach, owner of the Gem in Far Rockaway, is suing on the alleged ground that the major distributors and Century "conspired" to have pictures exhibited at Century's Central in Cedarhurst before exhibition at the Gem. A permanent injunction and damages are asked. Schwartz will be required to testify whether Century entered into the contract with the other defendants with knowledge of the plaintiff's rights. He will not be required to reveal the terms of Century's contract.

Poster Suit Detail Ordered

Justice Bernard L. Shientag, yesterday ordered the Berkshire Poster Co., Inc., to file a bill of particulars setting forth in detail the $2,500 breach of contract action against the B. F. Keith Corp. and the Greater New York Vaudeville Theatres Corp. Berkshire is suing for the alleged breach of a 1932 contract under which it is claimed it was entitled to one-third of the poster work of the 40 theatres in the RKO circuit in the metropolitan area.



TO 40 MILLION AMERICAN MOVIE PATRONS!....

BOYD, PHILADELPHIA
STRAND, ALBANY
STANLEY, UTICA
HIPPODROME, CLEVELAND
OHIO, CANTON
CAMBRIA, JOHNSTOWN
VIRGINIA, CHARLESTON
REGENT, SPRINGFIELD
WARNER, ERIE
SMOOT, PARKERSBURG
OHIO, MANSFIELD
COLONIAL, AKRON
WARNER, MEMPHIS
VICTORY, DAYTON
5TH AVENUE, SEATTLE
OHIO, LIMA
STATE, PORTLAND
ASTOR, READING
MAIN STREET, KANSAS CITY
KNICKERBOCKER, NASHVILLE
MARY ANDERSON, LOUISVILLE
PALACE, DALLAS
PALACE, ROCHESTER
KEITH'S, SYRACUSE
GRAHAM, TOPEKA
MAJESTIC, HOUSTON

WARNER BROS.

Earnestly Direct Your Attention to Every One of These First Popular-Price Engagements So that You, Too, Will Be Prepared to Smash 'Adverse' Records and

HOLD ZOLA

Mr. PAUL MUNI in
'THE LIFE OF EMILE ZOLA'

with GALE SONDERGAARD • JOSEPH SCHILDKRAUT

Gloria Holden • Donald Crisp • Erin O'Brien-Moore • Henry O'Neill

Morris Carnovsky • Louis Calhern • Directed by WILLIAM DIETERLE

Screen Play by Norman Reilly Raine, Heinz Herald and Geza Herczeg

Story by Heinz Herald and Geza Herczeg • Music by Max Steiner

Philadelphia "Strike" End Held in Sight

(*Continued from page* 1)

Segall and Abe Sablosky, Philadelphia exhibitor leaders.

Both company officials and members of the exhibitor committee declined to discuss the meeting, but MOTION PICTURE DAILY learned from official sources, nevertheless, that the company officials and the committee were agreed upon sufficient basic considerations at the close of yesterday's meeting to make possible a settlement by the end of the week.

The exhibitor committee will report back to the U.M.P.T.O. and nonmember exhibitors aligned with it in the "buyers' strike" today and further instructions to the committee from the exhibitor body may be forthcoming within a day or two. The committee was advised by the Paramount officials that another meeting would be set at any time the exhibitors requested one. Indications now are that the meeting, which is expected to bring about a formal agreement, will be held on Friday. The exhibitor committee plans to return to New York on that day, it was learned.

File Plan for Capitol

MILWAUKEE, Oct. 18.—A financial reorganization plan has been filed in Federal District Court here by the Capitol Investment Co., owners of the Capitol at Madison.

Under the plan, the first mortgage bonds totalling $417,500 would be replaced by new 10-year bonds at four per cent, payable semi-annually. Holders of second mortgage bonds, totalling $149,000, and general creditors, would receive two per cent interest each year, if earned.

The company owes an accumulated interest of $163,000 on bonds and loans.

Flash Previews

"Hold 'Em Navy"—A real good football story located at Annapolis. For what it lacks in cast names it makes up in human interest.

"Night Club Scandal"—In which the irrepressible reporter again injects himself into a murder case and, of course, solves it.

"The Lady Fights Back"—No profundity here, but the film's lightness makes it pleasant, engaging fare.

"Without Warning"—Mystery stuff, with Boris Karloff, sans frightening makeup. U. S. Army background.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Brings Yiddish Musical

Joseph Green after a five-month stay in Europe, returned yesterday on the *Queen Mary* with his latest all-Yiddish musical, "The Jester," which he made in Warsaw and which will be released about Nov. 15 by Sphinx Film Co.

He plans to start production on another Jewish feature, "A Letter to Mother," in a few weeks, this one to be made here.

Paternal Advice

Hollywood, Oct. 18. — Grover Jones, testifying today for Screen Playwrights, Inc., during the N.L.R.B. hearing requested by the Screen Writers' Guild, stated that he quit his $2,000 a week job at Paramount because his father told him he was underpaid. "You're only getting 40 times as much as you're worth," said the Pater, "in some other studio you might get 50 times your value."

N.L.R.B. Rules Out Coercion Instances

HOLLYWOOD, Oct. 18.—Despite the demands of Screen Playwrights, Inc., and producers' attorneys that he cite specific instances supporting his charge of producer coercion of Screen Writers' Guild members to quit the guild, Charles Brackett, acting president of the guild, today was upheld in his refusal to do so by Trial Examiner William R. Ringer in the National Labor Relations Board hearing in the guild petition for a collective bargaining agency election.

Brackett testified that many writers resigned from the guild last year under pressure from the producers, but declared that he could not name specific persons because most of the withdrawals came by phone.

M'Carthy Asks Deletion

Neil S. McCarthy, attorney for Screen Playwrights, moved to strike out the Brackett testimony on the grounds that it was impossible to present refuting testimony because no names had been mentioned, but Ringer denied the motions, stating that rules of evidence do not necessarily apply in Labor Board meetings. He was compelled to remonstrate with those in attendance at the hearing who demonstrated verbally at the Brackett testimony. Brackett declared that he earned $50,000 last year as a writer for Paramount.

The respondents lost a motion to strike out Brian Marlow's testimony that writers were under the jurisdiction of the producers in their studio jobs. This was an important point in the presentation of Leonard Janofsky, S.W.G. counsel, in his effort to show that writers are in the employe classification.

Pergola and Pitt of Pathe in Air Wreck

James Pergola and William Pitt, Pathe News cameramen, were among the passengers aboard the United Airlines' Mainlander which was forced down and believed wrecked yesterday near Knight, Utah. The men were on an assignment which called for transcontinental air travel scenes. They were en route to the coast.

Late yesterday the craft was sighted and a rescue party organized.

Pitt, a Columbia University graduate, was formerly news editor of Pathe News. He is 31 years old, unmarried, and lives in Queens. Pergola is a well known cameraman. Before joining Pathe in 1930 he worked for M-G-M, Paramount and Fox Movietone News. Pergola is married and has one child. He resides in the Bronx.

Local 306 Wins Move In Paradise Action

Local 306 gained a partial victory in the N. Y. Supreme Court yesterday in the first suit brought to enforce the 10-year contract made with the I.T.O.A. in January. Justice Samuel Rosenman signed a temporary injunction which requires Paradise Pictures Corp. owners of the Belmont, to employ only members of the union and to pay them $275 per week for the operation of the projection booth. The Paradise claims that it was not bound by the contract because it had resigned from the I.T.O.A. before January, but Justice Rosenman revealed that it was a member until March. At present Paradise is paying $200 a week for the booth. Ben Golden, arbitrator under the contract, made the award in favor of the union after a hearing in March. The order granting the temporary injunction requires the union to notice the case for trial before Oct. 25 and to post a $2,000 bond to cover the defendants' damages if a permanent injunction is not obtained.

Ad Guild Meets Today

A special meeting for the purpose of considering new bylaws to conform with the constitution of the United Office and Professional Workers of America will be held today by the newly organized American Advertising Guild at 155 E. 34th St.

Short for Esquire

Steve Hannigan Associates are making a short subject for *Esquire* today at the West Coast Service Studios. Pathe will take over the stage Thursday, when it starts shooting another Pathe Parade.

Strike Threatens in Four Mexican States

MEXICO CITY, Oct. 18.—The Pacific slope of Mexico, comprising four populous states, faces the prospect of a strike of film theatre employes. They are demanding higher wages and other economic benefits.

The National Cinematographic Workers' Union is cooperating with the Federal Government in an effort to avert the walkout, which is scheduled for Thursday.

League of Filmgoers Suggested by Nyman

LONDON, Oct. 18.—Kenneth Nyman, C.E.A. official, tonight suggested the formation of a Filmgoers' League, drawing upon the 20,000,000 regular patrons who attend British film theatres for the purpose of improving film standards and fighting the cost proposals in the impending Films Act.

The suggestion came in the form of a lecture at Golder's Green, when Nyman attacked the proposed quota on the ground it would reduce the number of films and make British films, British-American.

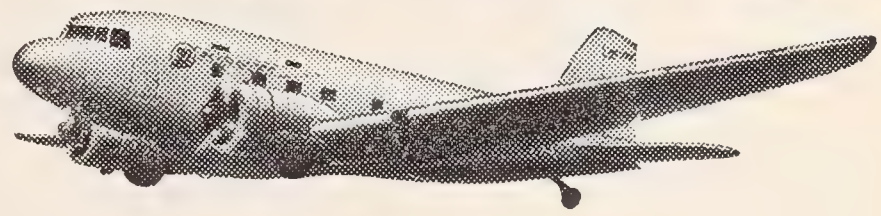
Dewey Film on Trucks

"Smashing Crime with Dewey," a political film describing the anti-racketeer activities of Thomas E. Dewey, candidate for district attorney, is being exhibited from a sound truck on Manhattan street corners and will continue to be shown until Election Day.

Name House Ad Manager

HARTFORD, Oct. 18.—The State here has appointed Frank R. Abrams as advertising and publicity director.

EXTRA LUXURY



$10,000 MORE PER PLANE

. . . only on TWA TWA Skysleepers are first . . . $10,000 extra lavished on their luxurious interiors . . . 17 seats in planes licensed for 25 . . . separate club lounge and sleeping compartments . . . air conditioned . . . sound proofed . . . wider seats, richly upholstered . . . softest full-length beds . . . Travel TWA first—the nation's Luxury Line.

Member National Safety Council

For All Airline Information Call Your Nearest TWA Office . . . or Any Hotel, Travel Bureau, Postal Telegraph or Western Union Office.

In New York, call Mu. 6-1640 . . . In Los Angeles, Mich. 8881

TWA first



FCC Assigns Television's Frequencies

By BERTRAM F. LINZ

WASHINGTON, Oct. 18.—Permanent assignment of frequencies for television service, effective Oct. 13, 1938, were announced today by the F.C.C.

The television assignments were incorporated in orders assigning to the various services the channels between 10 and 300,000 kilocycles, on which subject lengthy hearings were held in June, 1936.

No changes are made in the present assignments of frequencies between 10 and 25,000 and 25,000 and 30,000 kilocycles, in which are included the broadcast band and film and short-wave broadcast frequencies, but the commission's orders, for the first time, make permanent provision for services in the ultra-high frequencies between 30 and 300,000 kilocycles.

The frequencies between 25 and 27,000 kilocycles are assigned to broadcast and Government use; between 27 and 28,000 kilocycles are assigned to broadcast and Government use, between 27 and 28,000 kilocycles to general communication and Government.

Television Areas Listed

In the ultra-high frequencies, geophysical and film services are assigned to the 33,540 and 35,540 kilocycle frequencies; broadcasting is given the frequencies between 41,020 and 43,980 kilocycles, 142,020 and 143,880 kilocycles and scattered frequencies; and television is given the frequencies between 44,000 and 56,000, 66,000 and 72,000, 78,000 and 90,000, 96,000 and 108,000, 156,000 and 168,000, 180,000 and 192,000, 204,000 and 216,000, 234,000 and 246,000, 258,000 and 270,000, and 282,000 and 294,000 kilocycles.

With respect to television, the commission pointed out, the assignment of frequencies is but one of many steps which the commission believes may be required before television can become a reliable service to the public. Some of these steps, it was commented, must be taken by the industry in the development of proper stands which, in turn, the commission must approve before television can technically be of great use to the public on any scale.

"At the proper time in the future," it was announced, "the policies which will govern the operation of television service in this country must be determined, particularly with reference to those matters which relate to the avoidance of monopolies. The commission must in the future prescribe such rules as will insure the utilization of television stations in a manner conforming to the public interest, convenience and necessity, particularly that phase which will provide television, transmission facilities as a medium of public self-expression by all creeds, classes and social-economic schools of thought.

Call Television Experimental

"The investigations and determinations of the commission justify the statement that there does not appear to be an immediate outlook for the recognition of television service on a commercial basis. The commission believes that the general public is entitled to this information for its own protection."

Until television reaches a point of stability, it was said, stations will be assigned to channels on an experimental basis with the same requirements as are now imposed.

Names Composers

CBS has commissioned a second Composers' Commission to write original music for broadcasting. The commission numbers six, and includes Quincy Porter, Robert R. Bennett, Leo Sowerby, Jerome Moriss, R. Nathaniel Dett and Vittorio Giannini.

Their compositions will be broadcast over CBS during the summer of 1938.

Al Cormier to Quit As a WIP Executive

PHILADELPHIA, Oct. 18.—Al Cormier will resign Saturday as vice-president and general manager of WIP. Benedict Gimbel today stated no successor had as yet been determined upon.

Tom Fizdale, Inc.

Complete Publicity and Radio Relations Service

is pleased to announce that

With the Appointment of Robert S. Taplinger as Director of Publicity and Radio

for

Warner Bros. Pictures in Hollywood

It has acquired

Robert S. Taplinger, Inc.

485 Madison Avenue, New York City

Telephone: ELdorado 5-5580

Chicago	*Hollywood*	*London*
20 No. Wacker Drive	8532 Sunset Blvd.	102-5 Shoe Lane, EC-4
Telephone: Central 7571	Tel.: Woodbury 6-3101	Telephone: Central 4176
Director: Marge L. Kerr	Director: Jerry Farrar	Director: T. J. L. Crane

INRA, AFM Deadlock on Strike Issue

An I.N.R.A. committee and the International Council of the A. F. of M. were deadlocked last night as a result of their inability to find a compromise measure for the disputed Rule 10 in the trade agreement recently drawn by both bodies.

The stipulation in dispute obliges Federation musicians to go out on sympathy strikes thereby interfering with existing station contractual obligations which would have to be done should some affiliate be placed on the unfair list by the A. F. of M.

Other rules in dispute deal with an arbitration clause, and two weeks' notice to musicians instead of four. These points, it is believed, have been settled satisfactorily.

Canada Ad Time on Air Raised to 10%

MONTREAL, Oct. 18.—The time limit on radio advertising will be doubled next month, it was learned here today when the Canadian Broadcasting Corp. made public the new regulations which are to go into effect Nov. 1.

The former limit of five per cent on advertising portions of any program will be doubled to ten per cent with the corporation reserving the right to slice this in special cases or to order an offending station to change the nature of its advertising. In former years the five per cent limit could be raised with special permission.

The new regulations also forbid false or deceptive statements, bar all price advertisements and in all provinces except Quebec ban liquor advertisements which in effect includes those of beer and wine, too.

Programs for advertisement of foods or drugs must, by the new orders, submit their continuities to the corporation two weeks in advance of broadcast for censorship.

Acting on the assumption that "the message of broadcasting is received at the fireside, in the relative unguarded atmosphere of the home," the C. B. C. has clamped down upon all talk of birth control or venereal diseases, has forbidden the broadcast of all court trials and has made fortune-tellers taboo.

The regulations however have lent support to the rights of news-gathering, having included the following clause on the matter:

"Stations shall not transmit any news or information of any kind published in any newspaper or obtained, collected, collated or co-ordinated by any newspaper or association of newspapers or any news agency or service except the following:

"(a) Such news bulletins as are released regularly from the various bureaus of the Canadian Press for the express use of broadcasting stations in Canada.

"(b) Local news under arrangements to be made by each station individually with its local newspaper or newspapers, or such news as it may collect through its own employes.

"(c) News from sources other than those provided for in sub-sections (a) and (b) herein, shall not be broadcast unless the express permission in writing of the corporation through its general manager is secured in advance."

New Shows On the Air

"The Voice of Niagara"

"The Voice of Niagara," featuring the Carborundum Band under the direction of Edward D'Anna and with Francis G. Bowman again serving as writer, producer and narrator of the series, started its 12th year on the air Saturday night. Emanating from Niagara, the series derives its title by broadcasting each week for a few seconds the roar of the waters, conveyed by lowering a microphone over the brink of one of the falls.

The program retained the form it has had since it first went on the air. Consequently it is hard to say something about it that has not been said before. The D'Anna band is one of the finest of its type; its selections included Goldman's "On Parade," Goldmark's "Sakuntala Overture," excerpts from Herbert's "The Fortune Teller," and Sousa's "Temple Tigress."

Bowman, beginning where he left off last season and the seasons before that, again went into the history, lives and customs of the American Indians. Speculating on how the Indians arrived on the North American continent, he said it was his opinion that they marched here from Asia ages ago over a shelf of land now filled by the waters of the Bering Straits.

The Carborundum Co. sponsors the series Saturday nights from 7:30 to 8 P.M., over CBS. Batten, Barton, Durstine & Osborn is the agency.

BANNER

Powell Show to Be Started Wednesday

The Dick Powell show for American Tobacco and Lucky Strike will take the air Wednesday night for a full hour program, the date, starting hour and network to be decided after an audition has been approved by Herman Starr of Warners. The script for the audition is due from the coast today or tomorrow. Starr will either approve it or suggest recommendations, following which a record will be made and sent east for final approval.

Terms of the deal are all set, according to official sources.

"Pigskin on Parade" Taken Over by Shell

"Pigskin on Parade," Larry Nixon's show on WNEW, has been purchased for sponsorship by the Shell Union Oil Co., through J. Walter Thompson. Participating for seven weeks, the Madison Personal Loan Co. will present announcements on the same program. The latter contract is through the Klinger Adv. Corp.

Eastern Wines Corp. will present daily announcements in the "Listeners Scrapbook" for an indefinite term over WNEW. Walter Wylie, Albert Frank-Gunther Law, Inc., is the agency.

Radio Personals

IRVING MILLS of Mills Artists, Inc., will arrive here today from Hollywood and will return there Oct. 19 with Irving Brecher, for whom he negotiated a contract with Mervyn LeRoy. . . . Harold T. Bers, formerly with Bachenheimer, Dundes & Frank, has joined the copy department of McCann-Erickson. . . . "Caravan," Duke Ellington tune, won a quarterly Ascap prize. . . . Joe Connolly, publicity director of WFIL, Philadelphia, is visiting in the city. . . . Arthur H. Hayes, eastern sales manager of Radio Sales in New York, leaves today for Charlotte to spend a week with George Schudt of WBT. . . . Local radio editors will say "hello" to Tom Fizdale and "goodbye" to Bob Taplinger at a cocktail party Thursday. . . .

✚

Attilio Baggiore, Mutual tenor, has been booked for three concert dates . . . Norma Talmadge will end her style talks on "30 Minutes in Hollywood," and will offer instead dramatized excerpts from her pictures . . . Burns and Allen, Mitzi Green, Jack Dempsey, Lou Gehrig and others will entertain at the Newspaper Guild of New York affair Friday . . . Sonja Henie will be a guest on the Al Jolson show Oct. 26 . . . Dave Casem, formerly of the NBC press staff, has sold a program to Mutual, according to report . . .

✚

Cincinnati Town Pump

CINCINNATI, Oct. 18.—James Eells, known on the air as James Gibson, formerly of KNTR, Los Angeles, has joined the announcers' staff of WLW and WSAI. . . . Al Hefler, sportscaster, and F. M. Witte of the program department of WLW have resigned. . . . Sue Martin, member of the Martin Sisters, of WLW, and Loren Pritchard, Indianapolis, will be married soon. Her sister, Betty, a member of the trio, was married recently.

NBC-Realtors Suit Starts

Trial of the suit of Richard Ratliff and Pease & Elliman, Inc., realtors, against NBC for $7,500 brokerage fees started before Federal Judge William Bondy and a jury in the U. S. District Court yesterday. The plaintiffs claim that they negotiated a sublease to Erpi for office and studio space at 711 Fifth Ave. when NBC moved to Rockefeller Center. They are asking for their commission. The trial will continue today.

Spencer Gets New York Post

F. Edward Spencer, Jr., has been placed in charge of the New York office of Craig & Hollingberry, Inc., station representatives. He joined the organization in July of this year as vice-president and general manager, and formerly was in charge of spot sales for NBC.

Brown & Williamson Renew

Brown & Williamson Tobacco Corp. has renewed its NBC-Blue network show titled "Ask Yourself Another" for 52 weeks, effective Nov. 12. The series is presented Fridays from 9:30 to 10 P. M., and features Tommy Dorsey's orchestra. Batten, Barton, Durstine & Osborn is the agency.

U.A. Transfer To Be Decided In Talks Here

(*Continued from page* 1)

participate in financing the $6,000,000, it was stated by an authoritative source. Lever, however, is here to study the deal from all angles.

Goldwyn will arrive from the coast Thursday and Korda and Maurice Silverstone, the latter U. A. head in England, are due Oct. 26 on the *Ile de France*.

With the arrival of Korda and Silverstone, the first of a series of meetings will be held here in which Goldwyn, Lever and Rose will join.

Also from sources close to the situation, it was learned that as soon as a plan is determined upon for lifting the options, deals will then be sought with David O. Selznick and Walter Wanger. The nature of the proposals to be made the producers could not be learned as, it was stated, the offers would be contingent on the type of financing plan agreed upon by Goldwyn and Korda and their associates.

Financing Issue Denied

Reports that a stock issue would be floated in connection with the financing were denied. Again, it was emphasized that the money is all set, whether it is to come from England or American sources.

Lever and Rose refused to talk when reporters confronted them at the pier. It was admitted that an agreement had been made not to discuss the deal in any way. Lever, however, said that he has other business here as well as for London Films and that his stay is indefinite.

Asked various questions in connection with the U. A. deal, Lever answered: "It all depends." That also was his comment on a trip to the coast, and the length of his stay here.

Indications were yesterday that all details bearing on the raising of the $6,000,000 would be worked out in New York with a subsequent meeting to be held on the coast where official announcement is to be made at the annual U. A. producer-owners meeting next month.

LeRoy on Secret Trip

CHICAGO, Oct. 18.—Mervyn LeRoy arrived from Hollywood on The Chief this morning and left this afternoon for New York. He insisted his trip was unimportant. Efforts were made to keep his trip a secret one.

Sells 3 Territories

Luis Rojas de la Torre has sold New England rights to "Man Hunters of the Caribbean," to Harry Segal; Kentucky, Southern Ohio and Tennessee to Big Feature Rights Exchanges and Northern Ohio to Imperial Pictures of Cleveland. The picture is based on the adventures of Andre Roosevelt and Erskine Loch in the jungles of Central America.

M-G-M Buys James Story

HOLLYWOOD, Oct. 18.—"Not Made in Heaven," novel by Rian James, has been purchased by M-G-M.

Wait 55 Minutes

Hamilton, O., Oct. 18.—A record for patron patience is is claimed by the Rialto, second run house in the Southio circuit. When the electric current suddenly went dead during an electrical storm a few nights ago. The house was in darkness for 55 minutes, with some 600 persons in the audience, there was not a single complaint or request for admission refund.

Levinson in Answer To Aperture Critics

HOLLYWOOD, Oct. 18.—Answering S. M. P. E. charges that the proposed aperture change in projection machines would cost the industry $1,000,000, Major Nathan Levinson, vice chairman of the Academy Research Council, today issued a statement saying that the recent research council memorandum on the change did not recommend increase in dimensions but merely proposed revision. The memo was issued with the idea of obtaining the viewpoint of the industry's technical authorities, Levinson said, and added, "Whether or not any revisions are adopted by the industry is of little moment at this time, but the research council is fulfilling its primary function of acting as a clearing house for the industry in carefully investigating all matters in connection with any technical change in advance of the making of the change. The council is not selling an aperture either larger or smaller than the present aperture, but is only concerned with getting the best possible aperture for use in the industry."

Levinson stated that stories indicating a million dollar cost have been grossly exaggerated. The council proposed revision. If approved, he said, adoption would be optional with each theatre. Only a small cost would be incurred in making the changeover.

The committee on standard aperture meets Tuesday for further study and reports on the plan by technical authorities and will make a recommendation to the council.

Depositions Start In Hub Trust Case

(*Continued from page* 1)

circuit sales for Columbia, is scheduled to be the next to be called. Most of yesterday's session was occupied with the introduction of various contract exhibits and their identification.

The plaintiff circuit charges that the defendants acted as a combination and conspiracy in restraint of trade, as a result of which Morse & Rothenberg were unable to obtain any product whatever for six theatres which are in competition with the defendant circuits. The houses are the Arcadia in Portsmouth, N. H.; Park & Colonial in Nashua, N. H.; Rialto, Poughkeepsie, N. Y.; Cameo, Newburgh, N. Y., and the Capitol, Elizabeth, N. J.

George S. Ryan of Boston is attorney for the plaintiff.

Stark to Book Shorts

OKLAHOMA CITY, Oct. 18.—H. O. Stark of the Griffith Circuit home office here has been put in charge of a new short subject booking department.

Film Stocks Drop As Much as 14¾

Losses up to 14¾ points on film issues featured Stock Exchange tradings yesterday with one exception, Loew's preferred, which gained a point. Paramount first preferred dropped 14¾, while Columbia preferred ended the day with a loss of 8½ points. 20th Century-Fox preferred was off 6¼, while Loew's common dipped 5⅜. Eastman Kodak fell off 8 points and other issues which dropped a point or more included General Theatre Equipment, Paramount common and second preferred, Pathe, 20th Century-Fox common, Universal preferred and Warner's common.

The Curb was mixed with Grand National, Monogram and Trans-Lux each off one-eighth of a point. Loew's 3½s '46 declined 1¼ on the bond market, while Paramount 6's '55 were minus a point. Warner's 6's '39 wound up with a half point loss after being a half point good on the day's turnover.

Films to Bring Culture

MEXICO CITY, Oct. 18.—Film and radio apparatus is to be supplied the larger towns in Quintana Roo territory, remote region along the Caribbean, to modernize it by spreading culture and education, by the Federal Government. A Government commission reported that films and radio are things which the territory most requires.

Scott Taplinger Aide

HOLLYWOOD, Oct. 18.—W. Burt Scott, for eight years executive secretary to Jack Warner, today was named by S. Charles Einfeld, director of Warner advertising and publicity, to be assistant to Robert Taplinger, head of studio and exhibitor contacts.

Wall Street

Stocks Drop ⅛ to 14¾ Points

	Open	High	Low	Close	Net Change
Col.	15½	15½	13½	13½	—1½
Col., pfd.	30⅞	30⅞	27½	27½	—8½
Cons.	1⅝	1⅝	1⅜	1½	— ⅛
Cons., pfd.	6½	7	6	6	— ⅝
E. K.	161	161	151	152	—8
G. T. E.	14⅜	14⅜	12¾	12¾	—1⅝
K.A.O., pfd.	85	85	85	85	.....
Loew	64	64	57¼	57¾	—5⅜
Loew, pfd.	106	106	106	106	+1
Para.	13½	13¾	10⅛	10⅜	—2¾
Para. 1.	100	100½	82	83	—14¾
Para. 2.	12¾	12¾	9⅛	9⅛	—2⅞
Pathe	6⅛	6⅛	4⅞	4⅞	—1⅛
R. K. O.	4	4½	3⅝	3⅝	— ¼
20th Fox	26¼	26¾	22	22½	—3¾
20th pfd.	32	32	30	30	—6¼
Univ., pfd.	33½	34	31	31	—2½
W. B.	7½	7⅝	5¾	6	—1⅛

Technicolor Lone Curb Rise

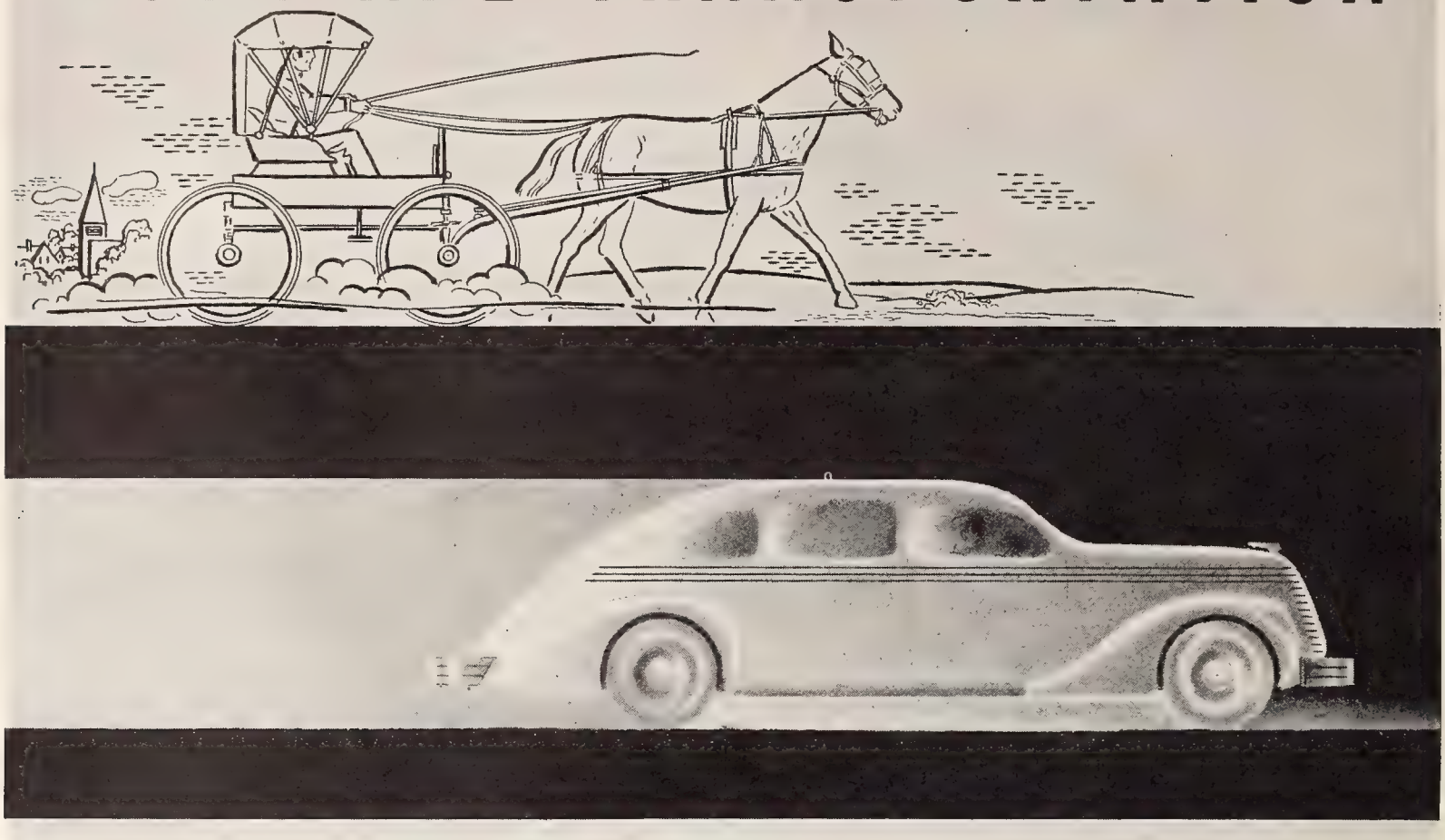
	Open	High	Low	Close	Net Change
G. N.	1⅝	1⅝	1¼	1⅜	— ⅛
Monogram	1½	1½	1½	1½	— ⅛
Sonotone	1½	1½	1½	1½	.....
Tech.	20¾	21	20½	20½	+ ⅜
Trans-Lux	2⅞	2⅞	2¾	2¾	— ⅛
Univ.	2	2	1⅝	2	.....

Bonds Decline

	High	Low	Close	Net Change
Keith 6s '46	93½	93½	93½	.....
Loew 3½s '46	97	96½	96½	—1¼
Para. B'way 3s '55	63½	63½	63½	.....
Para. Pict. 6s '55	78	76½	76½	—1
W. B. 6s '39	81½	80½	80½	— ½

(Quotations at close of Oct. 18)

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 94 NEW YORK, WEDNESDAY, OCTOBER 20, 1937 TEN CENTS

Phila. "Strike" Pact to Be Model for Other Spots

Cash Terms in U.A. Deal Now $4,500,000

Option Requirement Cut By $1,500,000

Cash required by Samuel Goldwyn and Alexander Korda, each one-fifth owners, to swing their deal for the fifty-fifty control of United Artists Dist. Corp. has dropped from the original $6,000,000 to $4,500,000, MOTION PICTURE DAILY learned last night.

In the face of a tightened money market this was viewed by those familiar with the inside on the situation last night as a factor of great importance in consummating the deal by which the option will be lifted.

Charles Chaplin is insisting upon $2,000,000 in cash for his one-fifth holdings in the company. Mary Pickford, owner of a second fifth, and Douglas Fairbanks owner of a third fifth, are understood to be amenable

(*Continued on page* 15)

LeRoy Confers on Deal with Warners

Mervyn LeRoy, head of Mervyn LeRoy Prod., which distributes through Warners, yesterday arrived from the coast and later declared he had gone into conference with the company's home office executives on a new releasing deal. The producer will remain until Friday and then return to Hollywood to begin "Food for Scandal," with Fernand Gravet and Carole Lombard. The picture will be in Technicolor and is slated to be finished by February when LeRoy's current pact with Warners expires.

Asked about his plans, LeRoy stated: "I haven't any. The Warner board of directors sent for me and now I am going to hear what they

(*Continued on page* 11)

Warner Stockholders To Meet December 13

Directors of Warners yesterday voted to hold the annual stockholders meeting in Wilmington, Dec. 13. Stockholders of record to Nov. 3 will be eligible to attend. Five directors whose terms expire will be elected at the Wilmington session. The date for

(*Continued on page* 11)

Radio — Pp. 14-15

British KRS Shuns Talks On New Quota

By BRUCE ALLAN

LONDON, Oct. 13.—The Kinematograph Renters' Society, representative body of distributors, has declined an invitation from the British Films Advancement Council to meet the members of Parliament associated with the Council in a discussion on the new Films Bill.

The invitation was to a committee room of the House of Commons. At separate times the Cinematograph Exhibitors' Ass'n and labor organizations have been invited to confer with the B. F. A. C. So far only labor has accepted.

The B. F. A. C. is the body led by Lord Strabolgi, with the general object of advocating the Isidore Ostrer quota policy, compelling American companies to spend, on British production, a set percentage of their takings in the British market. The Parliamentary section is now 86 strong.

Recent affiliations to the B. F. A. C. include a number of Empire and educational organizations, and the Incorporated Society of Authors, Playwrights and Musicians, which has a special screen-writers' section.

Seek Depositions of Film Heads in Suit

Ranking officials of all major companies will be called for depositions in the anti-trust action instigated in U. S. District Court at Boston by Morse & Rothenberg, independent theatre operators, against eight major distribution companies, the Maine & New

(*Continued on page* 15)

RKO Decides to Date LaGuardia Time Reel

RKO theatre officials decided yesterday to date in The March of Time's production starring Mayor LaGuardia and city department heads in the company's Greater New York neighborhood theatres next week, it was learned yesterday. Although no

(*Continued on page* 6)

Has 51 Per Cent

London, Oct. 19.—John Maxwell, on behalf of Associated British Pictures, now controls 51 per cent of the "A" ordinaries of Union Cinemas, acquired at an approximate cost of $2,250,000.

This was the deal whereby Maxwell's theatre interests became the largest in England with control of about 700 houses.

Empire-Universal Canada Sales Set

TORONTO, Oct. 19.—Plans for the new distribution setup in Canada for Universal product have been completed with the creation of a new company for the virtual amalgamation of Empire Films, Ltd., and Canadian Universal Films, Ltd., under the title of Empire-Universal Films, Ltd., with Oscar R. Hanson as president. Hanson created Empire Films, Ltd., five years ago.

The vice-president of the new company is Paul Nathanson, only son of N. L. Nathanson, president of Famous Players Canadian Corp., while Clair Hague, general manager of

(*Continued on page* 6)

AFL Starts a Drive Among Office Staffs

Representatives of the A. F. of L. yesterday distributed circulars to Warner home office employes in a move to get white collar workers to join the American Federation of Bookkeepers, Stenographers & Accountants Union, Federal Local 20940.

The circular describes the organization as a "union for all office workers." The first mass meeting will be

(*Continued on page* 6)

Hays Board Orders Action Upon Titles

The title registration committee of the M.P.P.D.A. was instructed yesterday by the board of directors of the organization to proceed with the work of setting up a new system for "defreezing" unused titles following specified periods of registration. The present regulations make titles available

(*Continued on page* 6)

Seven Other Territories Affected; Agreement Expected Friday

The indicated settlement of the Philadelphia exhibitors' "buyers strike" against Paramount, if reached on Friday, as expected, will provide the basis for settlement of similar "buying strikes" against the company in the seven other territories in which such demonstrations are now in progress, it was reported in reliable quarters yesterday.

While Paramount officials could not be reached for comment on the report, it was learned that any settlement achieved for the Philadelphia territory will be available, as well, to other exhibitors on the same terms. No indication has been given yet of the basis of the settlement of the Philadelphia dispute, due to the fact that the preliminary understandings have not been formally ratified by the exhibitor faction and the company. However, it is known that a feature of any settlement which may be reached will be an agreement by both sides to abandon the litigation now under way in the Federal Court at Philadelphia.

Paramount was denied a temporary injunction against the exhibitors by the U. S. District Court at Philadelphia and appealed the decision to the U. S. Circuit Court of Appeals, the decision of which is now being awaited.

The Philadelphia exhibitors' committee is due back in New York for

(*Continued on page* 11)

Hearing Is Set on Payments to Para.

Federal Judge Alfred C. Coxe yesterday signed an order setting a date for hearing of the Paramount trustee's petition for leave to settle for amounts aggregating more than $2,000,000 the action to recover from former officers and directors of the company damages amounting to approximately $12,000,000.

Due to attorneys' objections, neither the hearing date nor the petition detailing the settlement terms will be made public until today. As reported by MOTION PICTURE DAILY on Sept. 24 when the settlement agreement was reached, however, it has been established that defendants in the action who were associated with Kuhn, Loeb

(*Continued on page* 11)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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"Stage Door" to Get 3rd Music Hall Week

With $76,000 in the till for the first five days of the second week, "Stage Door" will be held a third stanza at the Music Hall. It is expected to finish the second week with $95,000. "Victoria the Great" is now slated to open Oct. 28.

"Life Begins at College" garnered $30,000 in four days of the second week at the Roxy. The finishing figure is expected to tally $41,000. "Ali Baba Goes to Town" will open Friday.

Loew's Boston Pays 15c

Loew's Boston Theatres has declared a regular quarterly dividend of 15 cents payable Nov. 1 to stockholders of record Oct. 23.

Theatre Trailer Corporation

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ADOLPH POLLAK General Mgr.

Sherwood to Head Dramatists Guild

Robert Emmett Sherwood has been nominated for president of the Dramatists Guild, heading the slate of new officers and councillors which will be voted on by the membership at their annual meeting here Nov. 9. Nomination is tantamount to election as there is no opposing ticket in the field, although write-ins are permitted. Sidney Howard is the retiring president.

Others nominated are George S. Kaufman, vice-president; Edward Childs Carpenter, chairman of the board; Richard Rodgers, secretary, and the following councillors, Rachel Crothers, Phillip Dunning, Paul Green, John Howard Lawson, Melvin Levy, Elizabeth McFadden, Eugene O'Neill, Arthur Richmond, A. E. Thomas and Sophie Treadwell. Ten of the guild's 30 council members are retired annually, councillors being elected for three-year terms.

Louise Silcox is executive secretary of the guild and also of the Authors League, which will also hold its annual elections next month.

Postpone Equity Merger

Action on a proposal by Chorus Equity for the absorption of the organization by its parent union, Actors Equity Ass'n, was postponed for three weeks by the council of the parent union yesterday.

The council did not act on the recent resignation of Paul Dullzell as executive secretary of Equity, although efforts are being made to induce him to reconsider and it is believed probable that the resignation may be withdrawn eventually. The matter is scheduled for consideration at next week's meeting of the council.

Ed. LeBaron Plans Set

Jaime Salvador, Spanish producer, has left for the coast, having completed distribution for the newly-formed Edward LeBaron Prod., Inc., which plans to produce only Spanish films. The LeBaron organization will also be sole distributors in the southwest for Cifesa, producing company in Spain.

The first LeBaron production, which will go into work Jan. 2, will be titled "Castles in the Air," and will star Blanquita Castejon and Rafael Storm. Present plans call for 15 films a year.

Newman Joins Republic

PORTLAND, Oct. 19.—Frank L. Newman, Jr., manager of the Orpheum, has resigned to join Republic at Hollywood starting Oct. 23. He will be succeeded at the Orpheum by Ron J. Harrington.

Orville H. Reynold will succeed Harrington.

Zukor Leaves for Coast

Adolph Zukor, chairman of the board of Paramount, left for the coast yesterday on the Century. He was accompanied by Chris Dunphy, his assistant. Zukor returned to New York last Thursday after five weeks abroad.

Schenck to Make Three

HOLLYWOOD, Oct. 19.—Harry Schenck has closed a deal with Imperial Pictures, Inc., to produce three features. Each will cost about $75,000.

On Leave

Hollywood, Oct. 19.—Louise Hovick has been granted a six months' leave of absence, according to 20th Century-Fox.

Since joining the company, she has appeared in "You Can't Have Everything" and "Ali Baba Goes to Town."

Sam Eckman Defends "A" Percentage Move

LONDON, Oct. 13.—Sam Eckman, Jr., making a personal reply to Arthur Dent's strictures, on behalf of Associated British Pictures, on the K.R.S. plan to impose percentage terms on all "A" films, vigorously protests the suggestion that what is aimed at by the K.R.S. is a system of controlling film prices on a monopoly basis.

Dent, says Eckman, is "talking through his hat" in suggesting that the K.R.S. proposes to set up a "cartel," based on the principle that exhibitors shall only deal with distributors in the ring.

The K.R.S. policy, says Eckman, is aimed at the over-long program, which he describes as a "menace," but even more at the program composed of two first features. "At least 95 per cent of the exhibitors of this country will hail this policy with emphatic affirmation," he says. Exhibitors playing the "two first feature" policy can only do so on flat rentals, he states. Hence the resolution that "A" films shall only be booked exclusively on a percentage basis.

Major Gale Also Criticises

Following the Eckman and Dent statements came one from Major A. J. Gale, who recently raised the question of excessive rentals in the C.E.A. Council. Major Gale disputes the K.R.S. claim that all that is aimed at in the famous resolution is to hit the long program.

This, says Gale, is just a "red herring." The real object of the K.R.S. is "to squeeze film rentals to an even higher level," and it is too late, he says, for the distributors' body to think they can split exhibitors by such tactics.

"For once," says Gale, "the K.R.S. has attempted to drive too far. . . . I have no doubt of the outcome if exhibitors for once will stand together." Gale sees the K.R.S. move as an attempt to place circuit and independent theatres in opposition, and urges C.E.A. members to get together on a price reduction campaign with the circuits.

Columbia Southern Men Meet Saturday

Six southern exchanges will be represented at the Columbia regional sales meeting to be held Saturday and Sunday at the Ainslee, Atlanta. Joe McConville, Rube Jackter, Leonard Picker and George Josephs of the home office will leave for Atlanta Friday.

The Atlanta, Charlotte, Dallas, Memphis, Oklahoma City and New Orleans exchanges are represented in Sam Moscow's division.

Allied Favors Move To Work with ITOA

TRENTON, Oct. 19.—The membership of Allied of New Jersey, in session at the Stacey Trent here today, acted favorably on a report by Irving Dollinger, Louis Gold and Morris Marks, the committee appointed to investigate the I.T.O.A.'s proposal of cooperation.

Committees of Allied and I.T.O.A. met at the Astor in New York last week. At the meeting, it was decided that if the memberships of both organizations approve plans to cooperate on mutual problems, each exhibitor unit will name five exhibitors to a special committee which will have the power of calling meetings for airing whatever topics arise for immediate disposal.

With the Jersey men endorsing the plan, the Allied group is awaiting approval by the I.T.O.A. body. The I.T.O.A. will meet at the Astor, New York, tomorrow, and act on a report by its committee.

As soon as the I.T.O.A. membership is in agreement on the plan, Allied will appoint five men to act on the joint committe of 10. It has not been decided whether Dollinger, Gold and Marks will be on the committee.

Other topics taken up today dealt with legislative matters and film buying with no action taken.

It was pointed out today that there will be no merger of the organization at the present time. The next Allied session will be held at the Lincoln, N. Y., Nov. 9.

Pathe Awaiting Word From Air Crash Site

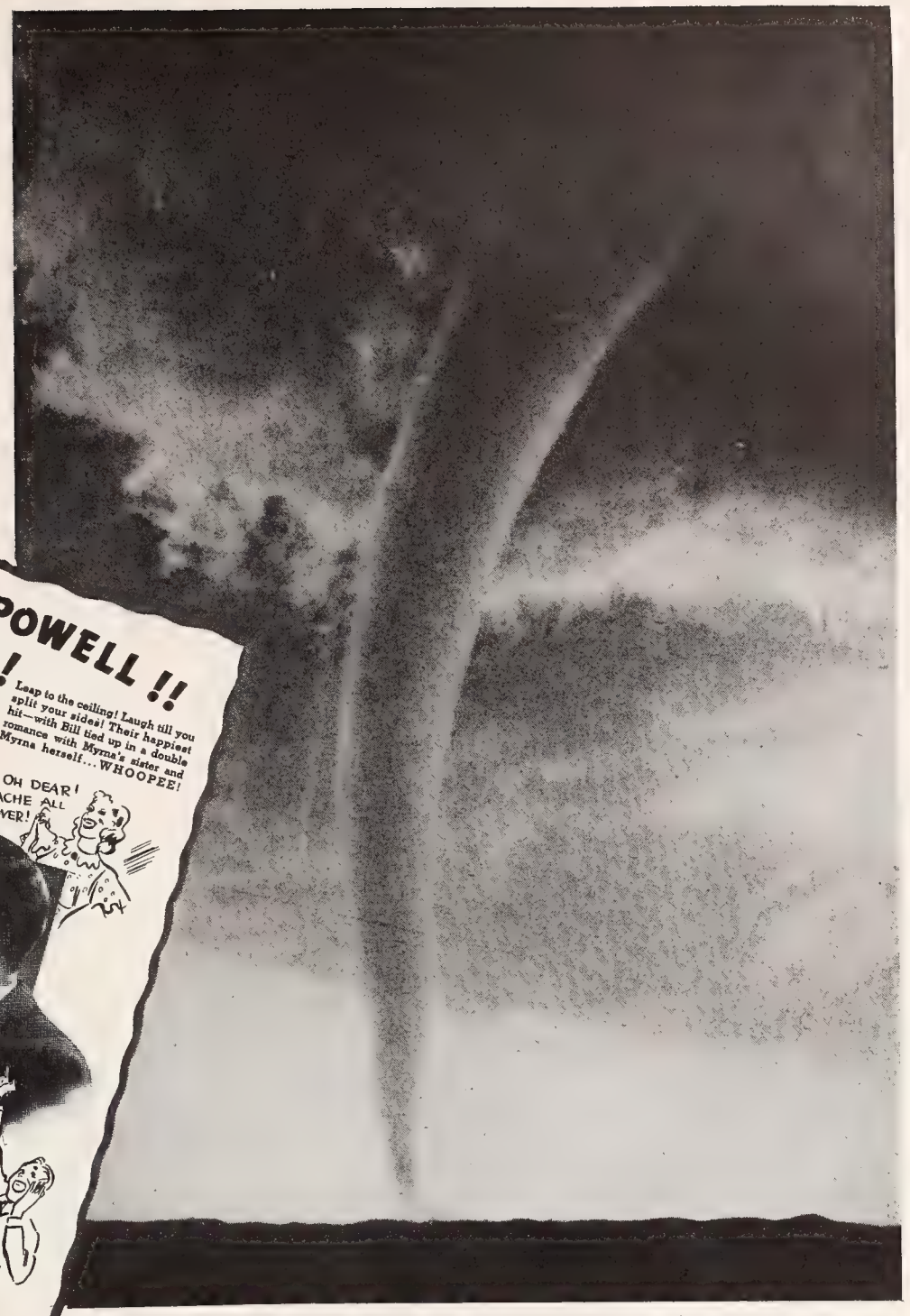
Pathe News late yesterday was awaiting word from Knight, Wyo., where James Pergola and William Pitt, cameramen, were killed in an air crash, on the recovery of the bodies.

The bodies of the plane crash victimes are on a 10,000-foot mountain. As soon as word is received, a decision will be made on burial.





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A Tornado by courtesy of Mother Nature!

Did You Ever See A TORNADO!

First Reports Are In! Records Blown Sky-High!
Double Time for "Double Wedding"!
" Profits " " " "

(Next M-G-M Tornado on Page 7)

"A CINCH FOR SUCCESS!
"DAFFY IN EVERY RESPECT!
"A COMPLETE AUDIENCE WINNER!
"CAST OF SURE-FIRE PERFORMERS!
"RIP-ROARING FROM START TO FINISH!" ——says *Variety Daily*



20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

It's love in bloom in bedlam! Delirious . . . de-loony . . . but oh, so darned romantic! Audiences will find new ways of laughing with this new kind of fun! And when the crowds laugh, you get rich!

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SOTHERN

Jack
HALEY

Mary
BOLAND

Edward Everett
HORTON

DANGER— LOVE AT WORK

with

JOHN CARRADINE • WALTER CATLETT
BENNIE BARTLETT • ALAN DINEHART
ETIENNE GIRARDOT • E. E. CLIVE
THE PIXILATED SISTERS
(Margaret McWade and Margaret Seddon)

Directed by Otto L. Preminger

Associate Producer Harold Wilson. Screen play by James Edward Grant and Ben Markson. Song "Danger—Love At Work" by Mack Gordon and Harry Revel

Darryl F. Zanuck in Charge of Production

Purely Personal

PAUL GRAETZ, general sales manmanager for Paris Export Films, will head for the coast today or tomorrow to spend a month with JACK D. TROP, American representative for the company.

•

P. K. THOMAJAN is the author of a folio of poems, grouped under the general title of "Hymns to Hers." Rittenhouse of Philadelphia is the publisher.

•

H. R. KOSSMANN, American representative for Andre De Brie, Ltd., has resigned and will leave for a vacation before announcing his new plans.

•

CHARLES E. MCCARTHY, director of advertising and publicity for 20th Century-Fox, is slated to arrive from the coast today.

•

ANNABELLA, French star signed by 20th Century-Fox, left for the coast yesterday to start work in "Jean."

•

ETHEL MERMAN is en route to the coast to start work in "Sally, Irene and Mary" for 20th Century-Fox.

•

HERBERT WILCOX and ANNA NEAGLE returned from Toronto last night by way of Buffalo.

•

The JACK WARNERS are expected from Europe next month. Date at present undetermined.

•

G. F. RACKETT, Technicolor studio official, sails today on the *Queen Mary*.

•

GRADWELL L. SEARS will return from the coast next week.

•

EDDIE GOLDEN due back from the Middle West Friday.

•

GRACE MOORE is due back from the coast today.

•

FRITZ LANG is at the Waldorf-Astoria.

•

HERMAN BERNIE back from the coast.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
AMERICAN AIRLINES INC.

Empire-Universal Canada Sales Set

(*Continued from page* 1)

Canadian Universal for the past 25 years, remains as New York representative for Universal.

A. W. Perry, general manager of Empire, has become general manager of Empire-Universal Films, while the new general sales manager is I. H. Allen, formerly Montreal branch manager of Empire.

Sales managers for Universal product in the six Canadian key centers have been appointed as follows: Toronto, Sam Brint; Montreal, L. Rosefield; Winnipeg, F. L. Vaughan; Calgary, J. A. Wilson; Vancouver, W. B. Adamson; St. John, W. A. Sault.

The following have been named as branch managers of Empire-Universal Films, Ltd.: Toronto, Archie Laurie; Montreal, A. Leduc; Winnipeg, D. V. Rosen; Calgary, J. Palansky; Vancouver, J. E. Archer; St. John, G. M. Hoyt. These managers will have direct charge of sales of Republic, Educational, G. B., Associated British and Herbert Wilcox pictures, General Films Distributors and Capitol Films, the last five named being British.

AFL Starts a Drive Among Office Staffs

(*Continued from page* 1)

held tomorrow night at Manhattan Opera House.

Indicating that the move is directed against the C.I.O., which has been petitioning film employes to enlist in its organization for the past few months, the circular adds:

"We understand that our friendly enemies, the C.I.O., is also attempting to organize the office employes in your field. Our only answer to this is in the form of a question. Has the C.I.O. the moral right to organize workers in an industry where those workers' strength depends upon affiliated unions in the same industry and without which they have no backbone?

"The American Federation of Labor is completely entrenched in the film industry. Actors, musicians, electricians, carpenters, technicians, warehousement, motion picture operators and transportation workers are only a few of the different affiliated trades organized under the A. F. of L. The C.I.O. has absolutely no representation in the film industry and we will stand pat on that statement."

Last week, at the Denver convention of the A. F. of L., it was announced that the organization would extend its activities to the white collar field.

Motiograph to Build

CHICAGO, Oct. 19.—Motiograph, Inc., will soon start work on a $125,000 plant to be devoted to the manufacture of reproducing equipment under license agreements closed recently with Erpi. The plant will have 100,000 square feet of space and will be located in Chicago's Industrial Clearing District.

Racine Contest Ban Valid

MADISON, Wis., Oct. 19.—Racine's ordinance prohibiting marathon dances, walkathons, skatathons and similar endurance contests has been upheld by the State Supreme Court.

Copyright Attorneys Are Awarded $4,000

The sum of $4,000 was awarded to attorneys for the defendants in the copyright infringement suit brought by George A. Gogniat in the U. S. District Court yesterday by Judge Vincent L. Leibell. Gogniat, as president of the United Music Co., sued Universal, Gem Pictures Corp., Loew's Inc., Consolidated Amusement Enterprises, Inc., Don Malkanes, Morris S. Tropp, George Cochrane, Universal Film Exchange, Big-U Film Exchange, the 981 8th Ave. Corp. and the Woodside Operating Corp. The suit was dismissed on Sept. 11.

Infringement was alleged on three songs, "Don Rigo," "Vers L'Horizon" and "Valse Mutine" in Universal's "Goofeytown Newsreel." Attorneys who will share in the award are Willard S. McKay, Adolph Schimel, Howard M. Antevil, Joseph W. McKee and Julian T. Abeles. They had asked for $25,000.

Gillis Gets $1,500 More

An additional allowance for attorney's fees was made yesterday by U. S. District Court Judge William Bondy in the Flatbush Ave. & Nevins St. Corp. reorganization. J. F. Gillis, attorney for a group of bondholders, was awarded an additional $1,500 over $13,500 previously received for extra work. Gillis asked $4,500 additional. The corporation formerly owned the Fox Brooklyn Theatre and office building.

RKO Decides to Date LaGuardia Time Reel

(*Continued from page* 1)

dates have been set yet, the decision would bring the picture to the neighborhood screens during the week preceding the municipal election.

The picture has played one week at the Music Hall and opens tomorrow at the Embassy, the only actual play dates given the picture thus far.

RKO deliberated over the city bookings for many days, wary of being accused of political partisanship in the event the picture was played prior to election. Late last week company officials made a preliminary decision to refrain from dating in the film on the Mayors public career until after Nov. 2. The matter was reconsidered when various public elements began inquiring into the whereabouts of the production.

Hays Board Orders Action Upon Titles

(*Continued from page* 1)

after they have remained unused for two years.

The Hays board meeting yesterday was called to complete business which remained unfinished from last week's meeting.

To Speed Up Ampa Meet

Paul Lazarus, Jr., who will preside at the Ampa meeting tomorrow at the International Casino, promises to have Nigel Bruce, Dorothy Mackaill, Constance Collier and Clem McCarthy as guests. Lazarus also goes on record that the food will be served on time and that members and visitors will be back at their offices at 2:30. A new seating arrangement is also promised.

Directors' Hearing By NLRB Is Asked

HOLLYWOOD, Oct. 19.—The hope of Regional Labor Board officials for a consent election on the Screen Directors Guild petition to be determined as the collective bargaining agency for directors, assistants and unit managers was blasted today when attorneys for the producers flatly refused to make any concession and asked that the petition go through the regular hearing channels. William J. Walsh, special board attorney, and Dr. Towne Nylander, regional director, conferred with Walter Tuller, attorney for Paramount; Alfred Wright, for 20th Century-Fox; Milton Schwartz, for M-G-M, and others to see if the election could be held without a hearing or a board order but they were refused.

Jones Resumes Testimony

HOLLYWOOD, Oct. 19.—Grover Jones, first president of Screen Playwrights, Inc., today resumed the stand in the Regional Labor Board hearing of the Screen Writers' Guild petition for a writers' collective bargaining agency election, giving further humorous delineations of his work in the industry, declaring that M-G-M paid him $2,000 weekly to pep up jaded writers in conferences by telling them funny stories. He also told of a seven-months' poker game at Paramount, half of the stakes of which went to the underpaid secretaries of writers. Jones said he quit the S. W. G. because of alleged communistic tendencies of some of its leaders.

Howard Emmett Rogers, also one of the playwrights' organizers, told of asserted radical tendencies. Virginia Van Upp, another member, also testified.

Loew's to Open Two In Bronx Tomorrow

Loew's will open the new Post Road and the Dyckman tomorrow. The former was constructed by the circuit at a cost of $500,000 and seats approximately 1,400. The latter theatre was taken over late in the summer and was remodeled completely. There are 1,400 seats in this house.

The two new additions now give the major circuit 70 units in the local area. Two weekly changes will be the policy in both theatres.



UNITED'S SLEEPER SERVICE OFFERS:

*Sky Room courtesy lounge for nighthawks, early birds. (Only on United.)
*Sleepers limited to 12 persons for extra comfort.
*No crowding—a berth for every passenger.
*De luxe Skylounges on daylight portions of trip, sleepers at night.
*3 nightly sleeper flights coast to coast.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices

UNITED AIR LINES

Philadelphia "Strike" Pact Will Be Model

(Continued from page 1)

further conferences with Paramount officials on Friday. An agrement on a settlement of the buyers' "strike" is regarded as highly probable at that time on the basis of the progress made at the first meeting here on Monday. On the exhibitor committee are Lewen Pizor, Charles Segall and Abe Sablosky. As the "strike" originated in the Philadelphia area, a settlement of the dispute there is regarded as likely to encourage similar settlements in the other disturbed territories, which include Minneapolis, Los Angeles, Ohio, Milwaukee, Boston and Indiana.

A settlement, if reached, is also regarded as having a more or less direct effect on the future trade relations of all distributors and exhibitors, it is pointed out in responsible industry quarters.

Wilby In on New Pact

R. B. Wilby of the Wilby-Kincey Circuit arrived in New York yesterday from Atlanta for conferences with Y. Frank Freeman, Paramount theatre head, on a new five-year operating deal with the company for the southeastern circuit. Indications are that the deal will be closed this week.

Allvine Play Is Set

Glendon Allvine signed a contract yesterday for the staging of "Knights of Songs," described as a romance in 11 scenes, of which he is the author. It will be produced on the main stage of the Pasadena Playhouse in January by Gilmor Brown.

Wall Street

Losses Dominate, Few Issues Up

	Open	High	Low	Close	Net Change
Col.	10	11⅝	10	11⅝	—1⅞
Col., pfd.	27	28	27	28	+ ½
Cons.	1⅜	1½	1	1⅛	— ⅜
Cons., pfd.	5	5	4¼	5	—1
E. K.	146	156	145	156	+4
G. T. E.	11⅝	11⅞	9½	11⅞	— ⅞
Loew	55¼	59¼	53	59¼	+1½
Loew, pfd.	101	101	101	101	—5
Para.	8½	11⅜	8½	11	+ ⅝
Para. 1	81	82	80½	82	—1
Para. 2	8	10½	8	10	+ ⅞
Pathe	4	5	4	5	+ ⅜
RKO	2¼	3⅞	2¼	3⅞	+ ¼
20th Fox	20¾	21	18½	21	—1½
20th, pfd.	29	29	25½	28	—2
W. B.	4¾	6¾	4¾	6⅝	+ ⅝
W. B., pfd.	37½	39	36	39	—8

Curb Decline Continues

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1	1	— ¼
Monogram	1¼	1½	1⅛	1⅛	.....
Sentry	¼	¼	¼	¼	.....
Sonotone	1⅜	1⅜	1⅜	1⅜	— ⅛
Tech.	14⅛	15⅛	14	15	—1
Trans-Lux	2½	2½	2⅛	2⅛	— ½
Univ. Corp.	2	2	2	2	.....
Univ. Pict.	3¼	3¼	3⅛	3⅛	— ⅞

Bond Issues Off

	High	Low	Close	Net Change
Keith 6s '46	93	91½	91½	—2
Loew 3½s '46	95½	95½	95½	—1
Para. B'way 3s '55	62½	62½	62½	—1
Para. Pict. '47	76	73	73	—3½
RKO 6s '41	85⅛	85	85	.....
W. B. 6s '39	71¼	70	71	—4

(Quotations at close of Oct. 19)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Night Club Scandal"

(*Paramount*)

HOLLYWOOD, Oct. 19.—More a revealed mystery than it is a scandal, "Night Club Scandal" may be accepted as a better-than-average program sustaining attraction. The cast contains many well-known, it not actually ace, names, and features a crowd of players who know how to act, tossing the ball of the plot around in the manner of a well-trained basketball team. Those mainly concerned are John Barrymore, Lynne Overman, Charles Bickford, Harvey Stephenson, J. Carroll Naish, Evelyn Brent, Elizabeth Patterson, Cecil Cunningham, all of whom have been around a long time, and a newcomer, Louise Campbell.

The plot is not new, but adapted by Lillie Hayward from a play by Daniel N. Rubin and directed by Ralph Murphy, it is interesting and attention-holding. First, it shows how a murderer commits the perfect crime and, by means of an airtight alibi, makes his implication in the killing almost impossible. Then it shows how a police captain, by means of circumstantial evidence, forces the conviction of an innocent, although involved suspect. Finally, it shows how a glib reporter blasts the theories of circumstantial evidence, shatters the killer's alibi and secures freedom for the condemned man.

Essentially melodramatic, the film includes an enjoyable comedy contrast and is not without the suggestion of a romantic love story. This takes a surprise twist which adds to the yarn's human interest character and accents its drama and comedy. "Night Club Scandal" looks like a strong attraction for the secondary theatres where the sophisticates do not dominate the patronage.

Running time, 70 minutes. "G."

"Hold 'Em Navy"

(*Paramount*)

HOLLYWOOD, Oct. 19.—Here's a combined midshipman and football story that is entertainment. Freshly different from earlier features which have used the same premise, it balances its Annapolis glamour, comedy, romance, football excitement and human interest in novel style. Had the film been given the benefit of a little more expensive production and had a few ace names been included, it would stack up as a strong A. As it is, it is full of the material audiences like to see.

Probably its main exploitation asset is the fact that the hero doesn't win the football game. When the winning touchdown is pushed over in the crucial moment, he's doing guard duty, meanwhile arguing with the girl in the case as he walks his post and tries to listen to the radio.

The plot is built around the romantic rivalry of two middies, Lew Ayres and John Howard, for Mary Carlisle's favor. When Ayres goes A.W.O.L. while courting Mary, Howard, in line of duty, reports him and he is dropped from the plebe eleven. A year passes, during which time the action pictures the fanfare of Academy life and Ayres makes considerable romantic progress. Then Mary tricks Howard into being A.W.O.L., but Ayres saves him from discipline so that Howard can play in the Army-Navy game. When Howard wins it, the contrasting action is as previously described.

The original screenplay by Erwin Gelsey and Lloyd Corrigan is showmanship. Their material is fresh and intriguing and Director Kurt Neumann has brought it up on the screen so that it means something. The film can be used in connection with any other feature; in many cases it may be that it will steal the show.

Running time, 65 minutes. "G."

Warner Stockholders To Meet December 31

(Continued from page 1)

the annual directors' meeting here has not been set, but will be held soon after the stockholders' session.

Albert Warner, vice-president, presided in the absence of his brother, Harry, who is on the coast. The annual financial report is due the middle of next month.

Plans Coast Office

Jerome J. Cohen, who deals in motion picture insurance, is en route to Los Angeles to open a coast office.

LeRoy Conferring on Deal with Warners

(Continued from page 1)

have to offer. I may not stay with the company. It all depends on what the directors have to say."

LeRoy declared that all plans whereby he was to participate in the financing with Samuel Goldwyn and Alexander Korda in the purchase of U. A. stock from Charles Chaplin, Douglas Fairbanks and Mary Pickford are definitely off. "It's been on and off so much, it's now definitely off," he said.

The producer denied that he would line up with David O. Selznick, Walter Wanger and Frank Capra in the formation of a new producing company. He insisted that the reason he is in town was because the Warner home office called him east to talk over a new deal.

On the same train were Leo McCarey and Alice Faye, the former to discuss a deal with Selznick and the latter to recuperate from a recent illness.

Hearing Is Set on Payments to Para.

(Continued from page 1)

& Co., Paramount bankers prior to the company's reorganization, will pay sums aggregating more than $700,000. Approximately one-half of the defendants in the action are included in this group. Other large settlement payments include those of Sidney R. Kent, $250,000; Sam Katz, $200,000; Adolph and Eugene Zukor, $500,000, to be paid over a period of 10 years; Jules E. Brulatour, $100,000; Frank A. Bailey, $100,000; John D. Hertz, $125,000; the estate of Emil Shauer, $50,000, and Jesse L. Lasky, $27,500. Lesser amounts are also possible from additional defendants.

The actions were brought by the Paramount trustees in 1935 and sought the recovery of allegedly excessive salaries paid to some defendants, and the recovery of sums alleged to have been made by other defendants through participations in a Paramount employes' stock purchase plan, and the recovery of sums alleged to have been lost by the company through the repurchase of its stock which had been issued for expansion purposes at prices in excess of the market prevailing at the time of redemption.

The settlement amounts will be paid into the Paramount treasury, Arthur A. Ballantine, of counsel to the Paramount trustee, said yesterday, verifying information published earlier by MOTION PICTURE DAILY.

Union Contract Argument Up

Supreme Court Justice Edgar J. Lauer will hear a motion today to dismiss the second amended complaint of the Gotham Amusement Corp., the H. M. Amusement Corp., the La Salle Amusement Corp., the Hancock Theatre Corp., the B. B. C. Amusement Corp., the Har-Mar Amusement Corp. and the Marvin Amusement Corp. against Local 306, Allied M. P. Operators Union and the I.T.O.A.

The defendants contend that the complaint failed to state a cause of action. Two previous complaints have been dismissed. The plaintiffs are independent theatre owners who are suing to enjoin the enforcement of the contract made on Jan. 30 between the I.T.O.A. and the unions.

Fanny Brice to Ask Suit End

Fanny Brice will ask Justice Edgar J. Lauer in the N. Y. Supreme Court today to dismiss the complaint in the $14,250 action for agent's commission brought against her by Edgar Allen. Miss Brice contends that the complaint fails to set forth a cause of action. Allen is suing for 10 per cent of the $142,500 which he claims Miss Brice received for her appearance in the "Ziegfeld Follies." He claims that he obtained the contract which paid her eight per cent of the weekly gross receipts with a minimum guarantee of $2,500 weekly.

STAGE

THIRD

MUSIC

DOOR

WEEK

HALL

R K O
RADIO
PICTURES

New Use Seen For the High Frequencies

WASHINGTON, Oct. 19.—Eventual abandonment of the present broadcasting band in favor of the ultra-high frequencies was foreseen here today by broadcasting interests studying the new allocations issued yesterday by the F. C. C.

In that allocation, 75 channels, each 40 kilocycles wide, four times the present width, are assigned to broadcasting between 41,020 and 43,980 kilocycles, and another 79 channels, 25 kilocycles wide, are available between 25,025 and 26,975 kilocycles, as they can be opened up under certain provisions of the Madrid Convention.

These areas, as yet, are practically unexplored, but are believed to offer room for several times as many stations as can now be accommodated on the 550-1,570 kilocycles broadcasting band.

Commission Heads Reticent

While officials of the commission refuse to comment upon the high frequency broadcast assignments, it is known that for some time both the industry and the Commission have been dissatisfied with the limitations of the present broadcasting band and are leaning to the belief that the ultra-high frequencies offer opportunities now unavailable for broadcasting expansion.

Members of the broadcasting industry looking to the future believe that within 10 years broadcasting stations will be established in the upper spectrum and that it is only a matter of time before all broadcasting will be relocated.

Renew "Six Star Revue"

"Six Star Revue," the three-hour daily sports and musical show on WMCA sponsored by General Mills, Inc., during the baseball season, has been renewed for 26 weeks, carrying it over into the fall and winter season. The show features Lee Grant's orchestra, Helen Young and Jerry Baker, soloists; Kay and Buddy Arnold, song and piano team; Powell Clark, film reviewer, and Bob Carter, Garnet Marks, Joe O'Brien, announcers. Don Kerr and Joe Tobin are the em cees.

McGill Students Damage CHLP

MONTREAL, Oct. 19.—Rioting students of McGill University, jubilant after a football victory, "crashed" the studios of CHLP over the weekend, causing damage amounting to over $2,000.

The station, operated by *LaPatrie*, has its offices in the arcade of the Sun Life Bldg., and it was through this passage that a mob of students, some 200 strong, "paraded."

Radie Harris for WOR

Radie Harris, film commentator, will offer a program of Hollywood chatter and presentation of guest stars over WOR beginning Thursday, Nov. 11, from 6:45 to 7:00 and weekly thereafter at the same hour. The commentator formerly was heard over WHN.

New Shows on the Air

Philadelphia Orchestra

The orchestral series sponsored by the Association of Banks which features the Philadelphia Orchestra got off to a brilliant start Monday eveing with Eugene Ormandy on the dais and Maria Jeritza as the guest vocalist.

The new series promises to be the outstanding serious music program on the air this season, the others of its type preferring to mix the modern with the classic. Adhering to the excellent standard it set for itself the opening night, the bank series should win for itself not only critical esteem but a great audience of listeners.

The overture of the first concert was Wagner's "Die Meistersinger." Offered successively thereafter were Debussy's "Clair de Lune," waltzes from "Der Rosenkavalier" and Berlioz's "Rakoczy March." Jeritza's numbers included "Adieu Forets," "Widmung" and "Caecilie." Dr. Neil Carothers, director of the College of Business Administration at Lehigh University, discussed economics briefly during intermission. His discussions will be a weekly feature of the series.

The Philadelphia Orchestra broadcasts Mondays from 9 to 10 P. M. on the NBC-Blue. The Wessel Co. of Chicago sponsors for the Association of Banks. BANNER

"Behind Prison Bars"

This is an interesting show, marred by the inevitable injection of the "commercials" and a tendency toward preachment in the unfoldment.

In the question-and-answer manner a lapel mike picking up queries of the studio audience, Warden Lawes of Sing Sing Prison gives his analysis of what induces crime-environment, indifferent opportunity and the general lack of proper consciousness on the part of the public to the less fortunate of its citizenry.

As he narrates a case in point, the actual story of two boys and how unwittingly they were dragged into the tentacles of the underworld and salvaged in the nick of time was unfolded Monday evening when this series on behalf of Sloan's Liniment hit the NBC blue network on the initial shot under its new monicker.

There is also a "Can You Solve a Crime?" booklet available to all those interested by mailing to the sponsor the usual box top. The plug line—"End Your Groans with Sloan's"—is sadly lacking in ingenuity. While the "commercials" were used sparsely, their timing was not especially fortunate and served to mar the flow of the program.

"Behind Prison Bars" will be heard each Monday for 20 weeks from 10 to 10:30 P. M. Cecil, Warwick and Legler, the agency. Ka.

"Lloyd Pantages Covers Holywood"

"Lloyd Pantages Covers Hollywood" for New Rav machineless permanents and Dana Rav cosmetics via the gossip route. His items are singularly unimportant and are designed apparently for the sole purpose of providing over-the-fence fodder for the women who paint and powder. Which means a lot of women, of course.

Thus: Carole Lombard and Clark Gable still are "that way" about each other, according to Pantages. Alice Faye, now enroute to New York, will spend all her time in night clubs because that is the only way she can completely relax. Also, that the invitation to the Duke and Duchess of Windsor to spend some time at Clarence Brown's ranch, extended by Brown and George Raft, was nothing but a publicity stunt. Not really? Miriam Hopkins is feuding with her director. Robert Stone, a singer under contract to a studio, was released from his contract, but was re-signed by the same studio as a "find" when he was heard singing at a night club.

Pantages, albeit the lightness of his material, has an enjoyable style of delivery and should get across with his audience. He should slow down his pace, however. He spoke too fast on the opening broadcast.

"Lloyd Pantages Covers Hollywood" is presented over CBS Sundays from 1:45 to 2 P. M., under the sponsorship of the company noted above. Milton Weinberg agency of Los Angeles handles the account.

BANNER.

Still a Tie

Emulating the example of General Grant who said, "I will fight it out along this line if it takes all summer," the I.R.N.A. and the A.F.M. still were deadlocked at midnight last night in their efforts to come to terms on a trade agreement. They will take up the cudgels again today.

"Exits and Entrances"

In purpose, execution and effect this program is excellent. It is offered by the National Education Ass'n over CBS every Monday from 2:30 to 3 P.M. as part of The American School of the Air.

The first broadcast of the new series dealt with the current war problem, European affairs and American reactions to these questions. The attitude of the typical family gathering on the Sino-Japanese trouble was sounded out together with a simple and clear definition of the Nine Power Treaty, the recent machinations at Geneva and eventualities. The material was logically and sanely worked out. Shepherd Stone, a *New York Times* associate, was heard in a lucid analysis of the present European state of affairs, speaking from Paris where he arrived yesterday in the course of a tour of important continental centers.

The comment on current situations is enlightening and should find a wide audience in students and in the home. P.

Frisco Stations Give Time

SAN FRANCISCO, Oct. 19.—Bay area stations are contributing time for the October Electric Appliance Society campaign, intended to stimulate the sale of new and high fidelity radios. KSFO has been named to write, produce and originate a series of dramas for the campaign.

Report Mayor Wilson Will Protest to FCC

PHILADELPHIA, Oct. 19.—Mayor S. Davis Wilson, it is reported, has gone to Washington to place with the F.C.C. a complaint against KYW, charging that the station refused to accept a contract for a commercial talk on the city budget, scheduled to be broadcast by Wilson, Oct. 29. KYW refused to accept Wilson's talk on the grounds that it was a political talk and that Wilson was not a representative or a candidate of a political party. Wilson has always declared himself to be nonpartisan. KYW refused the talk on the grounds that it was against station policy.

Leslie Joyce, manager of the station, in a statement today, stressed the desire of KYW to remain impartial. He said the station would not sell time, but would grant it to the mayor and offered free time after Nov. 2, Election Day, to present his proposed talk on the city budget. Joyce said action on the budget was not due until Dec. 15 and added it seemed to him that a leeway of six weeks would be adequate time in which the mayor might present his address.

Eggleston to WFIL New Chicago Office

PHILADELPHIA, Oct. 19. — Stuart Eggleston has been appointed to head WFIL's new Chicago office. Eggleston was western manager for CBS from 1928 to 1932. For the past four years he has conducted his own company, building commercial programs for agencies and national advertisers.

WFIL's decision to open a western office is based on the station's success with a similar venture in New York. The New York City office was opened several months ago and a week ago WFIL made public a sales report for September, showing time placements of $194,000, a 476 per cent increase over any previous month in the station's history. Much of this sales volume was credited to the co-ordinating, contact, and on-the-spot activities of the New York office.

Seymour Case Goes to NLRB

CINCINNATI, Oct. 19.—A formal complaint charging CBS and its locally owned station, WKRC, with having discharged William Seymour, news writer, for alleged union activity, is being prepared by the N.L.R.B., Philip G. Phillips is regional director.

The action is necessitated by the company's failure to reply to his letler regarding the complaint filed by the A.F.R.A., an Actors' Equity affiliate, Phillips said. Officials of WKRC have denied Seymour was dismissed for the cause ascribed.

New Station Opens Oct. 25

NEW ORLEANS, Oct. 19.—P. K. Ewing, president of the Ewing Broadcasting Co., owner of WGCM, states that the new Granada 100-watt station, WGRM, will begin operations Oct. 25. This is Granada's first radio station.

"Hurricane" on "Hotel"

"Hurricane" will be offered as the "Hollywood Hotel" presentation over CBS Oct. 29, with Mary Astor, John Hall, Andrea Leeds and C. Aubrey Smith in the cast.

Radio Personals

HERMAN BERNIE returned from the coast yesterday . . . Ida Bailey Allen has been appointed food and fashion editor of *Simplicity* magazine . . . George Raft will be on the "Seein' Stars" program Sunday . . . The Lou Breese orchestra has been given an extra hour a week air time by NBC . . . William Lyon Phelps will be the guest on "Hobby Lobby" tonight . . . Arthur M. Tolchin is the newest member of the WHN sales department, coming from WOR . . . Kay Parsons will be heard over WMCA three times weekly beginning tonight . . . William Watters of Kass-Tohrner is adapting Theodore Dreiser's stories in "A Gallery of Woman" for air presentation, with a sponsor in the offing . . . RCA is publishing a 30-page booklet, "A Short-Wave Journey of Discovery" by Hendrik Willem Van Loon.

+

Norm Siegel of the *Cleveland Press* and Dick Pheatt of the *Toledo Blade,* both radio editors, are newly arrived here. . . . Alexander Woollcott will make his only radio appearance of the season Oct. 31 when he speaks for the Fusion ticket over WJZ. . . .

Bachem and Buckley To CBS Sales Force

CBS sales department has added John H. Bachem and Robert W. Buckley to its staff, replacing Bill Fagan and Robert Wilson, recently resigned.

Bachem is from NBC, where he was eastern sales manager and assistant to Roy Witmer. He has been assigned to the Pennsylvania and southern territories. Buckley until recently was New York manager of William G. Rambeau Co., station representatives.

Fagan resigned to join the Benton & Bowles sales staff, while Wilson left CBS to become director of radio for Maxon, Inc.

National Ice Adds 23 Stations

National Ice Advertisers, whose program, "Homemakers' Exchange." is soon to begin over NBC, has ordered an additional 23 Red network stations to be added to its hookup. The original order was for 29 stations, making a total of 52 stations. Donahue & Coe is the agency.

WINS Plans Series on "Funnies"

WINS has scheduled a new series to be known as "Fathers of the Funnies," starting tomorrow night at 7 P. M. The program will be a round table discussion by comic strip artists of their work.

Star Adds 3 Canada Stations

Star Radio, Inc., has added three Canadian stations to its list of subscribers for the Star commercials. The new clients are CJOC, CKMO and CJRM.

Cancel "Time to Shine"

Griffin Mfg. Co., sponsors of "Time to Shine," will cancel the show after the broadcast of Nov. 8. The series is offered on the Blue network of NBC, Mondays, from 7:30 to 8 P. M.

The Newsreel Parade

Movietone News
Vol. 20, No. 11
(20th Century-Fox)

From a comparatively dull weekend of pictorial news events the makeup of this reel manages to provide a varied bill of fare which sustains a degree of interest.

Opening with shots of General Pershing unveiling a war memorial at Chateau Thierry, the scene shifts to London where Hore-Belisha is seen trying out anti-aircraft equipment in a recruiting drive. The French cruiser *Diderot* gets itself dismantled for the camera at Dunkirk to make scrap metal for new warships. At Salt Lake, Capt. George Eyeston races his car on Bonneville Flats. Dogs are auctioned off in Fredericksburg, Va.

The Names in the News sequence takes proper care of the Duke of Windsor and his Duchess during their visit to Berlin, the Archduke Franz Josef, his wife and Annabella arriving on the *Normandie* and glimpses of ex-King Alfonso of Spain and Mussolini, the former in Switzerland and the latter in a new hat. Lew Lehr interviews turkeys, very amusingly. A new army bomber does its stuff for aviation. Ed Thorgersen takes care of the tail end of the reel with effective enough comment on last weekend's football games where fumbles seemed to be the order of the day.

Running time, 9 mins. P.

"News of the Day"
Vol. 9, No. 209
(M-G-M)

There is nothing particularly outstanding in this issue. The pictorial presentation of news that is rather dated is good. Football sequences provide the excitement.

The monument to the war dead at Chateau Thierry is the lead. The Snapshots division shows a dog auction in Fredericksburg, Va.; the National Guard at Pawtucket keeping the Narragansett racetrack closed, the comic-opera air surrounding the retiring of an Army mule at Fort Totten, the Duke and Duchess of Windsor in Berlin; this also has a number of clever candid shots of the Duke becoming bored with a concert by a labor front orchestra. The snapshots continues with scenes of Archduke Franz Josef, grandson of the Austrian emperor, arriving on the *Normandie* and Il Duce's men digging furiously in Rome to construct a new thoroughfare while The Boss looks on. The football shots show the best plays of the Yale-Army, Fordham-Pitt and Northwestern-Purdue games.

Running time, 9 minutes. P.

Paramount News
Issue No. 22
(Paramount)

It seems to have been an off week for live camera material. The Duke and Duchess of Windsor are shown continuing their study of German industrial plants and housing, but the Duchess seems to avoid facing the camera.

The China war scenes are not outstanding, in spite of Gabriel Heatter's efforts to make them seem dramatic. The warfare between Governor Quinn of Rhode Island and officials of the Narragansett Racetrack is illustrated by shots of the Governor leaving the State House and of National Guardsmen around the track with machine guns. The Governor's so-called "insurrection" is pretty dull pictorially.

One of the live clips with pictorial and human interest value is the Grand Mufti of Jerusalem shown with Arab followers and of British soldiers outside the walls of the ancient city searching pedestrians for arms.

Shots of three football games are included—Pittsburgh vs. Fordham, Yale vs. Army, and Northwestern vs. Purdue. Some of the plays are exciting, and Bill Slater's comment is top notch.

Running time, 10 minutes. J.

Pathe News
Vol. 9, No. 26
(RKO)

Varied in content, this is a good, fast-moving release. There are seven subjects, three of which are topical, three are in feature vein and the seventh is some good action footage on several of the leading intersectional football games of last weekend.

The release leads off with the Rhode Island controversy which resulted in the closing of the Narragansett racetrack by National Guard on Monday. The ship news cameraman catches Archduke Franz Josef, his wife; Herbert Wilcox and Anna Neagle on their arrival in New York on the *Normandie*. From Paris come shots of the French steel and motor factories humming with the activity of their largest output in years and the opening of the French automobile show by President Le Brun. Scenes of the mine disaster near Birmingham which took 34 lives at the beginning of the week; a try-out of the world's largest bombing plane at Seattle, built for the Army Air Corps, the 210th anniversary of the Fredericksburg, Va., dog auction, and the football shots complete the reel. The Michigan-Minnesota and Tulane-Colgate games will be included everywhere except in New York and Pittsburgh. The Fordham-Pitt game runs in the releases for those two cities.

Running time, 9 minutes. K.

Universal News
No. 607
(Universal)

Three pigskin games, Yale downing Army at New Haven, Pitt and Fordham battling it out for a scoreless game here and Carnegie Tech toppling Notre Dame at Pittsburgh, give this release a lot of pep. The games almost take up half the footage and they stand out above the run-of-the-mill series of clips which round out the reel.

The destruction caused by Japanese bombs at Canton is vividly pictured. Universal claims an exclusive on this with Cameraman Alley given credit for the job. The desolate sight of the Narragansett race track, closed because of the Governor's orders, the taking off of the world's largest air bomber at Seattle, a view of St. Peter's, Rome, being cleared and repaved with Il Duce inspecting the work and the latest in new automobile designs at the Paris show are routine items.

Running time, 9½ minutes. O.

Cash Terms in U.A. Deal Now $4,500,000

(*Continued from page* 1)

to the idea of accepting cash for five-eighths each of their holdings, or $1,-$250,000 apiece, and the remaining three-eighths each, or $750,000 apiece in new stock to be issued by the company, if and when the transaction is closed.

The position of David O. Sleznick continues to be undetermined. Persistent reports insist he has been discussing a distributing deal with Paramount, although this by no means is construable as indicating he will not continue with United Artists. The general consensus of reliable opinion agrees that Selznick, at this time at least, is not keen about a renewal with U. A. if control of the company passes to Goldwyn and Korda.

Goldwyn Uncommunicative

CHICAGO, Oct. 19.—Samuel Goldwyn, en route east, refused to say anything about the prospective sale of United Artists today. He said he had "nothing to say and wouldn't say it until he reached New York."

Seek Depositions of Film Heads in Suit

(*Continued from page* 1)

Hampshire and M. A. Shea circuits, it was stated yesterday by George S. Ryan of Boston, attorney for the plaintiff. The preliminary round of the action is being staged here and, ending its second day yesterday, may continue throughout the next week.

Ryan said he will attempt to get the depositions of the following during the New York session: Adolph Zukor, Neil F. Agnew, Norman Collyer, Leon Wetter and J. J. Unger of Paramount; Nicholas M. Schenck, David Bernstein, William F. Rodgers and E. A. Schiller of Loew's; Joseph M. Schenck, Sidney R. Kent, John D. Clark and Felix Jenkins of 20th Century-Fox; H. M. Warner, Joseph Bernhard and Gradwell Sears of Warners; George J. Schaefer and Lloyd Wright of United Artists; R. H. Cochrane, Willard McKay and James R. Grainger of Universal; Harry Cohn, Abe Montague and Louis Weinberg of Columbia. Thus far, only Weinberg and Gabriel L. Hess have been called. Schiller is scheduled to be heard today.

Yesterday's session was occupied mainly with the introduction in evidence of distributors' contracts with Maine & New Hampshire.

G. N. Has Song School

HOLLYWOOD, Oct. 19.—Grand National has started a school for the development of singing talent. Victor Schertzinger will be in charge. He discovered Evelyn Daw, whom he cast in "Something to Sing About."

Meadowcroft Buried

BOONTON, N. J., Oct. 19.—Funeral services were held yesterday for William Meadowcroft, Thomas A. Edison's long-time secretary. He died Friday at 84.



BRIAN AHERNE
and
OLIVIA de HAVILLAND
in
"THE GREAT GARRICK"
with
EDW. EVERETT HORTON
MELVILLE COOPER • LIONEL ATWILL
Luis Alberni • Lana Turner • Marie Wilson • A James Whale
Production Personally Supervised by
MERVYN LEROY
A Play for the Screen by Ernst Vadja
A WARNER BROS. PICTURE

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 95 NEW YORK, THURSDAY, OCTOBER 21, 1937 TEN CENTS

Giveaway End Favored, But Method Snags

No Piecemeal Plan, Says Blumberg to Brandt

Leading independent and affiliated circuit operators in the metropolitan area appeared to be in agreement yesterday as to the merits of the I. T. O. A.'s objective of eliminating games and giveaways in Greater New York theatres by Dec. 1, but seemed, at the same time, miles apart as to the procedure which should be followed.

Most independent circuits declared yesterday that the first move in the campaign of elimination would be made in the Flatbush section some time next week with all theatre operators participating. Spokesmen for the I. T. O. A., following the organization's membership meeting yesterday, not only declared that such was the case as far as independents are concerned, but included Loew's and RKO among those endorsing this procedure. They added that the plan, thereafter, was to pursue the elimination campaign by neighborhoods, with either Washington Heights or the Bronx to follow

(*Continued on page 2*)

FWC Bankrupt Case Reopens Wednesday

Los Angeles, Oct. 20.—Another action seeking to have the Fox West Coast bankruptcy set aside on grounds of fraud will be filed in Superior Court here next Wednesday by William Neblett, attorney representing T. L. Tally and L. L. Bard.

In the original suit by Tally the lower courts ruled against the petitioners and the decision was upheld when the U. S. Supreme Court on Oct. 11 denied a rehearing of the case. Neblett today stated that the original Federal Court litigation failed because jurisdiction was denied and that he will now try the state courts in an effort to attain his ends.

Minnesota's Chain Tax Ruled Invalid

St. Paul, Oct. 20.—Minnesota's tax on the grosses of chain stores has been declared unconstitutional by Judge R. D. O'Brien of the Remsey County District Court. The state has been ordered to refund $125,000 to the National Tea Co. and Hahn Department Stores.

The decision does not affect the state's graduated license tax on the number of stores operated.

Production Levels Hold; 42 in Work

Hollywood, Oct. 20.—Productions in work last week totalled 42, one more than the previous week, as nine new features started and eight finished shooting. Twenty-one are in final stages of preparation, and 72 are being edited.

The starts were: Columbia, "Murder in Swingtime;" M-G-M, "A Matter of Pride" and "Everybody Sing;" Monogram, "County Fair" and "Boy of the Streets;" Paramount, "They Knew What Happened" and "The Badge of Policeman O'Roon;" Republic, "Three

(*Continued on page 8*)

Erpi's Sound Sales In New Department

Erpi's sales of theatre sound equipment servicing contracts will be handled, after Nov. 1, by the company's operating department, instead of the equipment sales department, as heretofore, the company stated yesterday.

The plan is in line with the company's program of revising Erpi's field operations preliminary to its eventual disposal of the equipment sales and servicing end of its business. The disposal of this branch of Erpi's busi-

(*Continued on page 8*)

3,945 Is Stage Play Total for 17 Years

The New York legitimate stage has seen 3,945 productions, 3,110 of them dramatic and 835 musical in the last 17 years, according to *The Billboard Theatrical Index,* just published. Average run of all plays during this period has been 82 performances, the average runs for dramatic and musical being respectively 71 and 123 performances. Of the total plays produced during this time, 1,579 closed within five weeks.

Comparing last season's averages

(*Continued on page 8*)

Korda Bound Here; Has Option Money

London, Oct. 20.—Alexander Korda sailed for New York today aboard the *Ile de France.*

Wardour St. credits widespread reports that his share of the money required to lift the U. A. option jointly held with Samuel Goldwyn has been pledged by the Prudential Assurance Co.

Under terms arranged for the lifting of the U. A. option, as detailed yesterday in *Motion Picture Daily,* cash requirements have been cut from $6,000,000 to $4,500,000. Equal purchase participation by Goldwyn and Korda places their requirement at $2,250,000 each.

Goldwyn Silent on Status of UA Deal

Samuel Goldwyn arrived in New York from Hollywood yesterday admittedly in connection with the option deal on the U. A. stock held by Mary Pickford, Charles Chaplin and Douglas Fairbanks, but completely silent about its status pending the arrival here of Alexander Korda.

"Mr. Korda is my partner in this deal," said Goldwyn yesterday. "I, therefore, feel that to discuss any phases of it without first consulting with him would be undignified and discourteous."

Rogers to Supervise ABP Canadian Sales

Budd Rogers has been named by John Maxwell and Arthur Dent of Associated British Pictures, Ltd., to supervise sales and distribution of their product in Canada. Rogers has

(*Continued on page 3*)

Walt, Mickey, Donald Et Al To Take Air for Pepsodent

Walt Disney and his closest pals, including Mickey Mouse, Donald Duck and the rest of those well-known boys and girls, take to the air waves the first week in January in a half hour program sponsored by Pepsodent. Roy Disney returned from Hollywood by air Monday and yesterday concluded arrangements with Lord & Thomas. Pepsodent for some years has confined its spending on NBC.

The Disney shows will be broadcast from 3:30 to 4 P.M., Eastern Standard Time over a national network, of course. The indications are it will be either the NBC Blue or Red web. The formula in work will seek to bring the Disney characters to life.

Additional Radio Developments—Page 8

Ask Authority To Terminate 2 Para. Suits

$2,150,000 Is Figure—Hearing Nov. 3

The Paramount trustee's petition for authorization to settle two recovery suits against former officers, directors and associates of the company for $2,150,000 in cash and notes was made public yesterday and set for hearing before Federal Judge Alfred C. Coxe on Nov. 3.

If the court's approval of the settlement is granted as a result of that hearing, the two recovery actions of the Paramount reorganization trustee, which are now pending in state Supreme Court here, will be withdrawn, the closing of the estates of a number of deceased directors named as defendants in the actions will be made possible, Paramount's treasury will be enriched by the amount of the settlement, less legal fees and contingent considerations, and the formal discharge of the company's reorganization trustee, Charles D. Hilles, will ensue. Hilles was continued in that post by special direction of the Fed-

(*Continued on page 3*)

Circuits in England May Align with CEA

By BRUCE ALLAN

London, Oct. 20.—England's large circuits may align themselves on the side of the C. E. A. in the exhibitor association's fight against the new K.R.S. (distributor) policy of percentage bookings only on "A" product. The K.R.S. plan has aroused a storm of protest in theatre ranks here.

John Maxwell of A.B.P., Arthur Jarratt of G.B. Theatres and Oscar Deutsch of the Odeon Circuit on Tuesday conferred with C. P. Metcalfe, Ken Nyman and T. H. Fligelstone, C. E. A. officials, on a plan of procedure.

Film on LaGuardia Is Booked Oct. 27-28

RKO yesterday set March of Time's film depicting the public career of Mayor LaGuardia in for Oct. 27 and 28 in all of the neighborhood first runs of the company's Greater New York circuit. The dating in of the picture will give it its first and only New York neighborhood showings prior to Election Day, Nov. 2.

The picture opens at the Embassy

(*Continued on page 3*)

MOTION PICTURE DAILY

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Jones Explains About Film Business to the NLRB Board

HOLLYWOOD, Oct. 20.—And they learned about the film business from Grover Jones. The "they" in this instance is the National Labor Relations Board representatives now holding hearings on the petition of the Screen Writers' Guild to be named sole bargaining agency for writers.

Jones was called by the Screen Playwrights, Inc., to prove writers weren't just working men needing a bargaining agency—other than the playwrights, of course.

Nobody knows a thing about it, Jones testified, but the man who puts up the best bluff gets at least $3,500 a week. He admitted that was his salary.

"I know what I'm talking about, but most of the time I don't," he testified.

"A gag man," he said, "is a fellow who sits on a set, disliked by everybody, and tells the director it would be funny if Gary Cooper got his coat tails caught in something on his way out."

Has An Ambition

"I'm pretty nearly dying to do a picture in which they all wallow in the mud, but I can't afford it. It's my art."

He testified he once received $2,000 a week from M-G-M to sooth the ruffled temperaments of writers who couldn't concentrate on their work.

When he was assigned to write the story for "Lives of a Bengal Lancer," he testified, he didn't know how to start because he didn't know anything about India. He was working with William Slavens McNutt. McNutt told him it was just a western laid in India, and they got off to a flying start.

"So we wrote the script," he went on, "but it looked too easy and they didn't want to do it. It was three or four years later before they did."

In the meantime some razorbacks imported from Arkansas had grown into a flock—or a herd.

"And when they finally started," Jones testified, "they said, 'Now we got to get some boars'."

Among other writers called to testify today were Howard Emmett Rogers, Patterson McNutt and James McGuiness. Their statements sought to prove that writers are creative workers rather than mere employes.

Had It a Long Time

Grace Moore has had temperament for 15 years, and now she feels she ought to use it, she told newspapermen at the Grand Central Terminal yesterday.

"They wanted me to sing 'St. Louis Blues' in my last picture and I refused," she said. "I haven't got the training and I haven't got the voice to sing jazz. I introduced jazz in my first picture when I sang 'Minnie, the Moocher', but I'm not going to do it again."

So there!

Favor Giveaway End But Methods Delay

(*Continued from page* 1)

Flatbush in two weeks, and so on until the entire metropolitan area was free of games and giveaways.

Commenting on the statement, N. J. Blumberg, RKO theatre head, stated emphatically that RKO disapproved the "piecemeal" plan and had advised Harry Brandt, I. T. O. A. president, that the circuit would agree only to a simultaneous citywide elimination of giveaways by all theatres.

A statement in the same tenor was made by a Loew's circuit executive, who denied that his company had agreed to cooperate with any move for "partial" or neighborhood elimination of games and giveaways.

The I. T. O. A. spokesman named Rugoff & Becker, Brandt, Skouras, Randforce and Century circuits, in addition to Loew's and RKO, as being willing to undertake the district by district elimination, beginning in Flatbush next week. He added that in the Bushwick section of Brooklyn admission increases of from five to 15 cents were already in effect in Loew's, RKO, Randforce and Brandt houses in connection with the drive to better operating conditions and policies.

N. J. Link Approved

The I. T. O. A. meeting approved the plan for a cooperative working agreement with Allied of New Jersey, which was approved by the latter organization on Tuesday. Maurice Fleischman was named chairman of a committee of five which will act with a similar Allied committee to further the cooperative efforts between the two organizations. Fleischman will select the remaining four members of the committee from among the members of the I. T. O. A. board of directors. Invitations were extended to the Allied group to attend future meetings of the I. T. O. A., and the same courtesy is expected to be extended to the latter, it was said.

Nathan Yamins, national Allied president, was invited to attend the Nov. 3 meeting of the I. T. O. A. to further discuss the latter's interest in a national meeting of exhibitor representatives which I. T. O. A. has offered to call to draft a program of fair trade practices for submission to distributors.

Schiller Testifies In Anti-Trust Suit

E. A. Schiller of Loew's was questioned throughout yesterday afternoon in the course of a series of depositions being taken here in connection with the anti-trust action brought by Morse & Rothenberg, independent theatre operators, against eight major distributors, the Maine & New Hampshire and M. A. Shea circuits. In the suit, which was brought in Federal court at Boston, the plaintiff alleges that it was unable to obtain major company product for seven of its theatres which are in competition with houses operated by the defendant circuits.

Schiller was excused to permit him to leave for the coast, where he plans to remain for a rest of indefinite duration. George S. Ryan, attorney for the plaintiff, said he was not certain who the next witness would be.

Bury Cameramen Here

The bodies of James Pergola and William Pitt, Pathe News cameramen who were killed in the crash of a United Airlines plane near Knight, Wyo., have been placed aboard a train and are due here tomorrow. Funeral services will be held locally.

New York Bound

LONDON, Oct. 20.—Phil Reisman, foreign sales manager of RKO; Sam E. Morris, who occupies a similar post with Warners, and William Powell, the actor, sailed today on the *Ile de France*, for New York.

Other passengers aboard the same vessel are Madeleine Carroll, King and Mrs. Vidor, Barney Glazer, J. Thery and M. Kaufmann.

To Try Hoffmann Suit

LOS ANGELES, Oct. 20.—Suit of Samuel Hoffmann against Columbia, charging plagiarism of his play, "Command Performance," in "Racketeers in Exile," must be tried on its merits, Judge Fred Miller ruled today in denying a demurrer of the defendant.

Purely Personal

F. W. ALLPORT of the M.P.P.D.A. sailed for England yesterday on the *Queen Mary* after spending the summer here. He will remain in London until Parliament acts upon the new film quota legislation late in January, as well as attend to other Hays organization activities in Britain.

•

HEATHER ANGEL, who has just completed two productions in succession for Republic, arrives from the coast this morning to play the lead in the stage play, "Love of Women."

•

LEWIS F. NATHAN knows his candid camera. His shots of the Zukor luncheon at the Waldorf the other day prove it.

•

ROBERT S. TAPLINGER will leave tomorrow for the coast to assume his duties as Warner studio publicity head.

•

CLARA BLANDICK, featured in Grand National's "Small Town Boy," will leave today by train for the coast.

•

ALICE FAYE and TYRONE POWER will be partied today by 20th Century-Fox at the Waldorf-Astoria.

•

JOE MOSKOWITZ, 20th Century-Fox studio representative in the east, remains west another week.

•

CHARLES E. MCCARTHY returned yesterday after 10 days at the 20th Century-Fox studio.

•

GLORIA DICKSON, PERC WESTMORE MAX REINHARDT left yesterday for the Warner studios.

•

DOROTHY PARKER and her husband, ALAN CAMPBELL, are due today on the *Champlain*.

•

NICHOLAS M. SCHENCK will not leave for the coast until next month.

•

DON MERSEREAU will arrive on the coast Monday.

•

FRED S. MEYER arrives from Hollywood Friday.

Chicago Pondering New Theatre Levies

CHICAGO, Oct. 20.—Faced with the necessity of wiping out a deficit of $3,000,000, the city alderman are eyeing theatre grosses which have been increasing steadily since the decline of the paralysis epidemic and are formulating plans for taxing the houses as a revenue-raising measure. Methods under consideration included a tax on gross receipts, which was sidetracked; a sliding scale tax on admission, also abandoned, and now a proposal to double or triple the license fees.

If additional taxes are imposed it is expected that exhibitors will ask the authorities to compromise by removing the ban on giveaways.

New G. B. Tacoma Head

TACOMA, Oct. 20.—Archie Holt is taking up his duties here as manager of the G. B. exchange. He succeeds Jean Spear.

Ask Authority To Terminate 2 Para. Suits

(*Continued from page* 1)

eral court at the time the Paramount reorganization plan was approved in 1935 in order to bring the two recovery actions to a conclusion.

Associates of Kuhn, Loeb & Co., former Paramount bankers, will pay approximately $700,000 in cash, the largest individual amount involved in the settlement. The defendants who will contribute to this sum include the estate of Otto H. Kahn, Alfred A. Kaufman, Gilbert W. Kahn, Felix E. Kahn, Sir William Wiseman, Kuhn, Loeb & Co., Robert C. Montgomery and Maurice Wertheim.

$450,000 From the Zukors

Adolph Zukor, present Paramount board chairman and studio head, and Eugene Zukor, assigned to the studio, contribute $450,000 to the settlement. The payments will be spread over a 10-year period, with $45,000 being paid upon court approval of the settlement and $45,000 annually, beginning Jan. 2, 1939. Jules E. Brulatour will give five notes totalling $112,500, payable between Dec. 3, 1937, and July 1, 1939. Sam Katz will pay $250,000 which, however, is deductible from an allowed claim against Paramount for breach of employment contract amounting to $258,500. Also, if the settlement is approved, he will have a balance owing him by Paramount of $62,948, rather than the indicated $58,500, as a result of an adjustment for the market value of Paramount securities on Sept. 24, the date on which the settlement agreement was reached. Katz's contract claim against Paramount is payable by the company, under its reorganization plan, in securities of the company.

Stock Release from Lasky

Jesse L. Lasky agrees, under the settlement, to release to Paramount $105,000 in cash and 1,348½ shares of Paramount common stock valued at $35,000, which has been held by the National City Bank as trustee, and to withdraw a claim against Paramount for $282,000 and 5,395 shares of stock. The other settlement payments making up the balance of the $2,150,000 are, Sidney R. Kent, $250,000; Frank A. Bailey, $100,000; John D. Hertz, $125,000, and the estate of Emil E. Shauer, $50,000. However, Kent, Bailey and the estate of Otto H. Kahn, who have undisputed claims against Paramount which have not been satisfied, due to their possible liability under the present actions, may receive and apply the Paramount securities due them on their claims to the settlement payments.

The first of the suits was filed in the state court in 1934 by the reorganization trustees and sought the recovery of $12,237,071 for "alleged impairment of the company's capital resulting from purchases by Paramount of large amounts of its own stock during the period from Sept., 1931, to March, 1932." The stock purchases allegedly were made when no surplus existed. The defendants said that they acted in good faith and that a surplus actually existed. The case has been adjourned in the state court to Oct. 29 to await the outcome of the settlement negotiations and will have to be adjourned again to await Federal court approval of the settlement following the Nov. 3 hearing.

Salary Rebates Sought

The second suit, filed at the same time as the first, sought the recovery of salaries from executives of the company which were deemed to be "in excess of a reasonable amount." From other defendants it sought the recovery of actual or potential profits realized on participations in a Paramount employes' stock purchase plan. From directors during the period from 1927 to 1931 it sought the recovery of losses alleged to have been incurred by Paramount through the repurchase of its own common stock which had been issued for expansion purposes, where the redemption price was higher than the market price. Also alleged were dealings in the company's stock by certain directors at the same time that Paramount was purchasing stock.

MOTION PICTURE DAILY first reported the $2,150,000 settlement proposal on Aug. 19 when it was advanced to Arthur A. Ballantine, attorney for the Paramount trustee, in London, by Stanton Griffis, chairman of the Paramount executive committee. The formal closing of the settlement agreement also was exclusively reported in MOTION PICTURE DAILY on Sept. 24. The settlement negotiations were begun in March of this year.

Lawyers Seek $215,000 Fees

Root, Clark, Buckner & Ballantine, counsel for the Paramount trustee, today filed an application for an allowance of $215,000 for services in connection with the $2,150,000 settlement of the trustee's two recovery actions against former officers and directors of Paramount. The application was filed with Federal Judge Alfred C. Coxe who has allowed the firm $60,000 previously for services in connection with the action. The law firm was allowed a total of $510,000 for its services during the Paramount reorganization.

Charles D. Hilles, the Paramount trustee, filed a petition for an allowance of $7,500.

If the court approves the proposed settlement of the trustee's recovery actions the trustee and counsel will be formally discharged by the court soon thereafter, as the two suits comprise the final remnants of the Paramount reorganization.

Flash Previews

"Merry-Go-Round of 1938"—An impressive battery of comedians combine to make this average production very amusing.

"The Trigger Trio"—The Three Mesquiteers, incognito, do their collective part to eradicate an epidemic of hoof and mouth disease.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Wing Sisters for Ampa

Toby Wing and Pat Wing, sisters, have been added to the list of talent to appear today at the Ampa luncheon at the International Casino. Tyrone Power and Dorothy Mackaill will also be on the dais.

N. Y. Court to Hear Suit on Song Rights

N. Y. Supreme Court Justice Charles B. McLaughlin yesterday refused to dismiss the $100,000 suit of April Prod. against Harms, Inc., and ruled that the court had jurisdiction over the action. April Prod. is the assignee of the Shubert Theatrical Co. which granted Harms the right to the musical compositions from the "Student Prince" in 1924.

The plaintiff claims that it was to receive seven cents for each song published and 50 per cent of the receipts from other sources. Radio rights were not included. When the contract was made Harms copyrighted the songs and through its membership in Ascap allegedly received more than $100,000 in royalties through radio. The complaint sets forth that no accounting of the receipts from radio royalties was ever made and asks for a termination of the contract, $100,000 damages, an accounting and a permanent injunction restraining Harms from stating that it owns the radio rights.

Justice McLaughlin was asked to dismiss the suit on the ground that a copyright infringement suit could be brought only in the Federal Court and that the N. Y. Supreme Court had no jurisdiction. The court ruled, however, that the action was based on a breach of contract and refused to dismiss the complaint.

Seek to Question Yates

Eleanor Gates will ask Justice William T. Collins in N. Y. Supreme Court today for an examination before trial of Herbert J. Yates, president of Consolidated Film Industries, in connection with her $350,000 suit against Consolidated, Liberty Pictures Corp., M. H. Hoffman and J. H. Dacey.

Miss Gates, an author, charges that Liberty Pictures produced "Once to Every Bachelor" and that advertisements stated that it was suggested by her story, "The Search for the Spring." She denied that permission for the use of her name was obtained or that the picture was based on her story.

Consolidated was not originally named as defendant but was brought in when Hoffman testified that Consolidated handled the advertising. Consolidated will ask examination in London of Benjamin Goetz who was in charge of its Hollywood office in 1934. Goetz is not expected to be in New York at the time of the trial.

Rogers to Supervise APB Canadian Sales

(*Continued from page* 1)

handled the affairs of the company for the past two years in the United States while at the same time acting as vice-president and general manager of Alliance Films Corp. His new post gives him A.B.P. supervision for both countries.

A.B.P. product in Canada will be distributed by Empire-Universal Films, Ltd., and Rogers will leave soon to confer with Oscar Hanson, president, and A. W. Perry, general manager.

George Barbier Injured

HOLLYWOOD, Oct. 20.—George Barbier was seriously injured today when he fell 15 feet through a suspension bridge on the set of "Tarzan's Revenge."

Hirliman, Republic V. P.; Yates Returns

George Hirliman has been named a vice-president of Republic Pictures and will aid in general studio executive duties in the way of lining up stories and talent, H. J. Yates, reported yesterday following his return from a month's stay at the Republic studio.

Hirliman's duties will augment those of Moe Siegel, production head of the studio, and will in no way affect those of E. H. Goldstein, who is in charge of studio business affairs. Hirliman was last associated with Condor Pictures, which was dissolved several months ago.

Film on LaGuardia Is Booked Oct. 27-28

(*Continued from page* 1)

today and played one week of a two-week booking at the Music Hall recently. RKO wavered over booking the picture for pre-election day dates, being wary of encountering charges of political partisanship.

Louis de Rochemont, producer of the March of Time, was host yesterday at luncheon at the St. Moritz for 75 theatre and district managers of the New York area. Ned E. Depinet and S. Barret McCormick were among the guests.

Rodney Bush to 20th-Fox

Rodney Bush, former eastern advertising representative for Walter Wanger, joined the 20th Century-Fox advertising department yesterday. He succeeds John Thomas, who resigned to become associated with the Batten Barton, Durstine & Osborn agency. Bush's first assignment for 20th Century-Fox will be a special campaign for "Old Chicago," to be released soon.

Wall Street

Large Advances on Board

	Open	High	Low	Close	Net Change
Col. 13		14⅜	12¾	14	+2⅜
Col., pfd. .. 27½		29	27½	29	+1
Cons. 1⅜		2⅛	1⅜	2⅛	+1
Cons., pfd. 5		6	5	6	+1
E. K. 159		163½	159	163½	+7½
G. T. E. .. 11⅞		14	11⅞	14	+2⅛
Loew 59¾		63¾	59¼	63½	+4¼
Loew, pfd..101		104	101	104	+3
Para. 11¼		12¾	10¾	12⅝	+1⅝
Para. 1..... 87½		97½	87½	97½	+15½
Para. 2..... 10⅜		11⅞	10	11¾	+1¾
Pathe 5		6⅛	5	6	+1
RKO 3¾		4¾	3¾	4⅝	+ ⅝
20th Fox .. 22¼		25¼	22¼	25¼	+4¼
20th pfd. .. 30½		30½	30⅜	30⅜	+2⅜
Univ., pfd.. 29		30	29	30	+ ¼
W. B. 6¾		7⅞	6½	7⅞	+1¼
W. B., pfd. 36¼		39½	36¼	39½	+ ½

All Curb Issues Gain

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1¼	1½	+ ⅜
Sonotone ..	1¼	1½	1¼	1⅜	+ ¼
Tech.	17⅞	19	17⅜	19	+2⅛
Trans-Lux	2¼	3	2⅛	3	+ ¾
Univ. Pict.	3¾	3¾	3¾	3¾	+ ⅝

Bonds Up Generally

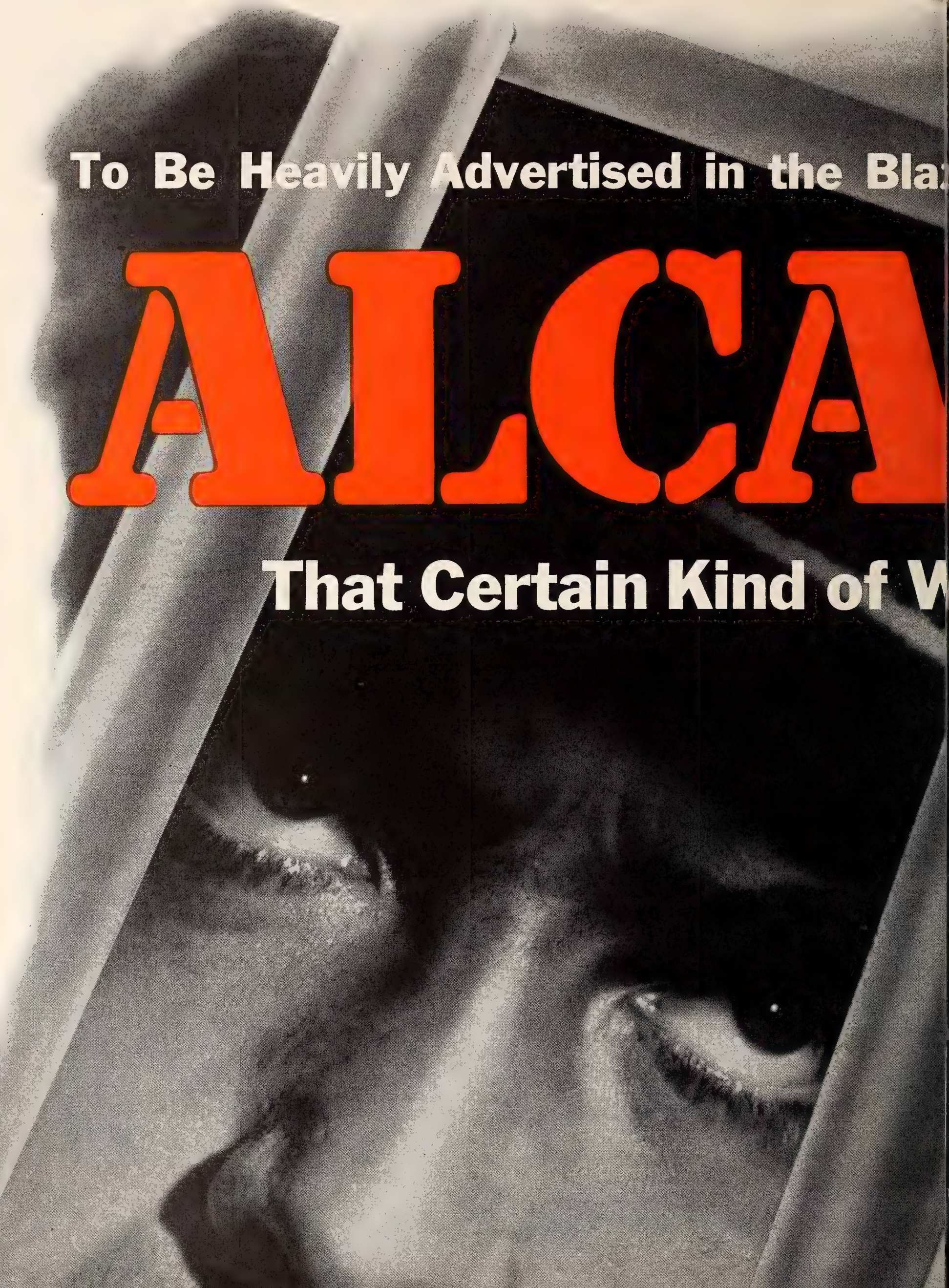
	High	Low	Close	Net Change
Loew 3½s '46.....	97⅞	96	97⅞	+1⅞
Para. B'way 3s '55	63	62	63	+ ½
Para. Pict. 6s '55	94½	92	94½	+2
Para. Pict. '47....	80	77	79½	+4
RKO 6s '41.....	85⅛	85	85	.....
W. B. 6s '39.....	80	74	78	+4

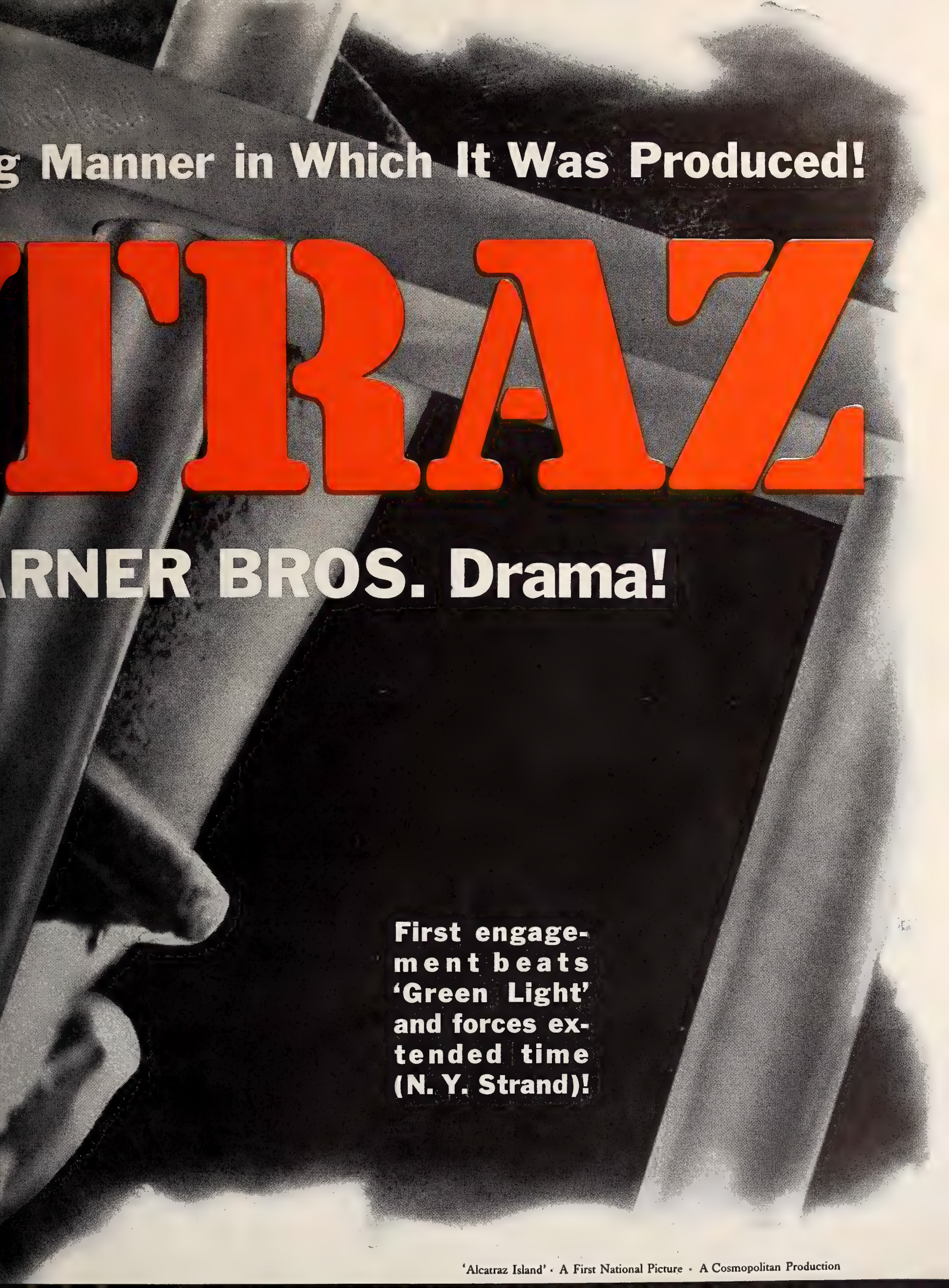
(Quotations at close of Oct 20)

To Be Heavily Advertised in the Bla

ALCA

That Certain Kind of W





'Alcatraz Island' • A First National Picture • A Cosmopolitan Production

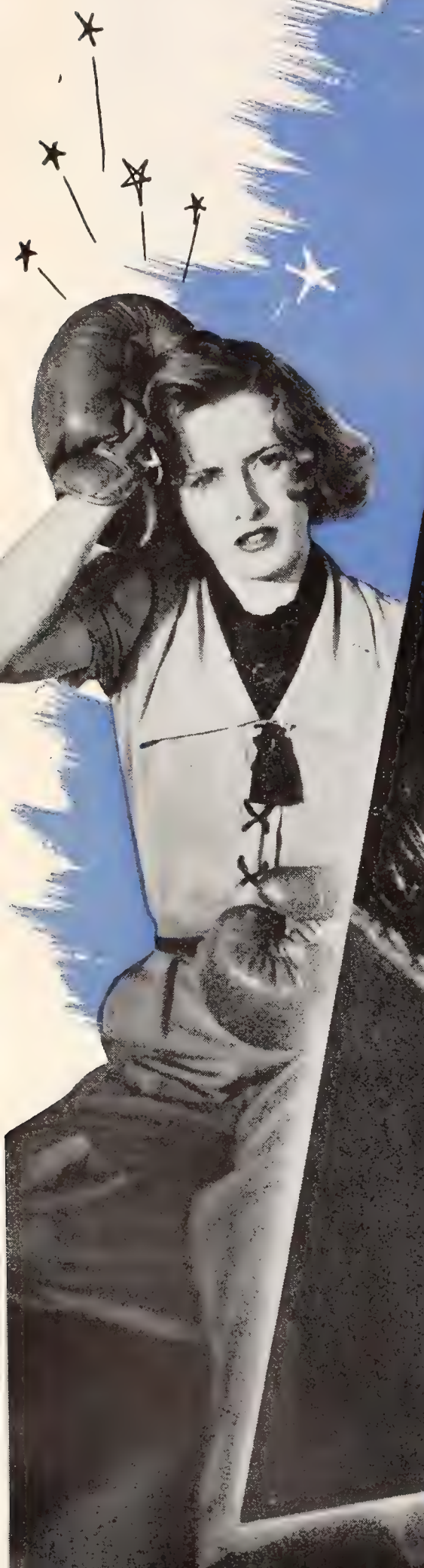
SHE SOCKED HIM IN THE EYE

Barbara

STANWYCK

Herbert

M





"Breakfas

BECAUSE SHE LOVED HIM!

RSHALL

...Hot-headed heiress hits first and kisses afterwards, in this year's rockiest romance.

"Sprightly comedy of man-hunting dame makes fine audience fare."—*FILM DAILY.* "Offers an hour's entertainment which should be found pleasing."—*MOTION PICTURE DAILY.* "Built for comedy... No attempt at sane situations or motives... Occasional sock dialog lines."—*HOLLYWOOD REPORTER.* "A whopping cast of important marquee names will bring this through to satisfactory box-office returns, and deservedly so."—*HOLLYWOOD VARIETY.* "Will do right by any exhibitor in any situation."—*BOX OFFICE.*





with

GLENDA FARRELL
★ ERIC BLORE ★
ETIENNE GIRARDOT

DIRECTED BY ALFRED SANTELL

PRODUCED BY EDWARD KAUFMAN

Screen play by Charles Kaufman, Paul Yawitz, Viola Brothers Shore

for TWO"

RKO RADIO PICTURES

Radio Personals

TYRONE POWER will be tendered a cocktail party at the Waldorf today by Lennen & Mitchell and 20th Century Fox . . . Sylvia St. Clair, French singer, arrives this morning aboard the *Champlain.* She is under contract to NBC . . . Hildegarde has been booked into the Crystal Room at the Ritz by NBC Artists Service . . . Herb Glover of Lord & Thomas left for California yesterday, mission unknown . . . Mary Jane Walsh will make her debut on the new Barbasol program over Mutual Oct. 24 . . . John Holt Baxter has been assigned to handle NBC Artists Service publicity, function formerly performed by Al Cook . . .

✚

George Sokolsky, John B. Kennedy and Ray Tucker are the newshawks who will appear on the "Commentator Forum" Oct. 24-28-31. . . . Fay Wray will support Spencer Tracy in "Arrowsmith" on the Lux show Monday. . . . Gene Autry and Mary Boland will participate in tonight's Vallee broadcast. . . . Erin O'Brien-Moore will be the guest on the Hammerstein "Music Hall" next Friday. . . . Julie Oshins and Ben Lessy return from Chicago within two weeks. . . . Grete Stueckgold will be the soloist in the second of the Philadelphia Orchestra series. . . . George Sher of Lennen & Mitchell rates credit for the sensational publicity buildup produced for Tyrone Power and the latter's radio series. . . . Winchell will be back on the air, from New York, for the broadcast of Nov. 21. . . . Hines Hatchette, formerly with Hearst Radio, Inc., has joined John H. Perry Associates, newspaper and radio representatives.

M-G-M to Put 22 in First Air Program

Twenty-two players will take part in the opening M-G-M Maxwell House program Nov. 4. Robert Leonard, director, will serve as master of ceremonies, and "Firefly" will form the basis of the program, with Jeanette MacDonald in the lead. Others who will participate will be Sophie Tucker, Eleanor Powell, Pete Smith, Ted Healy, Una Merkel, Judy Garland, Buddy Ebsen, Igor Gorin, Helen Trot, Betty Jaymes, Ileana Massey, George Murphy and Dave Gould.

The second program, Nov. 11, will have Spencer Tracy in charge.

George Sutherland to WISN

MILWAUKEE, Oct. 20.—Latest addition to the WISN announcing staff is George Sutherland, who has been teamed with Alan Hale during the grid season to air the entire schedule of Marquette games. Sutherland has been with WLW, Cincinnati; WHK, Cleveland; WXYZ, Detroit, and WBEN, Buffalo.

Start NBC Coast Program

SAN FRANCISCO, Oct. 20. — The Local Loan Co. will sponsor "Meet Your Neighbor," a new script-musical show on a split NBC Pacific Coast Blue network, effective immediately. The contract is for one year, through the Long Adv. Service.

NBC and Jacobs Sign For Boxing Contests

NBC yesterday completed arrangements with Mike Jacobs' Twentieth Century Sporting Club to broadcast exclusively a series of 16 world championship title fights over its networks. Not specified is the sum NBC paid for the exclusive rights to the bouts. The network of course will attempt to show a profit in the deal by offering the broadcasts to sponsors.

The series of fight programs will get underway over the Blue at 10:15 P. M. Oct. 29, when a description of the featherweight title fight between Petey Sarron and Henry Armstrong will be broadcast from Madison Square Garden. Other fighters whose bouts will be aired over NBC are Joe Louis, Max Schmeling, Tommy Farr, Freddie Steel, Fred Apostoli, Barney Ross and Lou Ambers.

The second in the series will be Nov. 12 when Steele defends his title against Apostoli. Time has been reserved for broadcasts of fights Nov. 19 and 26, although the principals for these cards have not been finally selected.

New Studio of WNYC To Be Opened Sunday

New York's Municipal station, WNYC, will open its new studios Sunday, when it will present a special five-hour program.

The station's new studios are air conditioned, and are five in number. Other improvements are a new reception room, an audience room accomodating 70 persons, and a new visual monitor system.

"Charlie Chan" on Air

"Charlie Chan" is the title of a new transcribed serial that will start over WOR-Mutual Oct. 24. The period will be heard Mondays through Fridays, from 5:15 to 5:30 P. M. Cy Kendall is in the title role. The program is sponsored by Stokely Bros. for Van Camp products. Raymond R. Morgan, Hollywood, is the agency.

Re-Measure KIRO Coverage

New measurements of KIRO's coverage made by CBS shows 261,300 radio families in its primary daytime, and 295,030 in its primary evening listening areas, according to William C. Gittinger, CBS sales manager, KIRO recently replaced KOL as Columbia's affiliate in Seattle.

J. W. Marrow Co. to Cancel

J. W. Marrow Co. will cancel its NBC-Red network musical series featuring Henry Busse's orchestra after the broadcast of Nov. 28. The program is heard Sundays from 11:45 A. M. to 12 noon. Baggaley, Horton & Hoyt is the agency.

CBS to Cover Auto Show

The National Automobile Show will be covered by CBS in a series of seven broadcasts starting Oct. 27 and continuing daily except Sunday until Nov. 2 from the Grand Central Palace.

"Wife vs. Secretary" on WHN

A transcribed version of "Wife vs. Secretary" will be heard over WHN Mondays through Fridays from 6:30 to 6:45 P. M., starting this Monday. Sterling Products sponsors, through Blackett-Sample-Hummert Inc.

Like the Brook

The trade agreement between the I.R.N.A. and the A.F.M. still was an unfinished symphony at the close of yesterday's conclave between the committees representing both interests.

Both sides claimed progress.

Canadians Hope for Pact with Mexicans

MONTREAL, Oct. 20.—Hopes of ridding privately-owned Canadian stations of the interference they suffer from Mexican stations rose today as a delegation was appointed to attend next month's conference at Havana. The appointees are Dr. A. Frigon, Donald Manson and K. A. MacKinnon.

At present many of the private stations throughout the Dominion suffer interference from a group of half a dozen stations in Mexico just over the Texas border.

It is believed the conference will cooperate to mend a situation that has been harmful to all. The solution probably will take the form of pooling bands and a reallocation of wavelengths. This will require certain concessions by the United States and gains, to the same extent, for Canada.

FCC Refuses Action In Philadelphia Row

WASHINGTON, Oct. 20.—Officials of the F.C.C. indicated today they could legally take no part in Mayor Wilson's feud with KYW, Philadelphia. The station, they said, is entirely within its rights in refusing to give or sell time to the Mayor for discussion of the municipal budget.

"Radio Swaps" Gets Sponsor

PITTSBURGH, Oct. 20.—Walt Framer has sold his novel air feature, "Radio Swaps," to Joseph DeRoy & Sons, jewelers, for 26 weeks on WWSW. The program will go on five times weekly. The idea is to swap silver dollars with listeners for any item Framer happens to call for. Terry McGough will assist him.

Globe Grain on Coast Hookup

LOS ANGELES, Oct. 20.—The Globe Grain & Milling Co. will sponsor a new series featuring Buddy Twiss and Joe Parker over seven coast stations of the NBC-Red network. The series is titled "The Best of the Week," and will be broadcast twice weekly for 26 weeks. Daniel B. Minor Co., Inc., Los Angeles, is the agency.

To Extend WADC Program

CANTON, O., Oct. 20.—The "Ruth and Reddy" program on WADC sponsored by the Ohio Edison Co. has met with such success that plans are being made to pipe it to other cities where the utility operates. It will go to Youngstown shortly.

"The Barrier" on "Hotel"

Scenes from "The Barrier," with Jean Parker and Leo Carillo in the lead roles, will be dramatized on "Hollywood Hotel" over CBS Oct. 22.

Production Levels Hold, 42 in Work

(*Continued from page* 1)

Mesquiteers," and 20th Century-Fox, "Checkers."

The tally by studios:

Columbia, finished one, shooting two, preparing four, editing nine; Goldwyn, zero, two, zero, zero; Grand National, zero, zero, zero, five; M-G-M, two, six, three, seven; Monogram, zero, two, one, zero; Paramount, two, six, one, seven; Principal, zero, one, one, zero; Republic, zero, three, zero, five; RKO, zero, seven, four, two; Roach, zero, zero, one, zero; Selznick, zero, zero, zero, two; 20th Century-Fox, one, five, four, six; Universal, one, one, one, four; Wanger, zero, zero, zero, one; Warners, one, seven, one, 24.

In the short subjects field, Columbia and M-G-M each started one. Three were preparing, and eight being edited.

Erpi's Sound Sales In New Department

(*Continued from page* 1)

ness as soon as a procedure is acceptable to the company is devised.

The Erpi operating department, headed by L. W. Conrow, heretofore has handled service inspection work only. Bert Sanford, service sales director; George L. Carrington, operating manager, and Stanley W. Hand, staff representative, will direct the work of making the change effective. The following will be in charge of the service contract sales and operations, L. J. Hacking, district manager, Boston; W. W. Simons, New York; E. O. Wilschke, Philadelphia; A. Fiore, Atlanta; R. Hilton, Chicago; O. Hunt, Kansas City; F. C. Dickely, Detroit; H. W. Dodge, western district, and W. E. Woodward, southeastern district.

3,945 Is Stage Play Total for 17 Years

(*Continued from page* 1)

with those obtained over 17 years the source shows that productions for 1937 totalled 125, of which 103 were dramatic and 22 musical. Average run for all productions was 81 performances with dramatic and musical averaging 75 and 128 respectively. Fifty-seven plays in 1937 closed within five weeks.

Peak production seasons during the last 17 years were 1926-27 and 1927-28, with 302 shows allotted to each. The season of 1922-23 shows the highest average length of run, with a mark of 109 performances. This is closely followed by 1926-27 with 108 performances. Musicals reached their greatest average length of run in 1925-26 with 176 performances, compared with 102 for dramatic shows in 1922-23.

Expect Big Lunch Crowd

Over 900 reservations have been received, it is stated, for the luncheon to be held at the Astor Monday under the auspices of the Non-Partisan Theatrical and Motion Picture Division in Support of Mayor LaGuardia and Thomas E. Dewey. Louis Nizer is chairman of the committee.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 96 NEW YORK, FRIDAY, OCTOBER 22, 1937 TEN CENTS

"U" Finances Improve with No Borrowing

Cowdin Makes Optimistic Report to Directors

Universal's immediate financial problems have been cleared without recourse to new financing, and the company is prepared to proceed on a normal operating basis with expenditures geared more favorably to current and indicated future cash receipts, it was learned authoritatively yesterday.

The principal factors in the company's improved financial position result from reduced inventories and home office and studio economies which were placed in effect recently. With the promise of increased distribution receipts from current and forthcoming releases, Universal's most immediate financial problems, if not dissipated, at least are believed alleviated to a marked extent.

This picture of an altered financial situation was put before the company's board of directors this week, following the return from the coast of J. Cheever Cowdin, chairman of the board. The obvious implication in the company's present outlook is the

(*Continued on page* 8)

Expect to Reelect 6 Warner Directors

Warner directors whose terms expire this year and who in all probability will be reelected after the annual stockholders' meeting in Wilmington on Dec. 13, are Harry M., Jack L. and Albert W. Warner, Joseph Bernhard, Robert W. Perkins and Waddill Catchings.

Harry Warner, now on the coast, is due back soon for both the stockholders' and directors' meetings. Jack Warner, now in Paris, is slated to return in about a month.

Robb, Rowley Sign For New W. B. List

Los Angeles, Oct. 21.—Gradwell L. Sears, vice-president in charge of distribution for Warners, has closed for the showing of his company's new season product in the Robb & Rowley theatres of Texas and Arkansas.

Consummation of the R. & R. deal is said to virtually complete circuit sales for Warners.

Radio—Page 12

Korda Backers Deny Interest In U.A. Deal

Prudential Sends Lever To Watch Progress

By BRUCE ALLAN

London, Oct. 21.—Officials of Prudential Assurance Co. today denied any interest in the deal whereby Alexander Korda and Samuel Goldwyn will purchase the U. A. stock of Charles Chaplin, Douglas Fairbanks and Mary Pickford and at the same time give them control of the distributing company.

Prudential, which is the most important backer in London Films, Korda's producing company, has sent E. H. Lever, secretary of Prudential, to New York to watch the Korda-Goldwyn deal closely because of its large holdings in London Films.

Completion of the Korda-Goldwyn

(*Continued on page* 8)

Schiller Finishes In Anti-Trust Case

The taking of E. A. Schiller's deposition through an attorney for Loew's was completed yesterday in the proceedings here in connection with the anti-trust suit filed in Federal Court at Boston against eight major distributors and the Maine & New Hampshire and M. A. Shea circuits by Morse & Rothenberg, independent circuit operators. Schiller was excused from further questioning on Wednesday to permit him to leave for California. The interrogation concerned contracts made by M-G-M with the two defendant circuits.

Felix Jenkins, counsel for 20th

(*Continued on page* 5)

"Stage Door" Pulls $96,000 Second Week

"Stage Door" held up strongly in its second week at the Music Hall, getting approximately $96,000. Now in its third week, the picture is expected to tally about $80,000 for the last seven days.

The second week of "Life Begins in College" at the Roxy finished last night with $41.500. "High, Wide and Handsome" and the Yacht Club Boys in the third week at the Paramount got about $28,000. "The Bride Wore Red" garnered $25,000 at the Capitol, while "Alcatraz Island" took in a similar gross in its first week at the Strand. The tenth week of "The Life of Emile Zola" at the Hollywood was good for $14,000.

"BUYERS' STRIKE" PACT SEEN TODAY

An Agreement in Principle Is Expected to Permit Individual Exhibitors to Negotiate on Contracts

A formal agreement on principles for ending the two and one-half-month old "buyers' strike" of Philadelphia exhibitors against Paramount is expected to be reached here today with the resumption of conferences between company officials and the committee of three representing the Philadelphia exhibitors.

Indications are that an agreement in principle, only, will be devised; that actual settlement of the differences between the company and its customers, or prospective customers, will be worked out by the company's sales department treating with individual accounts later. Presumably, although unofficially, this would mean that contractual adjustments may be made available to individual exhibitor accounts through negotiations entered into with the company.

The Philadelphia exhibitor delegation due to confer here today consists of Lewen Pizor, president of the U. M. P.T.O., Charles Segall and Abe Sablosky. They will meet with Austin C. Keough, Paramount vice-president and secretary; Neil F. Agnew, vice-president in charge of distribution, and possibly other company sales executives. An initial meeting was held here on Monday and resulted in a preliminary *understanding*.

Presumably, any agreement resulting from the meetings will be available to exhibitors of other territories where "buyers' strikes" against the company are in progress.

Autonomy for Guild Aims at Writers Front

The move of the Authors' League of America to grant financial and membership autonomy to the Screen Writers' Guild is being undertaken for the sole purpose of placating the Screen Playwrights in the hope of reclaiming members of the latter group for the guild and thereby achieving a solid "writers' front" in Hollywood, officials of the Authors' League conceded yesterday.

Autonomy in these matters, it is felt here, should overcome the primary objections of the Screen Playwrights to membership in the Screen Writers' Guild, which, as they have been expressed in Hollywood, at least,

(*Continued on page* 5)

Japan Film Scarcity May Slash Programs

By H. TOMINAGA

Tokyo, Oct. 5.—The Government ban against film imports, officially designated as effective until the end of the year, may compel first runs here showing foreign films to switch from triple to dual and from dual to single bills. The possibility likewise is strong that, when available American film runs low, these theatres will turn to native production as their chief source of supply.

Film shipments in transit by Sept. 4 are not included in the Finance Ministry's ruling. Newsreels are entirely exempted.

Para. Plans Wide Ad Campaign on "Tide"

Hollywood, Oct. 21.—Paramount plans an elaborate newspaper and magazine advertising campaign on "Ebb Tide," according to Robert M. Gillham, director of advertising and publicity, who is at the coast studio.

The campaign is designed to include publications with a combined circulation of 44,675,432, through 35 key city newspapers, and is expected to cost $50,000. The first advertisement will appear in the *American Weekly*, Nov. 14, followed by a page in *This Week* on Nov. 21.

Report Wilby Signs New Five-Year Pact

The new five-year contract under which R. B. Wilby and H. F. Kincey continue the operation of the Wilby-Kincey circuit for Paramount was signed yesterday, according to reliable reports. Wilby returned to At-

(*Continued on page* 5)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Pincus' Talent Hunt Turns to Stork Club

They go to the Stork Club to dine and dance and patronize the bar. However, beginning Sunday evening and by virtue of a gigantic deal arranged by Joe Pincus, for 20th Century-Fox, and Sherman Billingsley, for the Stork, Charles Harden will permit his talent-hunting camera to roam the premises in search of new finds for future attention of Darryl F. Zanuck. Harden will photograph, Billingsley will show the film the following Sunday and Pincus will take a look and arrange for the real sort of screen test if and when he finds something of interest caught by Harden's lens.

Defer Hays Board Meet

An adjourned meeting of the board of directors of the M.P.P.D.A. which had been scheduled for yesterday was postponed until Monday. The lack of a quorum prevented the holding of the meeting yesterday. Monday's session is the third to be scheduled since the quarterly meeting of the board on Oct. 14 and is for the purpose of completing routine business which remained unfinished at the quarterly meeting.

Purely Personal

A. H. SCHWARTZ of the Century Circuit left his lodge at Lake Placid yesterday morning for Owl's Head, accompanied by MARTIN BREWSTER of Lake Placid and LEONARD TYRELL, guide. They are making the trip by canoe and portage in search of bear and deer.

•

E. H. GRIFFITH with HERB CRUIKSHANK at "21" yesterday. Others there included "DEAC" AYLESWORTH, LESLIE E. THOMPSON, REGINA CREWE, BOB GOLDSTEIN, DICK WATTS and CHARLIE SONIN. Many of the regulars were absent.

•

ERNEST SCHOEDSACK and JAMES HAVENS will leave for Quebec today and tomorrow sail from there on the *Empress of Britain* for London and other foreign ports where they will take scenes for a new M-G-M film.

Quip of the Day

Ali Gaga removed the muzzle yesterday and reported this:

Gangster and cowboy films rate first in Southern theatres catering to colored patronage. There is one house in the deep South which plays and re-plays "Scarface" regularly. Eight times in one year, for instance.

Said the owner to a patron at the close of one run:

"How'dya like the show tonight, Sam?"

"Alright, but you know those 'Scarface' pictures is getting to be all the same."

BILL SUSSMAN, JACK SICHELMAN, MARTIN MOSKOWITZ and CLARENCE HILL of the 20th Century-Fox home office will attend the testimonial to be given IRA H. COHN, Dec. 6, in Pittsburgh.

•

HARRIET PARSONS entertained a party of friends at the Warwick last night, prior to her departure for Hollywood today aboard the Century.

•

PAUL GRAETZ left yesterday for the coast on the Commodore Vanderbilt. He will confer with JACK D. TROP for a month and then return to Paris.

•

JOE MOSKOWITZ, his plans changed, leaves Hollywood for New York today. That would bring him in here Monday morning.

•

NOEL MILLS, fashion commentator for Pathe News, is a year older today, but only she knows how many that makes.

•

ARTHUR GREENBLATT will leave for New Haven today and next week will make a tour of G.B. exchanges.

•

ARTHUR W. KELLY, foreign head for U. A., plans to leave for Palm Springs in about 10 days.

•

HARRY GOLDBERG and LEONARD SCHLESINGER were in Philadelphia yesterday.

•

FELIX JENKINS has returned from the coast

Cullman Ordered to Pay Committee Bills

Federal Judge Frances G. Caffey yesterday instructed Howard S. Cullman, Roxy trustee, to pay $4,083 for bills incurred by the Pound bondholders' protective committee during the recent reorganization hearing. Clement, Kaminer and Rowe were awarded $2,537 for printing the plan and incidental papers. The Northern Bank Note Co. received $1,448 for printing the first mortgage bonds and the Signature Co. received $90 for use of its machine to sign the bonds.

Seek to Examine U. A. Books

The William S. Hart Co. will ask Justice William T. Collins in the N. Y. Supreme Court today for permission to examine United Artists books and records in connection with Hart's suit for $500,000 damages against the distributor. Hart wants to see 12,000 cards, contract registers and books kept by United Artists as a permanent record of all pictures it distributed. It was stated that he was generally interested in "Tumbleweeds," "Wild Justice," "His Majesty, the American," "Thief of Bagdad," "Sally of the Sawdust," "Little Annie Rooney," "Don Q," "The Eagle" and "The Gold Rush."

Ask Quashing of Eisman Suit

A motion to dismiss the $1,000,000 plagiarism suit of Mort Eisman, Clara Deller and Robert Louis Shayon will be made in the U. S. District Court on Nov. 26 by the defendants, Samuel Goldwyn, Samuel Goldwyn, Inc., Eddie Cantor and United Artists who assert that the complaint failed to set forth a cause of action. The plaintiffs charge infringement of their story, "Oh Shah," in "Roman Scandals." Besides damages, the plaintiffs ask for a permanent injunction and an accounting of the profits.

Life Sues Movie Life

Time, Inc., publishers of *Life*, filed a suit in the U. S. District Court yesterday against the Ulten Publishing Co., publishers of *Movie Life* for $25,000 for alleged infringement of *Life's* trademark. The plaintiff charges that the defendant copies the cover color layout and block titles of *Life*. It is alleged that the plaintiff paid $90,000 to secure the trademark. A permanent injunction and an accounting of the profits is asked.

Deny Music Infringement

A general denial to the $1,000,000 plagiarism suit of Foreign & Domestic Music Corp., Samuel Cummins, Societe Anonima Musicale Bixio and Cesare Andrea Bixio was filed in the U. S. District Court yesterday by 20th Century-Fox, Fox Movietone Corp., Sam Fox Publishing Co., Con Conrad and Nino Martini. The plaintiffs claim infringement of their song, "Passa L'Amore," in "Here's to Romance."

Celebrities for Premiere

At the opening tonight of "Music for Madame" at the Criterion a host of celebrities from the opera will be on hand, including Grace Moore, Mademoiselle Gay, Nino Martini's teacher; Lily Pons, Doris Doe, Edward Ziegler, Charles Hackett, Armand Tokatyan, Frank Wenker, Giovanni Zenatello, Wilfred Pelletier, Lucrezia Bori and others.

A. F. L. Drive Called Company Union Move

The American Federation of Labor drive to organize white collar workers in the film business was declared yesterday by the United Office and Professional Workers of America, C. I. O. affiliated union, to be a company union move. The C. I. O. statement was issued by Anne Berenholz, organizer.

"This attempt of the A. F. of L. comes on the heels of the collapse of company unionism in the motion picture industry. Universal Pictures Co. hoped to stop the organizational drive of the C. I. O. by setting up a company union. This effort failed and the membership of the Universal Employes' Guild voted to affiliate with the C. I. O.," Miss Berenholz said.

The statement continued, "The Motion Picture Division of Local 16 has been carrying on effective organization work and now has substantial groups of members in every large film office. The idle threat of the A. F. of L. will have no effect on film office workers who are justifiably suspicious of this sudden show of interest on the part of Geneva Marsh and William Collins (of the A. F. of L.). Film office workers will continue to organize under the banner of the C. I. O."

Continue Union Talks

Progress was reported at the meeting yesterday between major circuit executives and representatives of Local 306. Another session will be held next week to continue conferences on a new wage scale which is to prevail for the next two years.

Entertain Power, Faye

Tyrone Power and Alice Faye were guests of honor last night at a party given by 20th Century-Fox at the Jansen Suite in the Waldorf-Astoria.

Wall Street

Board Gains Continue

	Open	High	Low	Close	Net Change
Col.	15½	16⅛	15	16	+2
Cons.	2	2	1⅞	2	— ⅛
Cons., pfd.	7	7½	6½	7½	+1½
E. K.	166	166	164	164	+ ½
G. T. E.	14⅜	14½	14	14	.....
Loew	64½	65½	62¾	65	+1½
Loew, pfd.	105	105½	105	105½	+1½
Para.	13	13¼	12	13	+ ⅜
Para. 1	99	99	95	95	—2½
Para. 2	12⅝	12⅝	11¼	12¼	+ ½
Pathe	5¾	6¼	5⅝	6¼	+ ¼
RKO	4⅞	5⅛	4⅝	4⅞	+ ¼
20th Fox	26½	26½	25½	25½	+ ¼
20th, pfd.	32	32	32	32	+1⅜
Univ., pfd.	33	33	32	32	+2
W. B.	8⅛	8½	7¾	8⅛	+ ¼
W. B., pfd.	40	40	40	40	+ ½

Curb Issues Increase

	Open	High	Low	Close	Net Change
G. N.	1½	1⅝	1½	1½	.....
Monogram	1⅜	1¾	1⅜	1¾	+ ⅜
Sonotone	1⅝	1¾	1½	1½	+ ⅛
Tech.	19⅛	20	18	19⅜	.....
Trans-Lux	3	3⅛	3	3	.....
Univ. Corp.	2	2	1⅝	1⅝	— ⅜
Univ. Pict.	4	4	4	4	+ ¼

Bonds Generally Rise

	High	Low	Close	Net Change
Keith 6s '46	92	91½	91½	.....
Loew 3½s '46	99	98⅛	98½	+ ½
Para. B'way 3s '55	63	63	63	.....
Para. Pict. 6s '55	95	95	95	.....
Para. Pict. '47	80¾	80	80¾	+1¼
RKO 6s '41	87	87	87	+2
W. B. 6s '39	81⅛	81	81	+ ¾

(Quotations at close of Oct. 21)

AND BOXOFFICES ARE PROVING THE WISDOM OF EVERY WORD!

"Belongs on your 'must see' list. For old folks, medium-aged folks, young folks and children. This picture is right down your alley!"
—Jimmie Fidler in his Radio Review to millions

"Shirley Temple in the best boxoffice picture ever given her. Most certainly a smash! Will delight everyone!" *—Showmen's Trade Review*

"Will mean a fat boxoffice harvest everywhere! Topflight on all counts! Among Shirley's very best! Grand entertainment for all!"
—Hollywood Reporter

"Has the power to stimulate that avalanche of favorable comment which keeps swelling the Temple customers to ever increasing boxoffice! Emotionally the most exciting of Temple pictures!" *—Variety Daily*

"A holiday for showmen! Perfectly suited to the unquestioned talents of the young queen of the stars!" *—Motion Picture Daily*

"Exhibitors will find it as heavy a grosser as any of this top-ranking boxoffice favorite's pictures. Adults and children alike will be absorbed! A-1 screen fare!" *—Boxoffice*



Shirley TEMPLE

in

"HEIDI"

with

JEAN HERSHOLT

heading the finest cast she's ever had!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Newsreel Parade

Movietone News
Vol. 20, No. 12
(*20th Century-Fox*)

Navy Day maneuvers off the coast of California, the war in China with some thrilling closeups of street fighting and the bombing of Hopei, the American delegation to the Nine Power Conference taking its leave for Brussels and maritime fashions partly make up this issue.

But on the sporting side real comedy and plenty of laughs are the order. The charity softball game at Meadowbrook, L. I., is the scene of a burlesqued ball game where the Movietone staff and other celebrities do their cutting up. The sound track is gagged to the hilt with plenty of fresh lines and such sound effects as Major Bowes getting the gong when he strikes out and Dale Carnegie also showing how to influence people.

The latter section makes up for an otherwise average assortment of clips.

Running time, 9 mins. P.

News of the Day
Vol. 9, No. 210
(*M-G-M*)

Navy maneuvers in the Pacific with some unusual shots taken from the air of Government air and water craft in review and a few clips of Japanese troops and planes making a shambles of Shanghai lift this issue above the routine class. It is rare that newsmen can boast of scenes like the Navy stuff on the west coast. Behind the Japanese lines, you get an idea of what the war in China is all about. The camera rocks from a heavy bombardment from the air, proving that the material is genuine.

Other clips include scenes of the latest air tragedy in the Wyoming mountains where two Pathe cameramen were killed, motorcycles vying to climb a California mountain, Fred Snipe, Jr., being transferred from Chicago en route to Miami in an iron lung, amateur rodeo days at Victorville, Cal., fur fashions on review at the International Casino with Adelaide Hawley as hostess, women taking up hula dancing in Seattle as a form of reducing, and the departure of Norman H. Davis to Brussels to attend conferences on the Sino-Japanese fracas.

Running time, 10 minutes. O.

Paramount News
No. 23
(*Paramount*)

Paramount has a live and diversified newsreel in this release. Spectacular photography in the coverage of Pacific fleet maneuvers on Navy Day and some excellent shots of the Sino-Japanese conflict make these subjects outstanding. The five remaining topics, however, contribute their share to a well-balanced reel.

Alf Landon's radio attack on Administration policies and President Roosevelt's statements on neutrality, together with the latest air disaster which took 19 lives near Evanston, Wyo., are topical and of national interest. Shots of Norman H. Davis sailing for the Nine-Power Conference on the Far East and of Chicago's "Iron Lung Boy" being moved from that city to Florida are of secondary news interest. The reel recalls the first year of its existence with a "Remember When" feature which includes shots of three outstanding news events of 1927. Photography and narration are uniformly good.

Running time, 9 mins. K.

Pathe News
Vol. 9, No. 27
(*RKO*)

Pathe's sequence on the airplane crash near Evanston, Wyo., is impressive.

The scenes are presented with the following titles: "Pathe News presents pictures of the worst airplane crash in U. S. aviation history as 19 persons plunge to death near Evanston, Wyo.

"William Harold Pitt and James Pergola, an editor and a cameraman of Pathe News, died in this accident. Members of the anonymous army that follows adventure to bring you motion pictures of the world's news, they met death as they had faced life, devoted to their duty."

A United Airlines Mainliner is shown leaving Newark and soaring through a cloud-studded sky, followed by closeups of the tangled wreckage on a snow-covered wooded mountainside of serene beauty. As the line of horses bearing the tarpaulin-covered bodies starts down the trail the spectator realizes with a gulp that other Pathe cameramen are photographing the final journey of their courageous co-workers. Other clips show President Roosevelt dedicating the new Federal Reserve Bldg., Norman H. Davis sailing for the nine-power conference at Brussels, and fleet maneuvers in the Pacific.

An odd shot is the photographing of the way in which the animated cartoon signs on Broadway are made to work by means of a certain strip developed by Douglas Lee. The cartoon film is projected on a mass of photo-electric cells. It's very interesting.

Those who like to see celebrities at play will get a kick out of a ball game in which some of the players are Babe Ruth, Major Bowes, David Sarnoff, Bugs Baer and others.

Running time, 9 mins. J.

Universal Newsreel
Vol. 9, No. 608
(*Universal Newsreel*)

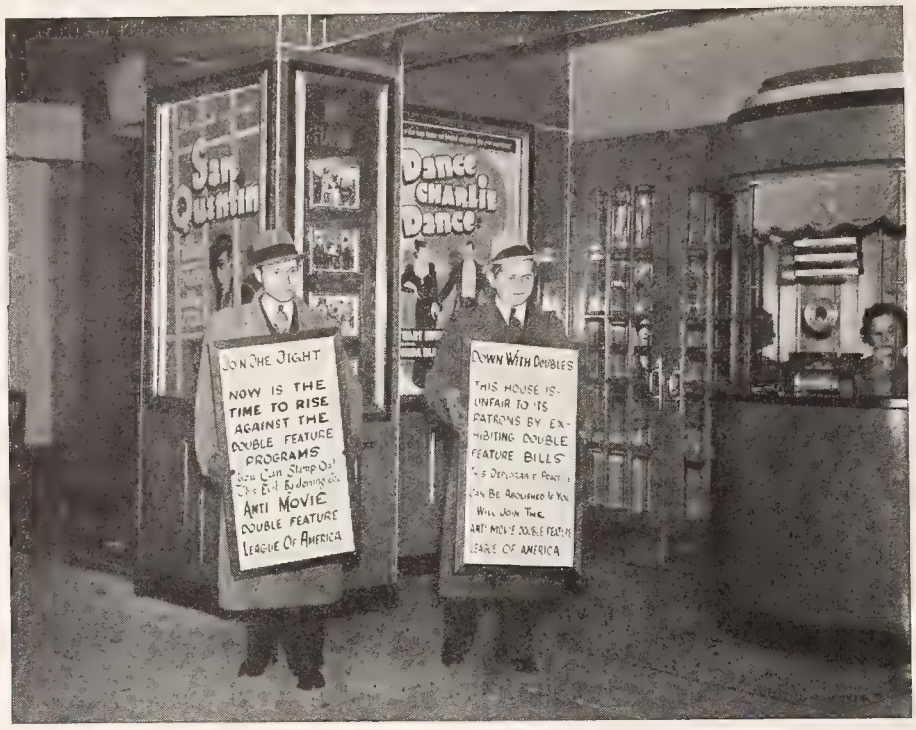
There is tragedy and comedy and a general diversification of interesting materal in this number of the Universal reel. The highlight, of course, is the tragic air crash in Wyoming which resulted in the deaths of 19. Tribute is paid by the Universal commentator to the two Pathe men who met their deaths. The smashed plane and the transportation of the bodies are well pictured.

Extremely effective is the clip on the maneuvers for Navy Day, of the American Pacific Fleet, seen from the air, high above the clouds. Listed as exclusive and interesting shots of Wall Street in the throes of the recent heavy selling wave, air shots of the "lost plateau" in Arizona, recently explored for the first time, and providing beautiful scenic effects, the beaching of a Japanese liner in the Hong Kong typhoon, as well as many smaller craft, and the comedy clip of the North Carolina man and his self-kicking machine.

A motorcycle contest, climbing a California hill, provides lively action, the rodeo contestants in New York entertain the child patients of Bellevue Hospital and a Pittsburgh man wins the 30-kilometer walking race in Cincinnati to complete the reel.

Running time, 9 mins. A.

On the Anti-Dual Front



Pickets of the Anti Movie Double Feature League of America, a Nutley enterprise, doing their stint in front of the Lafayette in that New Jersey town. As a result, the theatre will experiment with singles four days a week.

Single Bills Lead In Missouri Polls

KANSAS CITY, Oct. 21.—George Harttmann, who operates the Armour in North Kansas City, Mo., has watched the growth of double bills with some misgivings, but nevertheless has continued to show singles. Recently he determined to put the matter up to patrons and conducted a poll. Seventy per cent of the votes were for singles, so he is continuing them and the two-hour shows he has always offered.

A similar experience was that of Frank Cassil, who has the Rialto, St Joseph, Mo. Cassil has been showing double bills for some time, but recently decided to ask his patrons what they wanted in the way of film fare. Only 30 per cent indicated a preference for doubles, so the Rialto cut them out, and experienced an increase in business. Cassil still uses an occasional double on the weekend, when he has a two and a half hour show whether he is doubling or singling. The remainder of the week the show now runs 2 hours.

Century Single Bill Test Proves Success

First move in a plan to experiment with single features in Nassau County, L. I., has been instituted by Century Circuit's Fantasy, Rockville Center. The one feature policy has been in effect 10 days and, according to Century, the next theatre to follow will be the Rivoli, Hempstead, a Skouras Theatres' unit.

About 20 theatres are operated by Century and Skouras in Nassau County, it was stated, and if the plan continues to meet with success it will be extended to all houses controlled by the two independent circuits.

Doubles Again in Oklahoma

OKLAHOMA CITY, Oct. 21.—Double bills are coming back here. The Ritz, Standard circuit suburban house, has been running double bills on Friday and Saturday only and has gained on these days, according to Todd Ferguson, manager.

The Plaza, another Standard suburban house, also has started double bills on Fridays and Saturdays. The only other dualler is the downtown Liberty.

Crick to Drop Post With Hoyts Circuit

SYDNEY, Oct. 1 (*By Airmail Via London*)—Expressing the view that it was impractical to serve two companies with such divergent functions as distribution and exhibition, Stanley S. Crick states he will not seek reappointment as chairman of directors of Hoyts Theatres, Ltd. at the forthcoming annual meeting. Crick, who is managing director of 20th Century-Fox in Australia, has been chairman of the Hoyts for seven years.

Film Art Leases Plant

Film Art Studios, Inc., has signed a lease for five years to occupy the premises at 2826 Decatur Ave., the Bronx. The first of a series of Jewish features, titled "The Cantor's Son," featuring Moisha Oischa and Florence Weiss, was completed last week at these studios by Eron Prod., Inc.

John T. Doran, general manager of the studios, has returned to his desk after an illness.

"Truth" Preview Tuesday

Columbia will hold a preview of "The Awful Truth" at the Astor Theatre on Tuesday morning.

Autonomy for Guild Aims at Writers Front

(*Continued from page* 1)

are that the guild is not a "local" organization but is conducted for and by New York factions.

In order to make the guild autonomous, numerous changes will be made in the constitution of the Authors' League and in the constitution of the guild. The council of the Authors' League approved the amendments to its constitution on Wednesday, virtually assuring their approval by the membership of the organization when they are voted on at a special meeting on or about Nov. 17. The amendments, it is said, while granting the Screen Writers' Guild "complete control of its own affairs," at the same time will preserve an affiliation with the Authors' League and its member organizations which will insure the guild of the advantages of a unanimity of action with those organizations in time of emergency.

Separation Flexible

"The separation of the guild from the Authors' League," it was stated officially, "will, under these amendments, be as wide or as close as the guild itself cares to make it."

The legal effect of the changes, it was said, will be to make the guild an "affiliate" of the Authors' League, rather than a "member" of it, as heretofore. It would change the legal name of the organization from the Screen Writers' Guild of the Authors' League of America to the "Screen Writers' Guild, Affiliated with the Authors' League of America."

The Dramatists' Guild, Radio Writers' Guild and Authors' Guild will be unaffected by the change and will continue as "member" guilds of the Authors' League.

Guild Hearing Ends Abruptly on Coast

Los Angeles, Oct. 21.—The hearing on the Screen Writers' Guild petition for a film writers' collective bargaining agency election ended abruptly today with a stipulation of attorneys to the introduction by producer representatives of exhibits showing the corporate structure of producing and distributing firms. They are designed to show the divorce of production from distribution so far as interstate commerce is concerned.

William Ringer, trial examiner, took the case under advisement, and will submit his recommendations to the National Labor Relations Board in Washington, who will rule on the matter. The two important points to be decided are whether production is in interstate commerce and whether writers are employes and as such entitled to come under the Wagner act.

Neil S. McCarthy, attorney for the Screen Playwrights, ended his presentation before Ringer in a surprise move by declaring he would call no more witnesses. Leonard S. Janofsky, guild attorney, introduced a copy of the original contract of the American Society of Cinematographers with the producers which showed that the producers as a whole negotiated with the cameramen.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Merry-Go-Round of 1938"

(*Universal*)

Hollywood, Oct. 21.—To many it may appear as though they threw the book of rules and regulations away when "Merry-Go-Round of 1938" was made. By "they" is meant B. G. De Sylva, whose first production for Universal this is, and Irving Cummings, who directed. A preview audience appeared to think they had turned out an acceptable farce.

Using only the mere core of a romantic love story which features Joy Hodges and John King as a basis, all the producing and directing team has done by making use of scores of characters, dialogue and situation gags is to permit Jimmy Savo, Bert Lahr, Billy House, Mischa Auer, Alice Brady, Louise Fazenda and Dave Apollon to be characteristically funny.

Unquestionably Monte Brice and Henry Meyers supplied some material in the original and Brice and A. Dorian Otvos added more in the screenplay as Jimmy McHugh and Harold Arlen contributed a couple of songs. But, and it seems wise, De Sylva and Cummings were shrewd enough to let Lahr, Savo and House do again the things they have done countless times on the stage and let the more familiar picture names be as they are in pictures. Accenting the straight farcing in which they indulge, Savo sings and acts "River Stay Away from My Door" and Lahr renders and recites a woodchoppers' song. House does his feminine impersonation and Auer is a Ghandi-clad swami both of whom greatly amaze Miss Brady.

In comparison with some recent laugh pictures this film would be a second choice. But as a piece of entertainment which makes no claims to pretentiousness, it is aimed at those who want to be amused and probably will do all right for itself.

Running time, 87 minutes. "G."

"High Flyers"

(*RKO*)

Hollywood, Oct. 21.—Some fine cast names have been assembled in support of Bert Wheeler and Robert Woolsey, songs and dancing are introduced and plenty of money has been spent on backgrounds, but for some reason or other—it may be the delicate fabric of the story material—the picture fails to start one of those laugh riots the press agents like to talk about. It will satisfy the Wheeler and Woolsey fans, no doubt.

The comics are operating one of those trick airplane things at a carnival when Jack Carson offers them a job picking up a package to be thrown from a liner at sea. They unwittingly grab the harbor police plane and are fired on by the Coast Guard. On their way back they discover they have valuable gems. They crash on the estate of Paul Harvey, where various articles have been disappearing.

The action speeds up as the comics are thought to be detectives and then are charged by a smuggling gang with being lunatics. Lupe Velez, as a maid, is exciting, as usual, and she sings. Wheeler does some smart dancing. Crowds of police swarm in and the kleptomaniac is discovered to be a bulldog. Charles Judels, Lucien Prival, Herbert Evans and Herbert Clifton have parts which are a little better than bits. George Irving appears as a police chief for a few seconds.

The direction is by Edward Cline from a screenplay by Benny Rubin, Bert Granet and Byron Morgan. It was based on Victor Mapes' play.

Running time, 66 minutes. "G."

(Additional Reviews on Page 8)

Lease N. O. St. Charles

New Orleans, Oct. 21.—The St. Charles here has been leased to the Louisiana Charles Corp., headed by Norman Carter, Saenger official. Legitimate shows and vaudeville will be used after remodeling is completed.

The value of theatre renovation currently in progress here is said to run well over $100,000.

Film Stock Destroyed

Port of Spain, Trinidad, Oct. 21.—More than 3,000 reels of film were destroyed by fire at the Warner offices here today.

Warner Club to Dance

Chicago, Oct. 21.—The Chicago Warner Club will hold its fifth annual supper-dance at the ballroom of the Hotel Sherman Oct. 29. Lou Diamond and his orchestra will supply the music. One of the features of the dance will be a "mystery girl" orchestra leader who will be "unveiled" during the festivities.

Crosby Given a Ph. D.

Spokane, Oct. 21.—Bing Crosby was given a Ph. D. by Gonzaga University, his alma mater, today. He was also named honorary mayor.

Variety Club

Des Moines

Des Moines, Oct. 21.—Des Moines Variety Club will start the fall program with a golf tournament at the Hyperion Club Oct. 25. It will be followed by a dinner and stag party at Hotel Savery. Plans have been made for 200 or 300 guests.

Plans also have been made to hold a dance in the clubrooms on Hallowe'en night and another dance and Bingo party has been planned for Thanksgiving. The annual shutin party for children in charity homes and old persons in other homes is to be held at the Paramount and Des Moines Theatres at Thanksgiving time.

Omaha

Omaha, Oct. 21.—A Hallowe'en hop and midnight supper will be given in the Hotel Fontenelle ballroom Oct. 31 by the local tent.

Washington

Washington, Oct. 21.—At the last stag smoker in the quarters of Tent No. 11 A. E. Lichtman and Archie D. Engle were kings-for-the-night. Some 50 barkers and guests were present.

The luncheon scheduled for Oct. 25 has been cancelled. In its place Mrs. Samuel N. Wheeler, wife of the 20th Century-Fox exchange manager, and Mrs. Arthur A. DeTitta, wife of the Washington supervisor of Fox Movietone News, will sponsor a Bingo party to raise funds to be donated to the school lunch fund.

Schiller Finishes In Anti-Trust Case

(*Continued from page* 1)

Century-Fox, is scheduled to be interrogated today by George S. Ryan, attorney for the plaintiffs.

The suit charges inability to obtain any run of product from any of the distributor defendants for seven of the plaintiff's theatres which are in competition with the defendant circuits. It seeks aggregate triple damages of $2,100,000. Indications are that the entering of exhibits and the taking of depositions here will occupy a month or six weeks.

Report Wilby Signs New Five-Year Pact

(*Continued from page* 1)

lanta immediately following the signing of the new agreement.

Y. Frank Freeman, Paramount theatre head, who negotiated the new pact, was not available for comment on the report. The new contract replaces a one-year agreement which expired June 30 last.

Shift Loew Managers

With the opening of two new Loew theatres yesterday, George Daniels, formerly assistant manager at the State, is now manager of the Dyckman, and Francis Dougherty, assistant manager at the Valencia, has taken over the Post Road managership. C. C. Moskowitz made the promotions.

Look how the

October 16, 1937

THE Hollywood REPORTER

ALI GOES TO TOWN' AND HOW! CANTOR FILM A SPECTACULAR HIT

Brilliantly Written And Directed Political Travesty Should Break Records For Boxoffice And Laughs

This new picture of Eddie Cantor's is a shattering hit from every angle, including that of the boxoffice. It is about the best musical extravaganza of the year—probably of any year—and will be a smash draw from top to bottom of the theater roster Eddie is in top form in a role that needs no forcing to be funny every minute, and he has a story that provides simon-pure comedy from end to end. It is a satirical travesty on current American politics and especially on the New Deal, done in an Arabian Nights setting by a device like that of "A Yankee in King Arthur's Court," with the round-eyed comedian as an American box-car voyager going to town in ancient Bagdad for a political and social triumph.

Musical elements are kept secondary to the development of this hugely funny fairytale, but five numbers are shrewdly sandwiched in and they are all topflight, with at least four headed for hit rating.

Cantor sings two numbers, Mark Gordon and Harry Revel. "Laugh Your Way Through Life" and "Swing Is The Word For Me" are rollicking incident. Graham Here To Sway," a topnotcher that is the names. Gene Towne, Baker and Gene Fowler on story, and taken over by the Peters sisters, Harry Tugend and Jack Yellen on heavyweight sepia trio, with accom- script—a marvellous quintet. And paniment by the Raymond Scott quin- David Butler, directing, has brilliantly tet, for a solid hit. Tony Martin has a translated the tale into telling action swell ballad, "I've Got My Heart Set and scenes of Oriental splendor, while On You," in which he scores emphat- sustaining exactly the right note of ically, and he and Cantor blend voices playful travesty in a clever topical, "Vote For Honest Abe." These pieces are all by Mack

Cantor A Stepper

There is added "Twilight in Turkey," by Raymond Scott, to which the Pearl Twins do an oriental specialty dance with an elaborate Bagdad background. There is also a good dance specialty by Jeni Le Gon, and Cantor himself does a bit of lively stepping. But the story holds first place throughout. When the little hobo falls off the freight train, he mixes in with a film company doing desert scenes for "Ali Baba and the Forty Thieves." Knocked out by galloping horses, he wakes up in the field hospital in charge of pretty Virginia Field, is made an extra; passes out in one of the big jars and so is magically transported to the real Bagdad to win the favor of Sultan Roland Young and save his political hide by inaugurating New Deal policies, soaking the rich, starting work projects and abolishing the army

Magic Carpet Helps

But there are enemies to be foiled A president can do so many things that a mere sultan cannot. Eddie runs the sultan for president on American lines, but is himself nominated and has to campaign against himself. He wins, but escapes, and in a spectacular Magic Carpet finale, routs the enemies of the sultan and is returned to favor just as the filmers drag him from the jar and throw him out. There is a surprise ending, laid at the Carthay Circle theatre, but no letdown, for the laughs continue to the last foot. High honors go to the writing cohorts for this well-packed outline with its innumerable facets of pungent humor and rollicking incident. Mark Lang, Martin's heart interest, Nurse Virginia Field, whose gentle ministrations win Cantor's heart, and Louise Hovick, statuesque as the scheming sultana, make an eye-filling trio. Smaller parts are well played by Maurice Cass, Paul Hurst, Sam Hayes and Ferdinand Gottschalk

Picture An Eye-filler

The picture is an eye-filler throughout, evidencing much money wisely spent. Ernest Palmer's photography, the outstanding process work in the Magic Carpet sequence, Bernard Herzbrun's sets and Gwen Wakeling and Herschel Costumes, all give visual glorification to the swiftly-moving events. Credit also Louis Silvers for notably spirited music direction, and Sammy Lee for his dance direction, and excellence. The supporting cast is of highest bewildered and ineffectual sultan, is a comedy riot. Tony Martin, the sultan's friend, wearing a becoming mustache, wins added acclaim. John Carradine and Douglas Dumbrille make picturesque and sinister Oriental conspirators, and Alan Dinehart plays the temperamental picture director with savage glee

There is outstanding pulchritude on the feminine side. Princess June Laurence Schwab, in charge of production under Darryl Zanuck, has taken Ali Baba to town with a vengeance.

"ALI BABA GOES TO TOWN"
(20th Century-Fox)

Producer.....Darryl F Zanuck
Associate producer: Laurence Schwab
Director .....David Butler
Story: Gene Towne, Graham Baker, Gene Fowler.
Screenplay: Harry Tugend, Jack Yellen.
Photographer.....Ernest Palmer
Music and lyrics. Mack Gordon, Harry Revel, Raymond Scott.
Music director.....Louis Silvers
Dance director.....Sammy Lee
Art director.....Bernard Herzbrun
Film editor.....Irene Morra
Ass't director.....Ad Schaumer
Cast. Eddie Cantor, Tony Martin, Roland Young, June Lang, Louise Hovick, John Carradine, Virginia Field, Alan Dinehart, Douglas Dumbrille, Maurice Cass, Warren Hymer, Stanley Fields, Paul Hurst, Sam Hayes, Douglas Wood, Sidney Fields, Ferdinand Gottschalk, Charles Lane, Raymond Scott Quintet, Peters Sisters, Jeni Le Gon, Pearl Twins.



VARIETY DAILY

"Will prance to the pay window for plenty shekels! An imposing show, gorgeous trappings, the best of Eddie Cantor humor, exciting music! Has the substance to appeal far beyond the ready-made Cantor audiences! Will get extensive word-of-mouthing!"

Says SIDNEY SKOLSKY

In his national syndicated column for King Features and his coast-to-coast broadcast:

"It is a new deal in musical comedies!"

THE EXHIBITOR

"Sure-fire money-maker! Top notch musical with Eddie in top form! Loaded with real talent, plenty of feminine pulchritude, smash song numbers, Audience reaction splendid!"



New
GORDON & REVEL
SONG HITS
(their best to date)

reviewers are going to town!



BOXOFFICE

"A definite hit in any spot! Gorgeous production delivering a brimming measure of Cantorian entertainment! An abundance of laugh-insuring gags are tops!"

FILM DAILY

"Grand load of entertainment with star going to town in an ideal role! A boxoffice clean-up!"

N.Y. DAILY NEWS

"Eddie Cantor's 'Ali Baba', his first under the Zanuck banner, will clean up!" —Ed Sullivan's column

L. A. TIMES

"Decisively a production! Has spectacular and novel values of entertainment! Pictorially tops! Immensely amusing! Excellent musical numbers! Eddie probably has never appeared in any feature so lavishly ornamented!"



Darryl F. Zanuck, maker of your greatest mirth-musical shows, now gives you the one that tops them all!

EDDIE CANTOR in ALI BABA GOES TO TOWN

(Enriched by a revolutionary new three-tone tinting)

WITH ALL THESE MERRY-MAKING ENTERTAINERS

TONY MARTIN · ROLAND YOUNG
JUNE LANG · LOUISE HOVICK
JOHN CARRADINE · VIRGINIA FIELD · ALAN DINEHART · DOUGLAS DUMBRILLE · RAYMOND SCOTT QUINTET · PETERS SISTERS · JENI LE GON

Directed by David Butler
Screen play by Harry Tugend and Jack Yellen · Based on a story by Gene Towne, Graham Baker and Gene Fowler · Dances staged by Sammy Lee

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Korda Backers Deny Interest In U.A. Deal

(Continued from page 1)

deal, according to London Films sources, is certain. The money to pick up the options for the stock will come from a City group, it was stated authoritatively.

When E. H. Lever, secretary of Prudential Assurance Co. of England, arrived early this week with David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., Motion Picture Daily then reported that his trip was to watch the U. A. deal from all angles.

At the time, it was stated that Prudential may not participate in the financing of Alexander Korda and Samuel Goldwyn in the deal for control of U. A. It was also reported then that one of the "three of four deals" under consideration provide for English financing.

All angles reported by Motion Picture Daily are confirmed officially by English interests identified with the deal.

'U' Finances Better Without Borrowing

(Continued from page 1)

important part which successful box-office product must play during the next few months if the easing of the company's financial problems is to become permanent. In this respect, home office officials are optimistic, due to current returns from "100 Men and a Girl" and advance reports on "Merry-Go-Round of 1938" and "You're a Sweetheart." Moreover, company officials are particularly hopeful in view of the fact that the company has not been obliged to resort to any new borrowing at this time.

Minor contractual differences which existed recently with Henry Koster, Joe Pasternak and Deanna Durbin, have been ironed out and new seven-year contracts providing for increased salaries have been closed with all three, it was stated.

Flash Preview

"In the Far East"—Amkino sends this story of Soviet-Siberian-Manchukuoan-Japanese espionage along the Amur River border of Siberia and Manchukuo.

This film will be reviewed in full in a coming issue of Motion Picture Daily.

Claims Another High

Warners yesterday reported the opening day of "The Life of Emile Zola" at the Roger Sherman outdistanced "Green Lights," the previous record holder, by $18, and "Anthony Adverse" by $300.

Operate on Mrs. Oldfield

Lincoln, Oct. 21.—Mrs. Barney Oldfield, wife of the Motion Picture Daily correspondent here, was operated on for appendicitis at St. Francis Hospital at Grand Island.

Looking 'Em Over

"Nation Aflame"

(Television Pictures)

There is a vein of artificiality, colored with an emotion that rings off key, running through "Nation Aflame." The production is good, judged by present-day standards, and it bears the mark of being carefully handled.

The theme illustrates the growth of a secret organization that relies on mob violence and the unscrupulousness of its leader, who has dreams of national dictatorship, to attain its ignoble ends. Secret society debunking propaganda, the cycle of which by this time has undoubtedly spun its course.

The story is by Thomas Dixon, who wrote "The Birth of a Nation." It concerns the rise of Noel Madison from real estate swindler to head of a bigoted and prejudiced mob which masquerades under the costumes of The Order of Avenging Angels. Madison, in a short while, rises to the top, eventually controlling the state legislature. His practices as the head man soon have the political system corrupt and inefficient. The murder of a crusading editor starts his downfall. He arranges for the assassination of his puppet governor, Harry Holman, by Roger Williams, whose wife Madison has killed. Holman's daughter, Norma Trelvar, infatuated with Madison, revolts after he kills her father and joins with Arthur Singley in bringing about his demise. She frames him into almost seducing her. Singley breaks in with members of the order, the police and the press. The Angels are shorn of their wings. Singley is elected governor, honestly, and Miss Trelvar is the silent partner who stands in the sidelines, unknown and unhonored.

The cast does not include any well known names. The support includes Douglas Walton, Earl Hodgins, Snub Pollard, Si Willis, Lila Lee and C. Montague Shaw. Victor Halperin directed.

Running time, 72 minutes. "A."

"Renfrew of the Royal Mounted"

(Grand National)

The beautiful outdoor settings which are the locale of this story of the famous Canadian police prove to be more impressive than the melodramatic content. The story is a standard job in which the mountie, after a number of exciting escapades, gets his men with the usual business. The name part offers James Newell, a personable fellow who sings well and makes the best of his role. Carol Hughes provides the feminine interest.

A gang of counterfeiters murders a mountie. Newell is assigned. He meets Miss Hughes at a picnic and later saves her life when a canoe overturns. It seems she was going to her father, an ex-convict, and also a slick engraver, who is being held against his will by the gang. The "hot" money is smuggled across the border by stuffing it in dead trout and then freezing the fish in blocks of ice. Newell finds one of these ice blocks and a number of other clues which simply and straightforwardly lead him to the hideout. A fistfight and a little shooting ensue, the conclusion has the gang safely put away and Newell pursuing his romance with Miss Hughes.

"Renfrew of the Royal Mounted" will find its best audience with children. The film is so handled as to attract the juvenile trade. In the supporting cast William Royle, Herbert Corthell, Donald Reed, Thundercloud, David Barclay and Kenneth Harlan effectively portray standard roles. Al Herman directed.

Running time, 57 minutes. "G."

"Law and Lead"

(Colony)

Lincoln, Neb., Oct. 21.—Light, even for a western, is "Law and Lead," and the story drags too slowly to interest the action fan. Box-office stamina is negligible, it being down in every department—acting, direction, and virility.

Rex Bell is the peak name, with the best character work handed Soledad Jiminez and Earl Dwire. Corner brightener for the romance is Harley Wood, who manages quite well to keep the cow country moon from getting the best of her.

The yarn covers a lawman's search for a mystery terrorist of the ranch land. Suspicion is on his pal and also points to the father of his potential girl friend. Bell, the star lugger, finally manages to pin the foul play on Wally Wales, cowyard flunkey.

Obviousness, even in this type of print, takes all the sock out of it. It's a Max and Arthur Alexander production, directed by Bob Hill. Camera work is faulty, the negative showing spotty.

Running time, 57 minutes. "G."

(Additional Reviews on Page 11)

Ampa Steams Up and It's All Over at 2:05

All is well again at the Ampa. Ralph Rolan was back yesterday at the helm, the food was served on time, all personalties scheduled to appear showed up and the meeting was adjourned at 2:05 P.M., about 15 minutes after the business part of the session got under way.

Mona Barrie, who appears in "Virginia" and Michael Bartlett, rehearsing for "Three Waltzes," a Shubert enterprise, were the first two to be introduced and to take a bow. Nigel Bruce, who also appears in "Virginia," then was introduced, took a bow and later came back to talk about cricket. He called Hollywood a sportsman's paradise and thought the Hollywood reception for Britishers was simply great.

Next came Clem McCarthy, radio and newsreel commentator. He spoke on sports in general and current football games in particular. Dorothy Mackail said there were two reasons for her appearance. First a free lunch and second to meet McCarthy. She had planned to talk on other things, but apparently forgot what they were and let it go at that.

Constance Collier, who appears in the screen version of "Stage Door," extolled Gregory La Cava, asserting he is "a modern genius of the screen today." Toby Wing of Grand National said she was thrilled to meet Miss Collier, whom she had just seen in the picture at the Music Hall.

Rolan announced that next week will be an international meeting with Herbert Wilcox, Anna Neagel, Gertrude Lawrence, Anne Booth, Sir Gerald Campbell, David M. Dow, Douglas S. Cole, Eugene P. Thomas and the Rt. Hon. R. W. Close lined up to occupy the dais.

The seating arrangement, changed yesterday from that of the week before, will be revised next week.

Meeting on Tuesday For N. E. Exhibitors

Boston, Oct. 21.—Independent Exhibitors, Inc., will convene at a special meeting here Tuesday afternoon for the purpose of discussing product prices. According to Arthur K. Howard, business manager, New England exhibitors have taken 77 per cent of the percentage deals sold in the east and 74 per cent of the deals sold at prices higher than last year's scales.

According to compiled statistics, 20th Century-Fox, with 120 contracts, leads all distributors, while Paramount brings up the rear with 29.

S. L. Hestbeck Dead

Lincoln, Neb., Oct. 21.—S. L. Hestbeck, theatre manager at Chappell, Neb., died suddenly today following a heart attack. He is survived by his widow and two children. Chappell was a bank examiner at one time.

Struve Dies in New Orleans

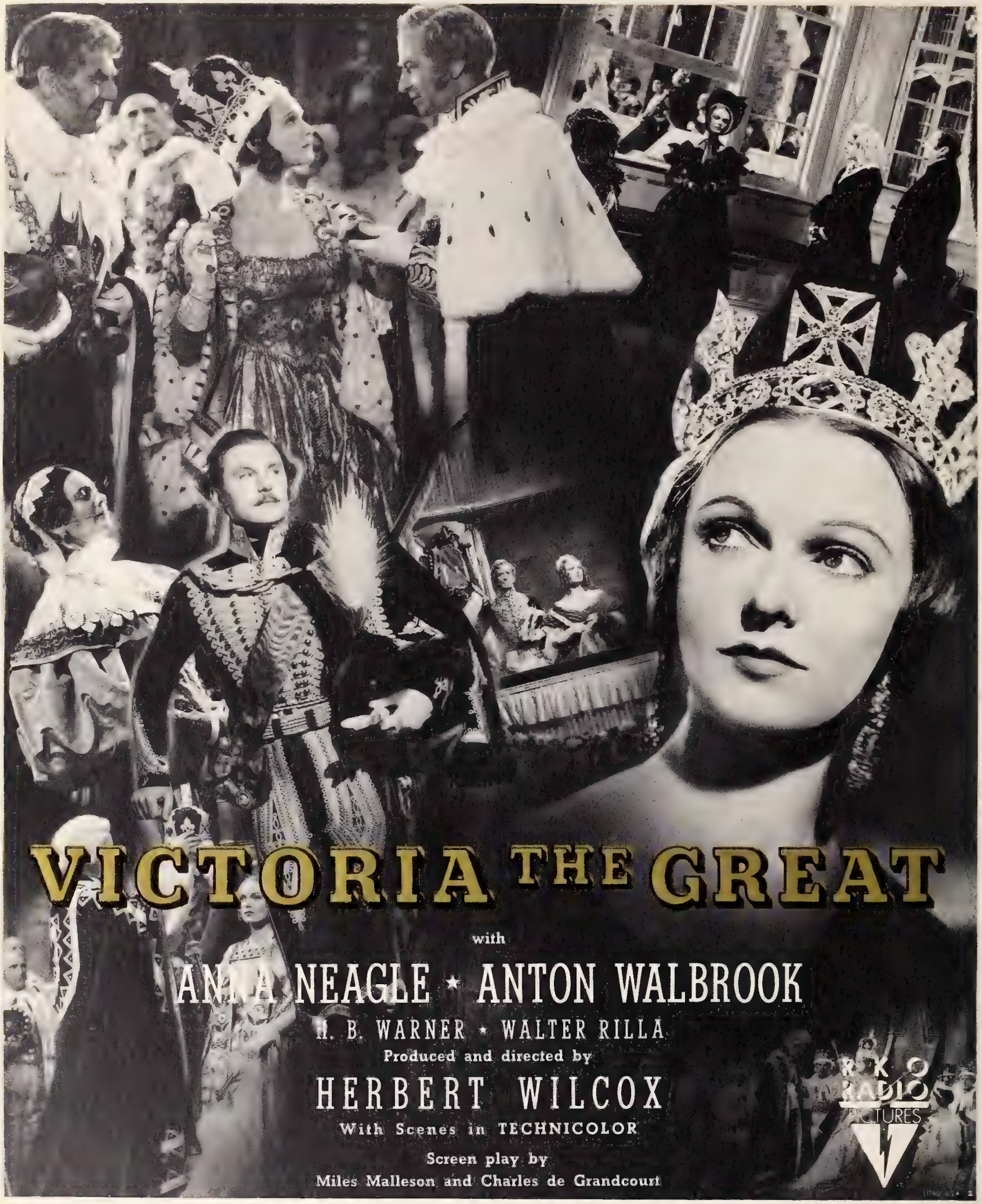
New Orleans, Oct. 21.—Billy Struve, known here as "the father of night life," is dead at the age of 60.

Rites for Herbert Schulman

Philadelphia, Oct. 21.—Funeral services were held today for Herbert Schulman, 27, manager of the Mayfair, who died last night of pneumonia. He was formerly with the Stanley Co.



Now it can be told.... the story of Queen Victoria and her Prince Consort.... hurled to the screen in scenes of intimate romance and breathless magnitude.



Withheld from stage and screen for decades, now, at last, the screen thunders the true story of a reign that saw the birth of the world's vastest empire—a mighty nation forged in the fires of conquest and tempered in the oils of civilization on the march!...Scenes of stunning splendor!...Scenes of startling beauty!... Scenes of tender romance!...Filmed in the actual cities and palaces where the young Queen's headlong love affair rocked the powers of church and state!

Short Subjects

"Give Till It Hurts"

(*M-G-M*)

An expose of racketeer invasion of charitable organizations is offered in this issue of "Crime Does Not Pay." The material is exciting, well presented and interesting enough to hold the interest of any audience. Running time, 20 minutes. "G."

"Ask Uncle Sol"

(*Educational*)

Eddie Lambert as the pseudo judge on a radio "court" program is the excuse in this instance for a series of variety turns, which are at times entertaining. They include the Flying Whirlos, excellent trick roller skaters, and a couple of singing and dancing numbers.

Running time, 10 minutes. "G."

"Unusual Occupations 7-2"

(*Paramount*)

A tasteful arrangement of oddities. The collection shown here includes a soap taster, an angleworm breeder and the execution of wax models for store windows. The material is interesting and should please. Running time, 10 mins. "G."

"Four Smart Dogs"

(*Rice-Paramount*)

An engrossing subject that should be well received by most audiences. It begins with shots of a number of dogs doing their accustomed stunts. The final sequence, filmed in New Zealand, is exciting stuff that reveals how a first rate sheep dog works in field trials. Running time, 10 mins. "G."

"Romance of Radium"

(*M-G-M*)

Advance notice of the playing of this short should be run in the trailer. It is a film that should be played up. The history of the rare chemical from its early discovery, its development by the Curies and present-day usage is enacted with Pete Smith handling the narrative. The final sequence in which the chemical is photographed in a modern hospital is finely handled drama that will make a strong impression. Running time, 10 minutes. "G."

"Rainbow Pass"

(*M-G-M*)

When Chinese peasants finish harvesting they hold a religious festival. One of their pet diversions at the time is to attend their curious theatrical performances. This short embraces that aspect. It mainly concerns a performance by native characters with many quaint touches. It is well-filmed material, tastefully handled, and should prove interesting in its departure from the routine. Running time, 10 mins. "G."

"The Smart Way"

(*Educational*)

Willie Howard, in his new role of the teacher of French with an amusing accent and makeup, is an entertaining comedian, and it is regrettable that more engaging stories cannot be found for him. This one is a routine comedy slant. Howard, as the disturbed husband, seeking a way of correcting his wife's extravagant habits, is persuaded to "kill her with kindness." The results, of course, are the reverse of what was intended.

Running time, 18 minutes. "G."

"The Lyin' Mouse"

(*Vitaphone*)

A clever color cartoon in keeping with the recent fine efforts produced by this company. It is a hilarious burlesque of the lion and the mouse fable with modern overtones. The mouse in question humorously spins the yarn in order to escape from a trap. Running time, 7 mins. "G."

"Jungle Juveniles"

(*M-G-M*)

Pete Smith applies his narration this time to the antics of a pair of chimpanzees and a youngster as they perform candidly and with unconscious humor act out a slight scenario. The stuff has a humor that will be readily appreciated. Running time, 9 mins. "G."

Looking 'Em Over

"The Trigger Trio"

(*Republic*)

The Three Mesquiteers deliver the goods again in "The Trigger Trio." This chapter of their adventures finds a member of the team absent, but his saddle is filled capably by Ralph Byrd. The tale is a cleverly concocted story of cattle disease on the range and unwinds in a manner that will hold the interest of audiences while at the same time satisfying their appetite for amusement and diversion.

Hoof and mouth disease is prevalent in the locale of the story. Effective measures are being carried out to quarantine infected cattle. The local agricultural inspector, Robert Warwick, is murdered as he is about to report to the authorities that Cornelius Keefe's herd should be destroyed. This sets off a train of events that calls for plenty of riding, shooting and really fine photography with the ultimate conclusion being the roundup of the would-be quarantine evaders, the murderer and the satisfactory settlement to the ranchers.

Ray Corrigan and Max Terhune turn in their usual dramatic and humorous performances. Sandra Corday provides the feminine interest. The support includes Sammy McKim, Hal Taliaferro, Willie Fung and Buck, the St. Bernard dog.

It will please all around.

Running time, 58 minutes. "G."

"Lucrezia Borgia"

(*European Films Corp.*)

At the outset it should be recorded that this French picture, produced by La Compagnie du Cinema, and purporting to tell the story of the life and loves of the notorious Lucrezia Borgia against a background of Italian political intrigue in the late 15th Century, is far outside the pale with respect to the National Legion of Decency.

There are too many times when amorous episodes in the life of the Borgias, including Cesar, the ruthless and power-mad brother of Lucrezia, and his sister, are more than merely suggested, and thus will be offensive to many audiences. Throughout there appears an effort to make the most of the suggestiveness of the title and its subject.

Abel Gance directed from an original scenario by Leopold Marchand and Henry Vendresse. English subtitles are superimposed. The production values are good, the sets sumptuous, the performances capable, and the subject matter entirely acceptable if the story had been confined to the dark political intrigue of the Borgias, aided by Machiavelli, the arch schemer. But the opportunity afforded by concentrating on the use of Lucrezia by her brother to further his political plans, and her willingness, so long as the man of the moment is presentable, lends a different aspect to the film entirely.

Running time, 78 minutes. "A."

"Special Agent K-7"

(*C. C. Burr*)

An average and not too discriminating audience at a neighborhood theatre found laughs in this film. The hilarity was not in the film, however. It was at the film. It is a model "quickie" production with practically nothing to offer. It was produced with very apparent economy. The performances of the principals are stereotyped and wooden.

The plot is one of those things where a gambler is murdered and suspicion points at the juvenile lead. A shyster lawyer pretends to lend aid, but actually builds up a case against the suspect. A Federal man is hanging around and he does a little sleuthing which draws out the actual murderer. The audience, with any perception at all, will have picked him out in the third reel.

Irving Pichel, Walter McGrail, Queenie Smith, Duncan Renaldo and Billy Leeds act out the feeble story. Raymond K. Johnson directed.

Running time, 65 minutes. "G."

Hepburn Again Head Of Ontario Censors

TORONTO, Oct. 21.—Following his return to power in the Ontario Government with a substantial majority once more in the recent Provincial elections, Premier M. F. Hepburn has again appointed himself to the post of Provincial Treasurer. This means he is again the departmental head over the Board of Moving Picture Censors, the motion picture bureau and the theatre licensing branch of the Government, with himself as chairman of the board of appeals for film censorship.

A representative of the moving picture business was elected to the new Legislature. He is W. A. Summerville, owner of two theatres in Toronto, but he will be on the opposition side of the house.

Names Manitoba Censor

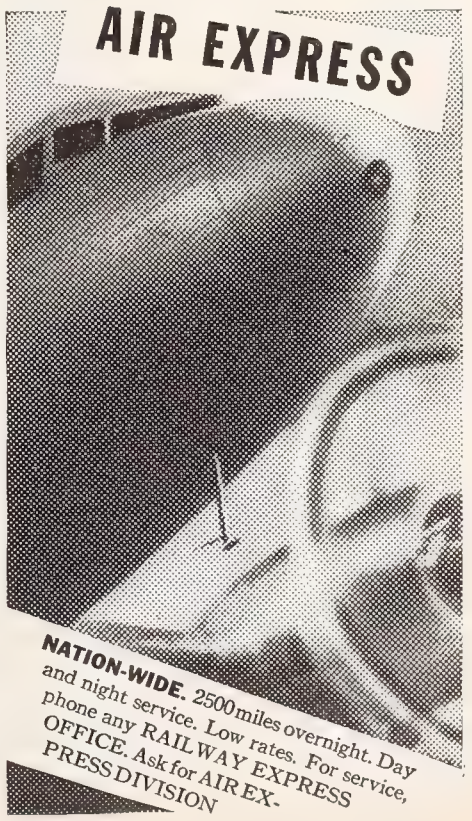
WINNIPEG, Man., Oct. 21.—Premier John Bracken of the Manitoba Provincial Government has appointed Cecil Rice-Jones, former alderman of Winnipeg, to the post of chairman of the Manitoba Board of Moving Picture Censors. He succeeds C. M. McCann, who died a few weeks ago.

Add Pittsburgh First

PITTSBURGH, Oct. 21.—The Barry, independent downtown house operated by William Skirboll, will go first runs next week, having lined up most of the product from Monogram, Monarch and Republic, in addition to some from Grand National. The house will use double bills on a week's run, as against the present policy of subsequent twin-bills with three changes weekly.

G. B. Builds Sales Force

Two new members have been added to the G. B. sales force in the field. L. T. Garlow has been added to the Kansas City office and Dick Saeger to the Milwaukee branch. Archie Holt has been transferred from Portland to Seattle, W. W. Rucker from Dallas to Oklahoma City and Wilson Thetford from Oklahoma City to Dallas.



MOTION PICTURE DAILY

Friday, October 22, 1937

Radio Personals

J. W. WOODRUFF, JR., manager of WRBL, returned to Columbus, Ga., yesterday . . . Abe Lyman will arrive here from Hollywood next Monday . . . Joy Hodges will be in New York much longer than she anticipated because of the outlook for George M. Cohan's "I'd Rather Be Right." She was loaned to Sam Harris by Universal Pictures . . . Benny Friedman, now broadcasting on football over Mutual, is hitting a neat .717 in his selections . . . John Loder, G. B. player, and Michelin Cheirel will be heard on the WHN "Movie Club" tomorrow night.

+

Perc Westmore, Hollywood makeup expert, toured NBC's television studios yesterday, accompanied by Gloria Dickson. . . . Bill Thomas of Young & Rubicam will leave for the coast shortly to aid in publicity for Fred Allen's return to "Town Hall Tonight." His stay will be only temporary. . . . Carleton E. Morse is here auditioning another show. . . . A WINS mike will be in the lobby of the Embassy Theatre today at 12:15 P.M., the occasion being the preview of the "March of Time" reel on Mayor LaGuardia's four years in office. . . . Jackie Heller has been booked for a week each at the Stanley, Pittsburgh; Capitol, Washington, and Loew's State here, through the Herman Bernie office. . . .

+

Chicago Town Pump

CHICAGO, Oct. 21.—George Voutsas, with NBC in New York nine years, is now on the Chicago production staff . . . Nash Motors and Chevrolet are using short announcements on WMAQ.

The Cumberland Ridge Runners have taken to reading books and station WJJD is concerned about the effect this will have on their hill billy chatter . . . The WGN transmitter will be moved soon from Elgin, Ill., to a spot 15 miles northwest of Chicago. A new vertical radiator will be built as well as a new transmitter . . . Arthur Sears Henning, political reporter, will resume his air chats from Washington, D. C., starting Nov. 14.

MBS-WGN will broadcast the Chicago Symphony Orchestra programs again this year. The first program will be Oct. 23 . . . Uncle Ezra (Pat Barrett) is now on his fourth year of broadcasting for the NBC National Barn Dance . . . Commander E. F. MacDonald of the Zenith Radio Corp. is sending his yacht *Mizpah* to Florida. He plans to meet the yacht there in December for a trip to South America.

To Study Radio

The Rockefeller Foundation has granted $67,000 to Princeton University to make a survey of radio's influence on present day life. This investigation will be directed primarily to the effect of radio on everyday life rather than on its educational possibilities.

NBC Moves 3 Studio Engineers to Coast

Three NBC studio engineers from New York have been transferred to Hollywood, and four new engineers have been added to the network's staff in Chicago.

Robert Moss, Burt Capstaff and Carl Lorenz are the men going to Hollywood to meet the shortage created by the increase in the number of shows coming from the coast. Capstaff and Lorenz left by plane last night; Moss will follow today.

The Chicago additions are Robert R. Jensen, recently of KIZ; J. W. Conn of RCA and KMA; M. J. Wilson of WBCS, and H. F. Abfalter from WWJ.

Hersholt in New Series

HOLLYWOOD, Oct. 21.—Jean Hersholt will be starred in a new transcontinental show, "Doctor Christian," to be aired on CBS for Vaseline. McCann-Erickson is the agency. The final details of the program's start will be settled this weekend.

The show is set for 2:30 to 3 P.M., P.S.T., in the east and midwest, with a re-airing for the Pacific Coast from 5:30 to 6 P.M., P.S.T.

Restrain WCAU Picketing

PHILADELPHIA, Oct. 21.—A temporary injunction restraining union employes of WCAU from picketing the station has been granted by the courts here. Hearings will be held Monday on a bill in equity brought by the station management against two C. I. O. affiliates, charging conspiracy to violate an agreement signed last May.

A. L. Forrest Joins Mutual

Arthur L. Forrest, formerly survey analyst for NBC, has joined the sales promotion staff of Mutual. His new duties will entail supplying coverage in formation of all Mutual affiliated stations, listeners surveys, and special mail and industry studies. Prior to his NBC affiliation he was connected with the Hearst Magazine Corp.

9:30 Best Hour

Des Moines, Oct. 21.—Hale Bondurant, salesmanager of WHO and Craig Lawrence, commercial manager of KSO and KRNT, speaking before the Des Moines Advertising Club, cited results of several surveys that showed more persons in Des Moines listened to the radio at 9:30 P. M. than at any other time during the day. The survey showed that at 9:30 P. M., 64 per cent of radio listeners were tuned in while at 4:30 P. M. only 17 per cent were usually listening.

W.B. Tobacco Show Auditions Near End

HOLLYWOOD, Oct. 21.—Auditions of the huge air show planned by Warner Bros. will be completed this week and shipped to the sponsor, American Tobacco Co., for its approval, it was stated here today by Tom McAvity, of Lord & Thomas.

Included in the talent array for the show on the audition records are Dick Powell, Leo Forbstein and orchestra, Rosemary Lane, Mabel Todd, Bette Davis, Edward G. Robinson, Humphrey Bogart, Wayne Morris, John Barrymore, Rufe Davis and Dudley Chambers and his singers. A preview of "Kid Galahad" will be cut in to show the method of arranging film previews.

A film sound track is used to facilitate the recording, McAvity said, because of the difficulty of getting all the principals together at the same time for the wax method.

Set "Charlie Chan" Series

The "Charlie Chan" stories will be heard over WOR Mondays through Fridays from 5:15 to 5:30 P. M., beginning Oct. 25. The series is electrically transcribed and will be sponsored by Stokely Bros. & Co.

New Shows on the Air

"Jeannie Peabody"

Entertaining small town humor and excitement is offered in this serial which got off to a good start on Monday. The Miss Peabody in question is the postmistress and keeper of the general store in Hillsdale, pop. 750. She knows every one and all about him. The yarn opened just as Miss Peabody, who is getting along in years, is shutting up the postoffice division of her activities. A stranger enters and seeks information as to the whereabouts of Agnes Conway. He is representing Miss Conway's brother who, with his wife, was killed in an accident leaving a three-year old boy. The child is in an orphanage and Johnson—that's his name—is seeking relatives. Miss Peabody offers to go along to the Conway domicile and at that time the script for the day reached its last page. From the manner in which is concludes it may be said that "Jeannie Peabody" will prove satisfactory and probably sell many of its sponsor's (F. & F. Laboratories) coughdrops and cough syrup.

"Jeannie Peabody" will be heard thrice-weekly, Monday, Wednesday and Friday, over CBS 3:30 to 3:45 P.M. Blackett-Sample-Hummert is the agency. P.

"Dog Heroes"

"Dog Heroes," a new series, dramatizes the exploits of heroic canines, with an award given to the bravest dog of the week by the Modern Process Co., makers of Thrivo, a dog food.

The opening episode related the story of "Buddy," a collie, who saved his masters and their five children in a fire. The dramatization was compact and well-knit, with Harry Swan serving notably as the narrator.

The series is presented Sundays from 4:45 to 5 P. M. over six NBC-Blue stations. The Clements Co., Philadelphia, is the agency.

BANNER.

IRNA and AFM Finally Reach A Settlement

The trade agreement between the network affiliates and the A.F.M., after several months of what appeared to be futile effort, has finally been worked out by the federation's international council and the I.R.N.A. committee.

The agreement was completed at yesterday's conference and is now in the hands of attorneys for both sides for a final polishing and revision.

The agreement, both sides attempted to say, is substantially the same as the one previously written, the terms of which are generally known and which have been printed in these columns. However, the spokesmen differed radically in one major respect. The A.F.M. stated that it had not yielded on Point 10, while an attorney for the I.R.N.A. said that this clause had been entirely eradicated. Clause 10 specified that a "fair" I.R.N.A. station will not be permitted by the A.F.M. to feed programs to an "unfair" station, i.e., a station which either refuses entirely to sign a trade agreement or which, after signing violates its contents.

Groups Meet Again Today

Both committees will meet again today. After a final discussion and possible last minute changes, copies of the documents will be sent for approval to the approximately 250 stations in the I.R.N.A. category.

The trade agreement still stipulates that the expenditures for the I.R.N.A. group for musicians' salaries is to be boosted $1,500,000 annually. To this is to be added the $600,000 increase for musicians' salaries which the network key stations have agreed to spend annually.

Meanwhile the A.F.M. met yesterday with the transcription and recording group to seek a settlement with them. The meeting led to the appointment of a committee which henceforth will negotiate for the disk interests. The committee is Lloyd Egner, NBC transcription division; A. J. Kendrick, World Broadcasting Co.; Jack Kapp, Decca Record Co.; Stewart Sprague, Brinckerhoff Co.; Francis J. Quillan, attorney for World Broadcasting Co., and Merritt Tompkins, of Muzak.

Jokey Buys "30 Minutes"

"30 Minutes in Hollywood," the participation series starring George Jessel and Norma Talmadge, has been sold in Chicago to the John Jokey Co., through Blackett-Sample-Hummert, Inc. WGN is the Chicago Mutual affiliate.

Sign Roosevelt, Jr.

Los Angeles, Oct. 21.—Elliott Roosevelt, one of the President's sons, has been signed to do a series of news comments over KEHE, Hearst station, according to Irving Fogel, Hearst agent.

No political comment will be included in the program as now planned.

RELIABLE

EASTMAN Super X Panchromatic Negative not only promises superlative photographic quality, but delivers it with unbroken regularity. It's reliable. In no other way could it possibly maintain its position as the world's most widely used motion picture negative film. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Read: Raves: Reason:

THE Film DAILY — Intimate in Character International in Scope Independent in Thought — The Daily Newspaper Of Motion Pictures Now Nineteen Years Old

DAILY VARIETY DAILY

MOTION PICTURE DAILY — Alert, Intelligent and Indispensable to the Motion Picture Industry — First in Film and Radio News Brief, Accurate and Impartial

BOXOFFICE

MOTION PICTURE HERALD

The Hollywood REPORTER

FILM DAILY–
"A box-office delight!"

MOTION PICTURE HERALD–
"The audience laughed long, loudly and often enough to convince the most pessimistic hearer on the sidewalk that something extremely funny was going on inside!"

HOLLYWOOD REPORTER–
"Spells box-office of the first water! Hilarious...Howard and Davis at their best!"

VARIETY DAILY–
"Should not fail to score as one of the outstanding box-office triumphs of the season. It is top rank!"

MOTION PICTURE DAILY–
"It convulsed the preview audience!"

BOX OFFICE–
"Exhibitors can prepare to dust off that SRO sign and brace themselves for landslide business!"

WARNER BROS. *Gave It Everything!*

LESLIE HOWARD
and
BETTE DAVIS
and
OLIVIA DeHAVILLAND
in
It's LOVE I'm After

with

PATRIC KNOWLES · ERIC BLORE · GEORGE BARBIER

Directed by Archie L. Mayo · Screen Play by Casey Robinson · Original Story by Maurice Hanline

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 97 NEW YORK, SATURDAY, OCTOBER 23, 1937 TEN CENTS

Basic Terms Are Agreed To End "Buyers' Strike"

Fine Maxwell Unit on Quota Act Violation

Early Opening of Houses Cited in Test Case

By BRUCE ALLAN

LONDON, Oct. 22.—In an important test case in the West London Police Court Associated British Cinemas, circuit headed by John Maxwell, was fined £60 for defaults on the quota at three theatres, the Commodore and Hammersmith, London, and the Savoy, Acton.

The evidence indicated that British films were shown at the theatres from 9 A. M. to noon, while the normal opening time of the houses was noon. The Board of Trade, pressing the action for the Government, argued that this was in violation of Section 19 of the Films Act. The defense held that any legal time of opening a theatre constituted normal operating hours within the meaning of the law. The circuit also pleaded that early opening of theatres was a common practice in the West End.

The magistrate ruled that the early opening and additional operating hours were purely for the purpose of handling the quota situation, to enable

(*Continued on page 4*)

Texas Fails to Pass Its Anti-Ascap Bill

HOUSTON, Oct. 22.—The special session of the Texas Legislature refused to act upon anti-Ascap legislation which was introduced early in the session. The Legislature adjourned today.

The measure introduced here was similar to the legislation enacted earlier this year in Washington, Montana, Nebraska, Florida and Tennessee. It proposed to outlaw Ascap from operating within the state by making

(*Continued on page 4*)

Columbia's Regional On Today at Atlanta

ATLANTA, Oct. 22.—The second of Columbia's regional sales conferences will open tomorrow at the Ainslee Hotel with Joe McConville and Rube Jackter in charge. Max Weisfeldt and George Josephs will also represent the home office. The conference will continue through Sunday.

Sam Moscow, southern division

(*Continued on page 4*)

Radio—Page 4

Appeal to Be Taken On Dallas Decision

Defendants in the Government's Dallas anti-trust case will appeal from the U. S. District Court decision outlawing distributors from entering into contracts with exhibitors which regulate admission prices to be charged in subsequent run theatres, it was stated yesterday.

As the case was instituted by the Government, the defendants are privileged to bring their appeal direct to the U. S. Supreme Court, which they will probably do within the next month. The appeal action may be instituted up to Dec. 13.

The distributors are understood to be particularly anxious to appeal from that part of the lower court decree which holds that conspiracy entered into the making of the contracts with the Interstate Circuit.

Jenkins Testifies In Hub Trust Case

Felix Jenkins, attorney for 20th Century-Fox, was questioned yesterday in connection with contracts made by that company with Maine & New Hampshire Theatres by George S. Ryan, attorney for Morse & Rothenberg, independent circuit operators, who are plaintiffs in an anti-trust action against eight major distributors, M. & N. H. and M. A. Shea circuits. Ryan is here taking depositions preliminary to trial of the case in Federal court at Boston.

Jenkins testified at the morning session and identified documents being entered as exhibits in the case which occupied the afternoon. The sessions resume again on Monday.

Expect Rulings on Two Censor Appeals

ALBANY, Oct. 22.—The Appellate Division of the N. Y. Supreme Court, Third Division, will reconvene here next Monday, and a number of important decisions will be handed down.

It is expected that a ruling will be handed down Wednesday on "Ecstasy," which Presiding Justice J. E. Hill and four colleagues reviewed early in the month. Eureka Prod., Inc., is the litigant and Frank E. Graves, Commissioner of Education, and the New York Board of Regents, defendants. Irwin Esmond, director

(*Continued on page 4*)

His First Query

Cal Swanson, account executive for Lux at the J. Walter Thompson agency, is now a father. The arrival is a boy and his first query was: "How's the market?"

B. N. Is Killed By High Court Of Nebraska

LINCOLN, Oct. 22.—The Nebraska Supreme Court today upheld the lower court decision involving the Beatrice Theatres Corp. case at Beatrice, when Bank Night was ruled a lottery and in violation of the state lottery laws. The court ruled the game contained all the elements of chance and lottery.

Beatrice was selected last April by State's Attorney General Hunter for a test case and District Judge Fred Messmore ruled at that time that any consideration involved, whether time, money or even going out of one's way to be at the theatre for a drawing brought it under the lottery laws. Judge Messmore, now on the Supreme Court, was ineligible to sit on the Beatrice appeal, and watched his ruling vindicated.

William H. Wright, attorney for the Omaha M. P. Exhibitors' Ass'n, said that the next move on the part of the theatres will be the filing of a motion for a rehearing of the case,

(*Continued on page 2*)

Seek Penalties for Firms in Argentine

BUENOS AIRES, Oct. 22.—Demand for a fine of 20,000 pesos, plus court costs, or 15 months in prison, for having violated anti-trust laws, has been filed here by District Attorney Ramon S. Vasquez against eight film distributors. Vasquez charges that the defendants, who were indicted Sept. 27, have persisted in the practice of monopoly and have kept no books by which their actions can be traced.

Among the individuals for whom Vasquez asks penalties are Guy P. Morgan of United Artists, Harry

(*Continued on page 2*)

Philadelphia Theatre Men Will Vote on Pact Tuesday

A basic agreement for ending the Philadelphia "buyers' strike" against Paramount was reached yesterday at a conference here between Paramount officials and representatives of the Philadelphia exhibitors.

The principles agreed upon will be submitted for ratification to a special meeting of the Philadelphia exhibitors in that city on Tuesday, and, if approved at that time, will be available to exhibitors in the seven other territories in which "buyers' strikes" are in progress, as exclusively reported in MOTION PICTURE DAILY on Wednesday. Exhibitor leaders in the seven territories were advised by Lewen Pizor, president of the U. M. P. T. O., by telephone last night of the settlement principles and were urged to attend the Philadelphia exhibitors' meeting on Tuesday.

As reported in MOTION PICTURE DAILY yesterday, if the basic agreement is approved by the exhibitors it will furnish only the guiding prin-

(*Continued on page 3*)

Gary-Para. Hearing Is Set for Oct. 29

INDIANAPOLIS, Oct. 22.—The U. S. District Court here today set Oct. 29 for hearing of the Gary Theatre Co.'s application for a mandatory injunction to compel Paramount to deliver to the plaintiff's two Gary theatres 10 features allegedly contracted for under last season's contracts, but undelivered.

The case originally was brought in state superior court at Marion, but was transferred to the Federal court here at Paramount's request on the ground of diversity of citizenship and other interstate commerce considerations.

Confirm Signing of Wilby-Kincey Pact

A new five-year operating deal for the Wilby-Kincey circuit has been agreed upon by Paramount with R. B. Wilby, it was stated yesterday by Y. Frank Freeman, Paramount vice president and theatre head. Wilby, who left for Atlanta on Thursday, will return for the signing of the new agreement as soon as the final papers have been drawn.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Conquest"

(M-G-M)

HOLLYWOOD, Oct. 22.—In contrast with most films of the day, this picture is introduced with the statement that "this is an historic love," to which is appended further assurance that the attention of its compilers has not materially altered the facts in the love affair between Napoleon Bonaparte and Countess Walewska of Poland. This device has the effect of enforcing the realism which is striven for expensively and by dint of much forthright and emotional acting throughout a production which is notable for its authentic atmosphere, well chosen dialogue and an almost total lack of humor or action.

Outstanding, and in a degree virtually obscuring those of the 30 others listed as principals, are the performances of Greta Garbo and Charles Boyer as the ill-fated lovers. Each subordinates personality to characterization so consistently and tellingly as to indicate that a large section of the public will share vicariously in their alternate rapture and despair. The preview audience here indicated pleasure in certain individual acting achievements and spirited applause was heard at the close.

"Conquest" is, as everyone must know, the picture that started out as "Countess Walewska." As produced by Bernard Hyman and directed by Clarence Brown, from a screenplay by Samuel Hoffenstein, Salka Viertel and S. N. Behrman, based on the novel by Waclaw Gasiarowski, the picture concerns itself exclusively with the indoors Napoleon. A single quiet sequence takes care of the retreat from Moscow, a pencil flung upon a map disposes of the battle of Waterloo, and a rousing raid by Cossacks employed to open the production is not followed up. This technique, accomplished adroitly enough by the use of couriers and other footlight expediencies, may or may not belong in the asset column generally, but a smart clash of arms after the Elba episode might have staved off a bit of restiveness that cropped out about then among the invited spectators. Possibly payees, enthralled by the Garbo glamour, will prefer it as is.

Other players whose performances are excellent include Reginald Owen, Henry Stephenson, Dame May Whitty, Maria Ouspenskaya, Claude Gillingwater and George Houston, although the cast is long and contains many highly mentionable names. The picture is in the platinum sepia process lately favored by the company for its major offerings.

In the story Miss Garbo plays a Polish countess who sacrifices her chastity to the French emperor who can and does save her country in payment. How she comes to love him and continue faithful to the time of his departure for St. Helena makes up the rest of the record.

Running time, 104 minutes. "A."

Assets $8,310, Says Omaha Orpheum

Schedules showing liabilities of $1,917,192 and assets of $8,310 were filed by the Omaha Orpheum Co. in the U. S. District Court yesterday. The company filed a voluntary bankruptcy petition last week.

Listed as a deficiency judgment in foreclosure proceedings on the first mortgage of the Omaha Orpheum was $1,118,055; $791,181 in notes originally issued to Orpheum Circuit, Inc., but now held by the Stadium Theatres Corp.; $1,238 for trade and miscellaneous debts; $6,716 for rent liability. Assets consist of $7,047 cash and $1,242 on a debt allegedly due from the RKO Service Corp.

Court Refuses Injunction

Supreme Court Justice Charles B. McLaughlin yesterday refused to issue a temporary injunction in the suit brought by Leo Fuchs and Yetta Zwerling against Seiden Sound System, Inc., and the Moemar Theatre Corp. The defendants sought to restrain the exhibition of a short with Yiddish dialogue, "I Want to be a Boarder." They allege that they were hired to play the masculine and feminine leads in a full length picture, "I Want to be a Mother" and that Seiden after releasing it in April, used some of the extra sequences to make an additional picture. A violation of the civil rights law for use of names and pictures without consent was claimed and a permanent injunction with $10,000 damages was asked. Justice McLaughlin ruled that the contract gave the producer the right to use the extra material.

To Seek Approval of Award

Local 306 will ask Justice Aaron Steuer in the N. Y. Supreme Court on Monday to confirm an arbitration award made in its favor by Ben Golden against the Bell Amusement Corp., operators of the Hudson Playhouse. Golden, who was named as an impartial arbitrator under the Jan. 30 contract between the I. T. O. A. and the union, ruled that only members of Local 306 could be employed in the projection booths and awarded $656 in damages.

Warners Withdraw Case

LONDON, Oct. 22.—The Warner libel case against the Women's Guild of the Empire has been withdrawn before Justice Hilberry. In a statement by Warner counsel it was said the company is satisfied that the guild acted in good faith in sending to the censor board a press clipping attacking "The Charge of the Light Brigade." The defendants accepted the Warner explanation. Warners will pay the costs of the action.

John D. Wallace in Pathe Western Post

O. Henry Briggs, president of Pathe, yesterday named John D. Wallace, noted sportsman, as western representative of Pathe International. Wallace will make his headquarters at the Pathe laboratories on the coast.

Seek Penalties for Firms in Argentina

(*Continued from page* 1)

Novak of Warner Bros., Siegfried Baur of M-G-M, John Nathan of Paramount, Charles Margen of Columbia, Monroe Isen of Universal, Charles Glucksmann of Radio Lux and Adolf Wilson of Tera.

Union Drives Continue

Despite A. F. of L. moves to enroll white collar film workers in its local organization, the C.I.O. is continuing its drive for members. Two representatives of the C.I.O. yesterday handed out circulars directed to all Columbia home office employes and as far as could be learned little response was shown.

Educational Ready To Sign with Guild

Educational Pictures has informally advised the local office of the Screen Actors' Guild that it will sign the guild's contract within the next few days, it was learned yesterday.

Educational's action leaves The March of Time, as the only important eastern producer which has not yet come to an agreement with the guild. March of Time's application for further consideration of its claim to being a newsreel rather than a producing organization is scheduled to be acted upon by the guild board of directors in Hollywood Monday night.

Plan $50,000 Campaign

United Artists will spend about $50,000 on an advertising campaign, including billboards, newspapers and trade papers, for the opening of "Hurricane" at the Astor, Nov. 9. The picture will be shown two-a-day.

G. N. Deal Is Closed

Grand National has closed a deal with the Interstate Circuit, Dallas, for all of its 1937-38 product, for the circuits's 115 Texas theatres.

Nebraska Bank Night Is Ruled a Lottery

(*Continued from page* 1)

the decision in which would appear to forbid the games in Omaha as well as in Beatrice.

"We can go on with the fight," said Wright, "if the ruling is based on facts which differ in the two cases. But if it is a broad, sweeping opinion it would decide the Omaha case also."

Wright had previously indicated that the Omaha case would be dropped if the court ruled unfavorably in the Beatrice action.

Has New Lobby Display

The Broadway Strand has installed a new lobby display frame, devised by Mort Blumenstock, advertising manager of Warners, which permits large panorama effects running the full length of the lobby. The frame, 50 feet in length and six feet high, equipped with footlights, top and border lights in three colors, also can be blocked out for panels of various sizes. The construction work was supervised by Herman Maier, chief of theatre maintenance for the Warner circuit, and his assistant, John E. Schwarz.

Warner Club Has Masque

A Hallowe'en masquerade party held last night by the Warner Club at the home office clubrooms was attended by 500 members and guests. The entertainment committee consisted of Arthur Sachson, newly elected club president; A. W. Schwalberg, Ralph W. Budd and Irving Birnbaum.

"Ali Baba" Starts Fast

"Ali Baba Goes to Town," which opened at the Roxy yesterday, took in $2,100 from opening to 3 P. M. The figure tops "Life Begins in College" by $47 at the same hour of the first day of this picture.

Purely Personal

TOM COCHRANE, Paramount, sales representative in the Far East, who has been ill since his arrival here three weeks ago for a home office visit, has improved considerably and put in an appearance at his office here yesterday.

•

WALTER WANGER will deliver the first lecture on script writing on Monday at Dartmouth college. The course is to be conducted under the guidance of the producer as a memorial to IRVING THALBERG.

•

JOHN W. HICKS, JR., Paramount vice-president in charge of foreign distribution, sailed from Europe yesterday on the *Manhattan* after six weeks abroad. The liner will dock here on Thursday.

•

AL HOFFMAN and SAMMY LERNER, songwriters, have returned from England. HOFFMAN, accompanied by his wife, leaves today for a visit to his home in Seattle.

•

JOHN LODER and MRS. LODER will leave Sunday on a transcontinental motor trip which will take them to Canada, Mexico and the coast.

•

F. J. A. MCCARTHY, eastern sales manager for Universal, left yesterday for a tour of exchanges. He will be away a week.

•

ABE BLANK and RALPH BRANTON left for Des Moines yesterday. They expect to return here the first week in December.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, has delayed his departure for Chicago until next week.

•

MERVYN LE ROY delayed his planned departure yesterday. He leaves for Hollywood today.

•

FREDRIC MARCH is due tomorrow to start rehearsals for the stage play, "The Christian Hero."

•

J. CHEEVER COWDIN, chairman of the Universal board, will leave for the coast today by plane.

•

EDWARD J. PESKAY returned yesterday after a tour of Grand National exchanges.

•

NATE SPINGOLD arrived from the coast last night via American Airlines.

•

WILLARD MCKAY is expected back from the coast tomorrow.

•

HENRY FONDA will leave for the coast today by plane.

•

ROY DISNEY left yesterday for the coast.

H. W. Leasim Resigns

Harry W. Leasim, managing director for Radio Films International, Ltd., has resigned. No successor has been appointed as yet.

Looking 'Em Over

"Ali Baba Goes to Town"

(20th Century-Fox)

There are glitter and flash, the spectacular and the glamorous, elaborate sets and tuneful music in "Ali Baba Goes to Town." Additionally there is a novel comedy idea as the backbone of the musical, but the laughs are not as plentiful or spontaneous as might have been expected. In a word, it does not appear too certain that in this, his latest effort, Eddie Cantor, that redoubtable veteran of comedy, goes to town.

He sings, he dances, he becomes involved in all sorts of the usual difficulties which are part of the long familiar Cantor routine, as he falls asleep on the set of "Ali Baba," a film in production, and his dream transports him to the real Bagdad of yesteryear, where he becomes adviser to the sultan, transplanting modern America to ancient Bagdad in governmental operation, à la New Deal. The idea is funny, but the realization does not always meet the expectation. There was, in another day for instance, "A Connecticut Yankee in King Arthur's Court." It had an identical idea, far better executed.

Of course, there are entertaining moments, a couple of them hilarious, but somehow the piece lacks cohesion. Be that as it may, it probably will please generally, without appearing to have the potentialities of a striking musical comedy hit.

David Butler directed from a screenplay by Harry Tugend and Jack Yellen based on a story by Gene Towne, Graham Baker and Gene Fowler. The dances, in the traditional Bagdadian mode, were staged by Sammy Lee, and Gordon and Revel supplied the music.

In support are Tony Martin, who sings love songs to June Lang, as the sultan's daughter; Roland Young, as the sultan; Louise Hovick, not yet in actress, as the sultana, and Douglas Dumbrille, as chief villain.

The dialogue and situations, built for the most part about a play on the New Deal and the current American system, is amusing in part, and too forced in others. Whether it will meet with complete approval of New Dealers is something that cannot be foretold.

Running time 82 minutes. "G."

Settlement Reached In Para. "Strike"

(Continued from page 1)

ciples for the adjustment of old contracts and the negotiation of new ones by the Paramount sales force and its exhibitor accounts individually. Paramount has insisted throughout upon the right to treat the exhibitors' complaints on an individual basis.

Under the basic agreement, Paramount will abandon its claim to the right to examine the books of its exhibitor accounts to determine profits, or "split" on percentage bookings. The agreement also provides solutions for the questions involving the disposition to be made of the Paramount pictures which have been "shelved" by the exhibitors since Aug. 1, when the "strike" was put into effect, and for the dispute over the non-delivery of the six features which the exhibitors claim were included under last season's contract.

Although neither the company nor the exhibitor representatives would comment on the solutions for the last named matters, MOTION PICTURE DAILY learned that a cancellation privilege will be allowed by the distributor in disposing of the question of the "shelved" pictures in the course of negotiations with its individual accounts. It was also learned that the exhibitors will relinquish their claim to a number of the six features which were undelivered on last season's contracts, but will receive adjustments on certain of these pictures which were either completed or advertised for delivery prior to Aug. 1.

Paramount also agrees to sell its new season product to "striking" exhibitors either outright or on percentage.

A statement issued by the exhibitor committee following the conference declared that "It was agreed that the question of buying and selling was to be one of equity and no set formula was to be applied for all exhibitors." The same statement added that Paramount declared that it was "primarily interested in having satisfied customers and equitable contracts."

The litigation in connection with the "strike" will be abandoned by both sides. The "shelved" pictures in the Philadelphia area include eight to 12 Paramount features, the bi-weekly newsreel releases since Aug. 1 and numerous short subjects.

The exhibitor representatives at the conference included Abe Sablosky and Charles Segall of the U. M. P. T. O., in addition to Pizor. Paramount was represented by Austin C. Keough, vice-president and secretary; Neil F. Agnew, vice-president in charge of distribution, and J. J. Unger, eastern and southern division sales manager.

The exhibitors' statement concluded with the hope that "the various questions raised by the exhibitors will be satisfactorily adjusted and the committee's report ratified and approved after due consideration and explanation at the next meeting of the U. M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware."

Pizor said that if Tuesday's meeting approves the agreement it probably would not be necessary for the committee to return for further conferences with Paramount. He said he was issuing an invitation to all interested exhibitors to attend Tuesday's meeting. Other territories in which "buyers' strikes" are in progress are Minneapolis, Milwaukee, Los Angeles, Pittsburgh, Boston, Ohio and Indiana. It is anticipated that most of these territories will be represented at Tuesday's meeting.

Hanson to Quit His Post at FWC Today

LOS ANGELES, Oct. 22.—Al Hanson, who resigned some time ago as assistant to Charles Skouras, will retire from that post tomorrow to devote all his time to the operation of his two theatres at Compton. Hanson also is building a theatre at Southgate. F. W. C. has a 51 per cent interest in the three houses.

Skouras is expected to leave for New York within the next few days. No successor to Hanson at F. W. C. has been appointed.

Rites for Plane Victims

Funeral services for James Pergola, Pathe News cameraman, who was killed in the airplane crash near Evanston, Wyo., will be held this morning at 10 o'clock at Campbell's Funeral Church, Broadway and 66th St.

Rites for William H. Pitt, *News* editor, who also was a victim of the same crash, will be held Sunday afternoon at 5 o'clock at the Fairchild Funeral Home, 89-31 164th St., Jamaica.

Reginald Barker Dead

HOLLYWOOD, Oct. 22. — Reginald Barker, prominently identified with the silent film era and latterly a writer of westerns, is dead here at the age of 55.

Poli Estate $3,853,274

NEW HAVEN, Oct. 22.—An inventory of the estate of Sylvester Z. Poli places its value at $3,853,274. The valuation was made by the trustees, the Hartford-Connecticut Trust Co.

Date J. D. Clark Week

The week of Nov. 20-27 has been set aside as John D. Clark Fifth Anniversary week in the S. R. Kent drive at 20th Century-Fox.

Wall Street

Light Stock Changes

	Open	High	Low	Close	Net Change
Col.	15¾	15¾	15⅛	15⅛	— ⅞
Col., pfd.	31¼	31¼	31	31	+2
Cons.	2	2⅛	2	2⅛	+ ⅛
Cons., pfd.	7½	7½	7	7½	.....
E. K.	165	166½	165	165	+1
G. T. E.	14¾	14¾	13¾	14	.....
Loew	64	64½	63½	63½	—1½
Loew, pfd.	106⅛	106⅛	105½	105½	.....
Para.	12⅞	12⅞	12⅛	12¼	— ¾
Para. 1	97½	97½	96	96½	+1
Para. 2	11⅞	12	11¼	11⅜	— ⅞
Pathe	6	6¼	5¾	6	— ¼
RKO	4⅞	4⅞	4⅝	4⅝	— ¼
20th Fox	26	26	25	25⅛	— ⅜
20th, pfd.	33	33	33	33	+1
Univ., pfd.	33	33	31½	31½	— ½
W. B.	8¼	8¼	7¾	7¾	— ⅜
W. B., pfd.	39	39	39	39	—1

Fractional Curb Activity

	Open	High	Low	Close	Net Change
G. N.	1⅝	1⅝	1⅜	1⅜	— ⅛
Sonotone	1⅝	1⅝	1½	1⅝	+ ⅛
Tech.	19⅜	19⅜	18⅝	18⅝	— ¾
Trans-Lux	2⅞	3	2⅞	3	.....
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	+ ¼
Univ. Pict.	4⅜	4½	4⅜	4½	— ½

Warner Best on Bonds

	High	Low	Close	Net Change
Loew 3½s '46	98½	98½	98½	.....
Para. Pict. 6s '55	95	95	95	—1
Para. Pict. '47	79	79	79	—1
W. B. 6s '39	85	82¾	85	+3

(Quotations at close of Oct. 22)

MOTION PICTURE DAILY

Radio Personals

HERB DEVINS, formerly of NBC's press department and now with J. Stirling Getchell, is in New York for the auto show. . . . Enrico Caruso, Jr., will appear on the Ripley show as guest this evening. . . . The film rights to a published illustrated story of a bull, text by Monroe Leaf and illustrated by Robert Lawson, owned by CBS Artists Bureau, Inc., has been sold to Walt Disney for filming, through Albert Schneider of the bureau. . . . Seymour Simon's orchestra is featured on the "live" Chevrolet show over CBS, yet Vic Arden's orchestra supplied the music for the Chevrolet party this week. How come? . . . Jan Peerce will follow his second appearance as guest on the "Hit Parade" Oct. 27 with a recital at the Peabody Institute in Baltimore Oct. 29. . . .

✚

Bunny Berrigan opens at the Paramount the week of Nov. 4 . . . Benay Venuta is on her way back from Tahiti . . . Ben Yolen is handling the publicity for the Phil Lord shows, having resigned from Earle Ferris's Radio Feature Service . . . Nick La Rocca, leader of the "Original Dixieland Jazz Band," will be a guest on "20 Years Ago—And Today" Monday.

Five Renew on Thesaurus

Four American stations, and one foreign, have just renewed their subscriptions to the NBC Thesaurus of recorded programs. Also, two new stations have been signed. WPAR, Parkersburg, West Va., and WOMI, Owensboro, Ky., are the new subscribers. Second year orders have been placed by the Swiss Co., WDEV, Waterbury, Vt., and WJMS, Ironwood, Mich., and third years renewals by KGU, Honolulu, and KSD, St. Louis. Schweizerische Rundspruch Gesellshaft of Berne, Switzerland, operating stations in Berne, Zurich, Geneva, Basle, Lausanne and Lugarno, is the foreign renewal.

"Orphan Annie" Renewed

"Little Orphan Annie," children's script sponsored by the Wander Co. in the interests of Ovaltine, has been renewed for a year, effective Jan. 3, 1938. The series is offered over 24 stations of the NBC-Red network, through Blackett-Sample-Hummert, Inc.

Alistair Cooke Changes Program

Alistair Cooke, who has been broadcasting over the NBC-Blue Wednesdays at 10:45 P. M., has changed his program from one of general comment to one restricted solely to comments on stage and screen productions. He will avoid talks on personalities and will devote his talks solely to the merits and demerits of theatre and film offerings.

NBC Wins Realty Case

A verdict in favor of NBC was rendered in the U. S. District Court yesterday by Federal Judge William Bondy and a jury in the suit brought against it by Richard Ratliff and Pease & Elliman, Inc., realtors. The brokers claimed $7,500 as commission for leasing office and studio space to Erpi at 711 5th Ave. when NBC moved to Rockefeller Center.

Report Payne Plans Appeal From Disbarment by F.C.C.

By BERTRAM F. LINZ

WASHINGTON, Oct. 22.—Indications here are that Commissioner George H. Payne, debarred by the F.C.C. from participating in the trials of Attorneys Paul Segal and George S. Smith on charges of unprofessional conduct, will file an appeal from the commission's action. It is stated that Payne will confer with his personal attorneys over the weekend to determine what avenues are open to him.

The commission has been engaged since last Tuesday in developing that Segal and Smith made use of dummies in their activities before the F.C.C. and it is expected that several days will be required for commission counsel to complete this line of testimony. Today's interrogations covered station applications from Minnesota and Rhode Island which had been pressed before the commission by the two attorneys.

While Payne expressed resentment over the Commission's action and asserted he would file his own report on the case independently of the other members, he is expected to side with McNinch in efforts to eliminate abuses in the F. C. C.

Payne has recommended a "housecleaning" in the broadcasting field. He suggests that radio stations be taxed on the basis of the watts they use, saying they now receive "the most valuable concession in the world for nothing." He has also asked for a general raise in standards of radio programs, particularly of children's programs.

WDGY to Mutual as 74th Network Unit

WDGY, Minneapolis, has signed with the Mutual network, making the 74th station in that hookup. WDGY operates a daytime power of 5,000 watts, and a night power of 1,000 watts until local sunset.

With KSTT now taking the Carson Robinson and Lutheran Hour programs from Mutual, the network now has two outlets in the Twin Cities.

WBT Adds Two Salesmen

CHARLOTTE, Oct. 22.—A new plan to promote WBT business has been lined up by J. Kelly Smith, general manager of Radio Sales, sales division of CBS, and Bill Schudt, general manager of WBT. They have appointed a salesman in the Chicago and New York offices of Radio Sales to act as WBT specialists. Howard Meighan is the New York representative, while Merle Jones is holding a similar position in Chicago. They will visit WBT regularly.

"Town Meeting" to Resume

"America's Town Meeting of the Air" will begin its third season Nov. 4 over the NBC-Blue from 9:30 to 10:30 P. M. As in its previous two seasons, the forum will be under the direction of George V. Denny, Jr.

Janice Bell Joins WWSW

PITTSBURGH, Oct. 22.—Janice Bell, vocalist formerly at WHIO, Dayton, and WNBF, Binghampton, just joined the artists staff of WWSW.

Pact Not Ready

The IRNA contract, now in the hands of attorneys for that body, was not presented to the A. F. of M. yesterday, as was expected. The document is still in the process of revision, and it is expected that it will be finished by Monday.

Film Talk Programs Must Get Approval

LOS ANGELES, Oct. 22.—Don Gilman, head of operations for NBC on the west coast, today issued an order stating that any future contracting for film gossip commentators, either as sustainers or on a sponsored basis, must have the approval of Lenox R. Lohr, NBC president, before they may be booked. Gilman declared that Lohr desires to keep down the number of such programs on NBC.

J. Vance Babb, manager of NBC's press department in New York, reported last night he was unable to reach Lenox R. Lohr or other NBC officials for comment on the above statement.

A check shows that the sponsored film commentators now heard over NBC channels are Sid Skolsky, Jimmy Fidler and George Fischer, the last named currently substituting for Walter Winchell. Film commentators now broadcasting over NBC networks on a sustaining basis are Elza Schallert and Alistair Cooke.

Barbasol Show Over 36 Mutual Outlets

The new Barbasol program on Mutual, scheduled to begin Oct. 29, will be heard over 36 Mutual outlets, instead of over 18, as originally ordered. Erwin, Wasey & Co. is the agency.

The series will be broadcast from 7:45 to 8 P. M. over Stations WBAL, WOL, KWK, WCAE, KOIL and WEAN; from 8 to 8:15 P. M., over WOR, WGN, CKLW, WAAB, WKBW, WTHT and WIP, and over 23 stations of the Mutual Don Lee System from 11:15 to 11:30 P. M.

KOIL Adds Three to Staff

OMAHA, Oct. 22.—Three former employes of the Omaha *Bee-News*, which recently ceased publishing, have joined the advertising staff of Central States Broadcasting Co. here. They are Edward Green, who will sell local advertising for KOIL; Adelaide Lee, who is selling want ads for two recently-created disk programs, and Orlie Penwitt, stenographer in the commercial department.

"Stella Dallas" New Air Show

A new script series titled "Stella Dallas" and based on the famous story of that title will be presented Mondays through Fridays over WEAF only beginning this Monday. The series is sponsored by Tetley Tea, through Blackett-Sample-Hummert, Inc.

Columbia's Regional On Today at Atlanta

(*Continued from page* 1)

manager, will head the local contingent. Others who will attend will be: Atlanta—Branch Manager W. Anderson, and B. A. Wallace, U. T. Koch and E. B. Foster, salesmen; Charlotte—Branch Manager R. J. Ingram, and G. Roscoe and R. H. Williamson, salesmen; Dallas—Branch Manager, J. B. Underwood, and H. Craver, W. L. Penn, J. L. McKinney and W. S. Hurst, salesmen; Memphis—Branch Manager J. J. Rogers, and H. Kohn and T. B. Haynes, salesmen; New Orleans—Branch Manager H. Duvall, and J. Winberry and J. J. Fabocher, salesmen; Oklahoma City—Branch Manager C. A. Gibbs, and J. A. Smith and S. Gibbs, salesmen.

Texas Fails to Pass Its Anti-Ascap Bill

(*Continued from page* 1)

it illegal for copyright owners to be represented by a single licensing agent.

Ascap officials stated here yesterday that the organization's attack on the constitutionality of Florida's anti-Ascap legislation would not be filed with a Federal statutory court in that state until a decision has been handed down by one of the statutory courts for Montana, Washington or Nebraska. Tests of the constitutionality of anti-Ascap legislation have been heard by the courts in those states, but no decisions have been rendered yet.

Ascap plans a test of the Tennessee law later this year.

Expect Rulings on Two Censor Appeals

(*Continued from page* 1)

of the Motion Picture Division of the State Dep't of Education, refused a license originally, and Commissioner Graves personally reviewed the film a year ago, upholding Esmond's action.

At the same time the Appellate Division is expected to place motion of Foy Prod. on "Tomorrow's Children" on the November calendar. Foy Prod. sought to have Supreme Court Justice Francis A. Bergan review the film, which was likewise refused a license by the censors, but the justice ruled his court without jurisdiction and sent it to the Appellate Division.

Fine Maxwell Unit On Quota Violation

(*Continued from page* 1)

the defendants to avoid the necessity of canceling foreign films on their regular programs, and that therefore the hours could not be considered normal.

The decision is seen as having a serious effect on many theatres in the West End section of London. It is expected that an appeal will be taken.

Hal Roach on Coast

HOLLYWOOD, Oct. 22.—Hal Roach arrived today from New York via American Airlines. He was in the east a week. Mrs. Roach, who accompanied her husband east, is remaining in New York indefinitely.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 98 NEW YORK, MONDAY, OCTOBER 25, 1937 TEN CENTS

Talks on U.A. Deal to Start Here at Once

Korda, Silverstone Due To Arrive Tomorrow

With the arrival tomorrow of Alexander Korda and Maurice Silverstone from England on the *Ile de France,* conferences are slated to get under way immediately to determine one of "three or four" plans to finance the $4,500,000-$6,000,000 deal for shifting control of U. A. to Korda and Samuel Goldwyn.

Goldwyn has been in town several days awaiting Korda's arrival. David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., and E. H. Lever, secretary of Prudential Assurance Co., English backers of London Films, arrived from London a week ago today and will sit in on the talks with Goldwyn and Korda.

Representatives of Charles Chaplin, Douglas Fairbanks and Mary Pickford will not be present at the sessions. However, it was indicated over the weekend that if any of the parties are required Fairbanks is willing to return from England and Chaplin and Mary Pickford from whatever part

(*Continued on page* 5)

Columbia Staff on Verge of Unionizing

Columbia's home office and local exchange white collar workers may be the first to join the American Federation of Bookkeepers, Stenographers and Accountants Union, Federal Local 20940, it was indicated over the weekend.

Representatives from the company attended the meeting of the union last week at Manhattan Opera House and expressed a desire to enroll. Edward K. Flaherty, organizer, advised the Columbia workers to enlist 51 per

(*Continued on page* 5)

FCC's Band Changes Will Aid Television

The F. C. C. in its recent allocation of channels for television, broadcasting, transoceanic, and police and aviation transmission has gone part of the way toward granting the request of the Television Committee of the Radio Mfg. Ass'n., it is said Saturday by A. L. Murray, television engineer of Philco Radio & Television

(*Continued on page* 8)

More Radio—P. 8

Sepia Tinting Bridges Gap Of Color, Black and White

HOLLYWOOD, Oct. 24.—Reaching back into his memory and his extensive knowledge of film printing, John Nickolaus, superintendent of photography and laboratory head of M-G-M, with apparent success has bridged a gap between black and white and color on the screen.

Nickolaus is credited with having concluded that it would be a good idea to "give them a little something extra in a picture" which would be "in no sense in competition with Technicolor or the other color processes," and the result is "sepia platinum."

Audiences saw the sepia tint-tone process in "The Good Earth" first. Then they saw it in the opening and closing sequences of "Maytime" and a few scenes of "Wee Willie Winkie"

(*Continued on page* 6)

ITO Drive to Discard Games Seen Failure

Efforts of the I.T.O.A. to round up local exhibitors to discontinue games and giveaways Dec. 1 will not materialize, it was learned over the weekend. Two independent circuits with a representation of 60 theatres have been approached by the I.T.O.A. to drop games, but are understood unalterably opposed to the idea.

One independent circuit head has stated that he will not eliminate games and will conduct his business the way he sees fit and not according to ideas proposed by an exhibitor organization. The second exhibitor has stated that as long as games and giveaways attract people to his group of theatres he will not do away with them.

According to the I.T.O.A. plan every exhibitor in the local territory must curtail the practice in a concert-

(*Continued on page* 6)

September Ticket Taxes Up $123,000

WASHINGTON, Oct. 24.—Halting the downward trend of the preceding two months, September collections from the admission tax increased $123,000 over August to a total of $1,722,468, according to figures just published by the Bureau of Internal Revenue. August receipts were $1,599,242.

The September collections were the largest since June and were more than $51,000 above the $1,670,044 reported for the corresponding month last year, the bureau reported.

For the first three quarters of the current year, it was shown, receipts from the admissions tax at $14,474,812 showed an increase of more than $1,600,000 over the $12,859,944 re-

(*Continued on page* 5)

Five Areas to Have Members At MPTO Meet

Reliable indications over the weekend were that five of the seven territories outside Philadelphia in which exhibitors' "buyers' strikes" are in progress will send representatives to the special meeting of the U.M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware in Philadelphia tomorrow to obtain a detailed account of the basic principles agreed upon in New York on Friday for the settlement of the "buyers' strike" in the Philadelphia territory.

If tomorrow's meeting there ratifies the settlement principles the same terms will be available to the other striking territories. The fact that all of the seven other territories may not be represented at the meeting does not indicate that those territories are not interested in effecting a settlement

(*Continued on page* 6)

Hutchinson Due to Tell Hoyts Status

Details of the status of Hoyts and Greater Union in Australia will be revealed shortly with the arrival of Walter J. Hutchinson, 20th Century-Fox head of foreign activities, from Sydney. Hutchinson is due to arrive in Los Angeles on the *Monterey,* Nov. 1.

While in Sydney, Hutchinson conferred with Charles Munro, managing director of Hoyts, and Stanley S. Crick, managing director of 20th Century-Fox in Australia. Hutchinson had planned to visit a few Asiatic countries on his trip, but cancelled a large part of his itinerary due to unsettled conditions there.

According to the five-year agreement Hoyts and Greater Union have

(*Continued on page* 5)

Deal on Chase Fox Holdings Gets Setback

Seen in Tally's Plan to Press FWC Action

LOS ANGELES, Oct. 24.—Long-standing negotiations for the purchase of the majority of the common stock in 20th Century-Fox now held by Chase National Bank meets another setback in the reiterated intention of T. L. Tally and the Corbar Corp. to press their action to set aside the Fox West Coast bankruptcy on grounds of fraud.

For many months, Joseph M. Schenck, Darryl F. Zanuck, William Goetz and other interests identified with 20th Century-Fox have been awaiting final clarification of this situation before proceeding with their deal for the stock acquisition.

Upon his recent return from Europe, Schenck, in reply to a question advanced by shipnews reporters in New York, stated the chief obstacle to consummation of the transaction was this suit. Tally and the Corbar Corp. have been pressing the litigation for months. A lower court held against them and on Oct. 11 a rehearing sought before the United States Su-

(*Continued on page* 4)

Kuykendall Attacks Doubles in Portland

PORTLAND, Ore., Oct. 24.—Double bills were scored by Ed Kuykendall, president of the M. P. T. O. A., on his arrival here in the course of a tour of the country. "We deplore the double feature system and realize it is bad for the industry," Kuykendall said.

The idea originated in an effort to meet the competition of theatres with stage shows, he said, "but it spread like an influenza epidemic." He voiced the prediction that duals soon would be eliminated. Kuykendall conferred here with Ted Gamble, manager of the J. J. Parker Theatres, and other operators. He went from here to Seattle.

Hammons Says Costs Have Jumped 32.5%

Production costs for Educational shorts have increased 32.5 per cent over last year, E. W. Hammons, president, declares. The boost is attributed to labor and new salary regulations put into effect by the Screen Actors' Guild.

Earlier in the season when the pro-

(*Continued on page* 5)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Columbia Men Hear Product Discussion

ATLANTA, Oct. 24.—Joe McConville and Rube Jackter discussed new season's product and liquidation of old contracts at the two-day regional Columbia sales meeting which wound up tonight at the Ainslee. This is the second meeting of its kind, the first having been held last weekend in Chicago. A third is slated for San Francisco.

In addition to McConville and Jackter, Leonard Picker and George Josephs also came on from the home office to attend. The four executives left for New York tonight. Exchanges represented at the sessions were Atlanta, Charlotte, Dallas, Memphis and Oklahoma City.

English at Ampa Party

Delegations from all British clubs and societies in Greater New York have been invited to attend Ampa's International Day party at the International Casino on Thursday. Among the notables scheduled to attend are Herbert Wilcox, Sir Gerald Campbell, Anna Neagle, Clem McCarthy, David Dow and Douglas Cole.

Purely Personal

SPYROS SKOURAS, who is due back from a vacation abroad the middle of next month, is expected to tarry a while longer in Athens in order to catch up on his golf. SPYROS forgot his clubs when he sailed and had them sent to his hotel in Greece on the next boat.

•

MORRIE RYSKIND has left for the coast and will return in a month to put on a play he has written with EDWARD CHILDS CARPENTER. RYSKIND spent three weeks here putting the finishing touches to the play.

•

HOMER HARMON, who succeeds MORRIS KINZLER as publicity director of the Roxy, will arrive from St. Louis today or tomorrow. HARMON has been at the Ambassador in the Mound City.

•

CHARLES ROSENZWEIG, local exchange manager for U. A., will have Nov. 15-20 set aside as ROSENZWEIG Week. It's the first sales drive for ROSENZWEIG since he joined the company.

•

LILY PONS has arrived from the coast to spend a week at her home at Silvermine, Conn. She will return to San Francisco next week by air for an opera engagement there Oct. 29.

•

IRVING DREEBEN, formerly with Paramount and 20th Century-Fox, is now identified with the New York ad sales department of U. A.

•

LESTER LUDWIG of Minnesota Amusements is in town from Minneapolis conferring with Paramount home office executives.

•

SAM COHEN of the U. A. foreign publicity department will leave this week for Havana and Bermuda on a belated vacation.

•

EDWARD SCHNITZER today plans to depart for Albany and Buffalo Republic exchanges. He will be gone a week.

•

LOUIS DREYFUS of Chappell & Co., music publishers, has arrived from London and will sail for home Dec. 8.

•

BUDDY MORRIS, son of SAM E. and head of the Warner music enterprises, will leave for the coast soon.

•

ARCHIE and MRS. MAYO sailed on the *Champlain* Saturday on the first leg of a world cruise.

•

CHRIS BUCKLEY, who now operates two theatres at Bennington, Vt., is in town.

•

NIGEL BRUCE, appearing in "Virginia," will head for Hollywood today.

•

TYRONE POWER will return to the 20th Century-Fox lot by plane today.

•

JOSEPH L. STEIN of the Copyright Protection Bureau back from his trip.

•

CLARENCE BUDINGTON KELLAND is due back this week from Arizona.

•

BOB GILLHAM is due back from the coast today or tomorrow.

•

BOB GOLDSTEIN entertained at poker Saturday night.

SCOTT R. DUNLAP, vice-president in charge of production for Monogram, arrived in town yesterday from the coast for home office conferences with W. RAY JOHNSTON, president. MRS DUNLAP accompanied the producer.

•

WILLIAM FAULKNER is in town from the coast. He is reported to have vowed that he is done with Hollywood. He will deliver a new manuscript to Random House and shortly after leave for his home in Oxford, Miss.

•

NATALIE GARSSON, daughter of MURRAY GARSSON, New York film attorney, makes her screen debut in "Dangerously Yours," for which she was loaned to 20th Century-Fox by M-G-M, for whom she is under contract.

•

LEON BAMBERGER, RKO sales promotion manager, spoke at a recent symposium of the Direct Mail Advertising Ass'n in connection with an exhibit of merchandising material.

•

THOMAS DIXON who wrote the story of "The Birth of a Nation," is working on a sequel covering the problems from reconstruction days through 1937.

•

MARTIN FINKELSTEIN, sales manager of Globe Pictures, is in town. He says the company will start "Spirit of Youth," the first of eight pictures, on Monday.

•

ED SCHREIBER has been promoted to assistant to SID RECHETNICK at Warners, making the second aide for RECHETNICK. IRA TULIPAN is first assistant.

•

ELMER J. MCGOVERN cut and edited "All in a Day," an industrial planned and produced with theatrical distribution in mind. FERD SPRINGER directed.

•

SAM E. MORRIS, Warner vice-president in charge of distribution, will arrive tomorrow from abroad on the *Ile de France*.

•

IAN KEITH has arrived here to rehearse for the stage production. "Robin's Landing."

Loew's Changes Policies

BRIDGEPORT, Oct. 24.—Policy shifts in Loew houses here make the Globe a first run house, and transfer the entire Globe program to the Lyric, a house heretofore used for weekend exhibition only. The Lyric will now be a second run, with once-a-week vaudeville, Bank Night and Swing Night as special inducements. Admissions will be 30 cents top at the Globe and 20 cents at the Lyric. Loew's Poli and Majestic are now both rated as "A" houses, and features warranting holdover in both will be shifted to the Globe.

Open Artcinema Branch

The new Artcinema Film Exchange, Inc., has opened offices in the Film Center Bldg. Charles Kranz, formerly with United Artists, is general manager. Al Bondy and William Ravnor are associated with Kranz. The firm will release 10 films of Artcinema Associates, Inc., of which Emil C. Jensen is president.

License Denied to Film "False Shame"

ALBANY, Oct. 24.—Dr. Frank P. Graves, Commissioner of Education, has denied the application for a license to show the film "False Shame" and dismissed the appeal of Jewell Prod., Inc., which sought to reverse the decision of Irwin Esmond, head of the state censor board, in barring the picture, which has venereal disease as its theme.

"False Shame" was viewed originally by one of the censor staff reviewers and then by Esmond, before it was barred. Jewell took an appeal, with Henry Pearlman of New York as attorney.

No indication was given as to whether Jewell will bring the case to the Appellate Division, as was "Ecstasy." It was believed that the impending decision on "Ecstasy," expected shortly, will serve as a precedent in guiding producers either to continue litigation or accept the decision of the censor as final.

Legion Approves All Of 12 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved all of the 12 new films reviewed, nine for general patronage and three for adults. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Brothers of the West," "Heidi," "Hold 'Em, Navy," "Rough Riding Rhythm," "Texas Trail," "Trapped by G-Men," "Trigger Trio," "The Wrong Road," "Young Dynamite." Class A-2, Unobjectionable for Adults: "The Awful Truth," "Live, Love and Learn," "La Crise est Fini" (French).

M-G-M Enters Denial

M-G-M and Robert Pirosh have filed a general denial in the U. S. District Court here in answer to the $250,000 infringement suit brought by Philip T. Clancy, author. Clancy alleges that his play, "Nuts to You," was infringed in the M-G-M picture, "A Day at the Races."

Seek Billboard Tax

PHILADELPHIA, Oct. 24.—A tax on billboards within the city limits designed to raise $2,500,000 annually is embodied in an ordinance now before the Finance Committee of the City Council.



DU PONT

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Fine Grain and the ability to render shadow detail makes Du Pont Superior Panchromatic all that the name implies.

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SMITH & ALLER, LTD.
6656 Santa Monica Blvd., Hollywood, Cal.

BETTER THINGS for BETTER LIVING through CHEMISTRY

Deal on Chase Fox Holdings Gets Setback

(*Continued from page* 1)

preme Court likewise was denied. The impression which gained foothold immediately thereafter was that the action of the high court had effectively disposed of the suit, thereby permitting the halted negotiations to proceed.

However, William Neblett, attorney for the plaintiffs, now proposes to file another action here on Wednesday. Until final disposition is made, the anticipation is that the dicker with Chase will not be completed.

M-G-M Gets Editors To Criticize Shorts

Seventeen film critics replied to M-G-M's request for suggestions and criticisms on the content of short subjects and a number of them presented the problem to their readers with the result that Fred Quimby, in charge of the shorts department, feels valuable information has been received.

Loew theatre managers also cooperated and offered passes to those presenting the best letters.

General interest was manifested in travel shorts. Some expressed the opinion these should be dramatized instead of simply narrated. Others criticized the fact that managers often advertised the shorts program as "and selected shorts."

Newspapers in Indianapolis, Harrisburg, Houston, Baltimore, Dayton, Richmond, Akron, Dallas and other spots cooperated.

Ask End of Photo-Screen

CINCINNATI, Oct. 24.—Fred H. and Lillian Gohman, owners of half the stock of Photo-Screen, Inc., have filed suit in Common Pleas Court against the company and Garland and Ruth M. Driskill, owners of the remaining half, demanding dissolution of the organization.

The petition sets forth that the owners are unable to agree on the management of the business.

In Sunday Films Move

ATHENS, Ala., Oct. 24.—Petitions asking that Sunday films be permitted in Athens have been circulated and sponsors of the movement claim they have been signed by a majority of voters. The petition stipulated no films will be shown during church hours.

Sign with Canton Unions

CANTON, Oct. 24.—Loew's and the Palace, first runs, and the Grand, playing burlesque, have signed a three-year agreement with union operators and stagehands specifying a seven per cent increase each year. The agreement is retroactive to Sept. 1.

McKenna May Join Metro

Kenneth McKenna, actor and playwright, is understood joining M-G-M as head of the play department in the east. He is reported set to succeed Bertram Block, who resigned several months ago to devote his time to writing.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Borrowing Trouble"

(*20th Century-Fox*)

HOLLYWOOD, Oct. 24.—Again using the familiar "Jones Family" principals and introducing a promising new juvenile actor, Marvin Stephens, but employing a more intimately appealing motivation, "Borrowing Trouble" maintains the entertainment and showmanship standard of previous episodes in the domestic life series.

The plot revolves about what happens to the Joneses when problem youth Stephens becomes Georgia Ernest's chum. While there is sufficient romantic content, in which Shirley Deane and Russell Gleason are featured, and no lack of homey human comedy, the main factor is light drama. It takes a lot of urging to convince Jey Prouty that Stephens is not a bad boy and that he would be a suitable companion for young Ernest. But when his resistance is conquered, circumstantial evidence makes it appear that Stephens is a participant in the robbery of his drug store. With the audience kept cognizant of all incidents, compounded suspense that makes for a suggestion of persecution and pathos carries the story to a point where Prouty and Russell Gleason are certain of the lad's innocence and put into motion the chase machinery that leads to the capture of the real robbers and the establishing of Stephens' innocence all around.

As usual, Prouty, Spring Byington, Florence Roberts, Gleason and the younger family members, June Carlson, Ernest and Billy Mahan, give well-etched performances. Quality is added to the entertainment value of the story by the work of Cy Kendall, Howard Hickman, Wade Boteler, Andrew Tombes and Joseph Downing, and George Walcott and Dick Wessell, who are the hoodlum trio. Under Max Golden's production guidance and Frank Strayer's direction, the original screenplay evolved from the Katherine Kavanaugh characters by Robert Chapin and Karen DeWolf establishes "Borrowing Trouble" as desirable family entertainment and a worthy successor to earlier numbers in the series.

Running time, 60 minutes. "G."

"Without Warning"

(*Warners*)

HOLLYWOOD, Oct. 24.—"Without Warning" is a gripping mystery story, the tempo of which is aided by excellent photograpny in subdued tones and bits of comedy. It brings Boris Karloff to the screen again without fantastic makeup to frighten children. Bryan Foy produced the picture, which will satisfy mystery fans in all particulars.

Supporting Karloff, who has the role of a former convict imprisoned falsely and seeking revenge, are Marie Wilson, Eddie Craven, Eddie Acuff, Regis Toomey and others. The suspense continues to the final fadeout under the crisp direction of John Farrow. The screenplay, more or less formula style throughout, was written by Crane Wilbur from the Ralph Spencer Zink play. L. William O'Connell draws the credit for the photography.

Although a title card flashes on the screen before the start of the picture to warn that the persons, the story and the institutions in the screenplay are fictious, the locale of the story is at an island barracks of the Army. As Craven brings his bride of a few hours, Miss Wilson, to the island in violation of Army rules, a murder is committed. They discover the body and, amid the prescribed mechanics of introducing numbers of suspects, about eight persons are shown as the possible criminals. Karloff, as the former convict exposed in the investigation by an intelligence officer, is arrested, but eventually is cleared, with the exposure of the real culprit, who was trying to take over the apparently profitable gun-smuggling business of the murdered man.

Running time, 56 minutes. "G."

RKO Forms Peru Unit

RKO has formed RKO Radio Pict. del Peru, S. A., for the distribution of its product in the Pacific coast nations of South America. Organization was under the supervision of Ben Y. Cammack. William S. Farmer will be manager of the branch.

Welsh Joins Webb

HOLLYWOOD, Oct. 24.—Robert E. Welsh has joined Norman Webb as a partner in *National Box-Office Digest.*

Major to Use New Sound

HOLLYWOOD, Oct. 24.—The new pre-equalzing principle for noise reduction in recording developed by John Hilliard, M-G-M sound engineer, will be used by Major in recording numbers by Mae West and Bing Crosby.

To Limit Ticket Sales

BIRMINGHAM, Oct. 24.—City Fire marshal Sam Williams says he will enforce the city ordinance prohibiting theatres from selling more tickets than the seating capacity.

First M-G-M Foreign Winners Arrive Soon

Forty M-G-M foreign sales executives, leaders in the 1936-'37 drive conducted by Arthur Loew, will visit New York and Hollywood as guests of the company, starting next month. Of the number, 34 are office managers and the other six sales and district managers. Each man will spend about a week here and five to seven days at the studios. The men will arrive at the rate of four to six a month.

The two score men who will make the New York-Hollywood trip are: C. Niebla, Mexico City; T. Hale, Santiago, Chile; E. O'Connor, Havana; G. Levy, Perth, W. Australia; A. Moretti, Rome; P. Telfer, Melbourne, Australia; A. Neville, Dublin, Ireland; S. Dulin, Oslo, Norway; P. Maddock, Wellington, N. Z.; E. F. Johansen, Osaka, Japan; L. Andrews, Brisbane, Queensland; J. Quevedo Lopes, Sao Paulo, Brazil; W. Forster, Sydney, N.S.W.; B. Cresswell, Birmingham, Eng.; L. Berger, Prague, Czechoslovakia; G. Cammarota, Naples; N. Papini, Bologna; A. Vitiello, Catania; G. Del Papa, Florence, Italy; E. Zaharovici, Bucharest, Roumania; I. Cohen, Manila, P. I.; L. Hutchinson, Leeds, Eng.; A. J. Whetter, Liverpool; A. Kellner, Adelaide, South Australia; F. L. D. Strengholt, Berlin; R. Weil, Zurich, Switzerland; A. F. Gibson, Glasgow; E. Hancock, Newcastle; T. A. Connor, Manchester, Eng.; F. Martini, Padua, Italy; S. Mazza, Rio de Janeiro; A. Lupo, Trieste; D. King, Cardiff, Wales; G. Mastrelli, Genoa; J. Squier, F. E. Hutchinson, R. Gerbert, London; D. Lake, Sydney, N.S.W.; A. Judall, Rio de Janeiro; R. Bassoli, Rome.

Throckmorton Elected

G. K. Throckmorton has been elected president of RCA Mfg. Co., Camden. He had been executive vice-president. He succeeds E. T. Cunningham, who retired last April as president.

Wall Street

Universal Only Stock Gain

	Open	High	Low	Close	Net Change
Col.	15	15	14⅛	14½	— ⅝
Cons.	2¼	2¼	1⅞	1⅞	— ¼
Cons., pfd.	7⅛	7⅛	6½	6½	—1
E. K.	164	164	161	161	—4
G. T. E.	13½	13½	12⅞	13	—1
K.A.O., pfd.	85¾	85¾	85¼	85¾	— ¼
Loew	62	62¼	60¼	60½	—3
Loew, pfd.	105¼	105½	105¼	105½	.....
Para.	12⅛	12⅛	11	11¼	—1
Para. 1.	97	97	92	92	—4½
Para. 2.	11⅜	11⅜	10⅝	10¾	— ⅝
Pathe	5⅝	5⅝	5⅜	5½	— ½
R. K. O.	4⅝	4⅝	4¼	4¼	— ⅜
20th pfd.	30⅛	30⅛	30⅛	30⅛	—2⅞
Univ., pfd.	33	33	33	33	+1½
W. B.	7⅝	7⅝	7⅛	7⅛	— ⅝

Curb Declines

	Open	High	Low	Close	Net Change
G. N.	1⅜	1½	1⅜	1⅜	.....
Sonotone	1½	1½	1½	1½	— ⅛
Technicolor	19	19	18½	18½	— ½
Trans-Lux	2⅞	3	2¾	2¾	— ⅛
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	.....

Bonds Change Lightly

	High	Low	Close	Net Change
Para. Bway 3s' 55	63½	63½	63½	+ ½
Para. Pict. 6s '55.	95	95	95	—1
Para. Pict. '47.	80	80	80	+1
W. B. 6s '39.	86¼	83½	83½	—1½

(Quotations at close of Oct. 23.)

Talks on U.A. Deal to Start Here at Once

(Continued from page 1)

of the country they happen to be. It is unlikely that they will be called.

The sessions here are expected to take from three to four days. One of the plans lined up provides for English financing, two others for American money. One of the American companies is reported to be Hemphill, Noyes & Co., but sources close to the situation will not confirm or deny the story.

According to latest developments, Fairbanks and Miss Pickford are amenable to taking 37½ per cent in stock and the balance in cash. Chaplin is understood insisting on $2,000,000 cash. The options expire Dec. 21.

As soon as a plan is decided upon this week, notification for lifting the options will be forwarded the three selling partners in U. A.

U. A. Holding Producers

Walter Wanger is said to be continuing with United Artists on his 10-year deal, which has nine more years to run. David O. Selznick was said to be discussing an extension of his U. A. deal, which expires next year. However, other sources hold that Selznick will not remain with the company in the event Goldwyn and Korda secure control. Korda, however, may influence Selznick to change his mind, it was said.

Meanwhile, the sessions are centering in New York this week. There will be meetings in Hollywood, but probably not in connection with the current deal. Lever will go to the coast to visit the production center. He has never been to this country before. Goldwyn will leave after the opening of "Hurricane," at the Astor Nov. 9. Korda may depart for Hollywood after a week here. Rose is planning to leave about the same time.

Columbia Staff on Verge of Unionizing

(Continued from page 1)

cent of all employes. Application blanks were handed out. As soon as the required number of signatures has been secured, a delegate from the union will discuss terms with Columbia home office executives, it was stated.

Bookers from the local Columbia exchange told Flaherty, according to reliable information, that it was necessary for them to work overtime every day. Flaherty is said to have told them that it may be possible to get a 40 to 50-hour week agreement for that type of worker.

All employes will be classified. Increases of 10 per cent for all workers were assured at the meeting. As soon as one company gets the stipulated 51 per cent, another session will be called, it was stated.

A number of former Universal employes also attended the meeting.

Adds 2 G. B. Salesmen

Arthur A. Lee, G. B. vice-president, has named Sam Soroker as a salesman at Boston and has added John Dugan to the Cincinnati staff.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Missing Witness"

(*First National*)

HOLLYWOOD, Oct. 24.—Apparently based on the Dewey investigations of rackets in New York and the bringing to justice of various racketeers, "Missing Witness" brings to the screen a well-woven crime melodrama in the program field. This classification is not due to the fast-moving screenplay of Kenneth Gamet and Don Ryan, nor the tempo-maintaining direction of William Clemens, but to the lack of marquee names of suitable strength to draw patrons through the turnstiles.

That should not be taken as criticism of the cast headed by John Litel, Dick Purcell, Jean Dale and Marsha Ralston. They and the other players performed capably in their roles.

After a restaurant owner repudiates his recognition of racketeers who wreck his establishment, Litel is appointed as special investigator of the rackets in the city. Purcell is his chief assistant. Jean Dale, secretary of the stock broker, Harlan Tucker, suspects that he is the head of the crime ring and tells Litel. Tucker disappears, Miss Dale is suspected of his murder, and Purcell, falling in love with her, sets out to find her. Through a trick Tucker is found and confesses, paving the way for romance for Purcell and Miss Dale.

Running time, 60 minutes. "G."

"The Lady Fights Back"

(*Universal*)

HOLLYWOOD, Oct. 24.—This is a pleasant little picture strung over unfamiliar framework which accounts for a freshness that lifts it above the routine of intentionally secondary product. Kent Taylor, Irene Hervey and William Lundigan are the top names, although mention of Arthur Stringer as author—"Heather of the High Hand" was the original title—may have drawing power in some regions.

The story concerns an engineer commissioned to superintend the building of a dam in a mountain area and a girl who strives to thwart him, her parental inheritance being a salmon club patronized by wealthy men friends of her deceased father. Successful construction of the dam will destroy the stream for her purposes, she believes, and "The Lady Fights Back" by force and legal aid, to stop proceedings. Meanwhile, the two opponents fall in love. A happy ending is worked out when the engineer devises a "salmon ladder" by which the fish may continue to negotiate the stream after the dam has been completed.

It is an Edmund Grainger production, directed by Milton Carruth from a screenplay by Brown Holmes and Robert T. Shannon. The locale is such as to have enabled Milton Krasner to obtain extraordinarily effective camera results.

Running time, 61 minutes. "G."

Looking 'Em Over

"In the Far East"

(*Amkino*)

The frontier near the Siberian-Manchukuoan border is the setting for this latest Russian film. It also turns out to be a story, quite theatrical and obviously dramatic, that has to do with Japanese spies who endeavor to wreck a projected railway. By devious methods, however, the espionage is uncovered and the audience is quite bluntly made to see how the state and its supporters triumph.

The narrative concerns the troubles brought to the engineers and geologists by Trotzskyists and their aids as the engineers penetrate the primeval forest. The story mainly concerns the rivalry between the plotters and the comrades who seek to delay and facilitate putting the road through a mountain. One faction desires to tunnel while the other advocates blasting a pass. However, a Chinese refugee from across the Amur River uncovers the plot in time and the affair concludes. The story is slow-moving and the English dialogue titles do not seem to interpret the events coherently.

Running time, 82 minutes. "A."

Smart Kiwanis Leader

CHARLOTTE, Oct. 24. — Roy L. Smart, district manager here for North Carolina Theatres, has been elected president of the local Kiwanis Club. He had been a member of the board of directors during the past year.

Variety Club

Cincinnati

CINCINNATI, Oct. 24. — A business session of the general membership was held here to listen to reports of committees, discussion of the entertainment schedule for the fall and winter season, nomination of candidates, and laying of advance plans for the national convention of Variety Clubs to be held here in April.

New members added to the local roster are SAUL M. GREENBERG, owner of the Clifton, resident membership, and PAUL BAKES, owner-manager of the Hoosier, at Vevay, Ind., non-resident membership.

JOE GOETZ has added to his candid camera and other activities by becoming editor of the *RKO Paramount Weekly*, house organ.

September Ticket Taxes Up $123,000

(Continued from page 1)

ported for the corresponding period in 1936.

Receipts in the Third New York District increased from $393,838 in August to $442,546 last month, but were considerably under the $4,517,180 collected in Sept., 1936, it was reported.

Collections from box-office admissions in the Broadway District accounted for both the gain over August and the loss from last September, totaling $407,698 against $350,938 in the preceding month and $489,455 in the corresponding month last year.

Other collections included $546 from free or reduced rate admissions, against $2,651 in August; $2,582 on tickets sold by brokers, against $2,651; $555 on tickets sold in excess of box-office prices, against $498; $210 from permanent use or lease of boxes and seats, against $270, and $30,954 from admissions to roof gardens and cabarets, against $36,205.

Hutchinson Due to Tell Hoyts Status

(Continued from page 1)

been operating under, notice of extension of the pooling agreement must be given in writing by Dec. 31, 1937. Greater Union has been reported favoring a discontinuance of the deal, but Hutchinson's trip is said to have been for the purpose of trying to straighten out some of the points in dispute.

Hutchinson is due to return to New York shortly after his arrival on the coast to confer with Sidney R. Kent on latest developments in the Australian situation.

Hammons Says Costs Have Jumped 32.5%

(Continued from page 1)

gram was laid out, it was anticipated that the new season's product would cost approximately 20 per cent more than last year, but new conditions have been responsible for an additional 12.5 per cent, it was stated.

Production at Astoria continues unchanged despite the new increases and the full lineup is promised.

Five Areas to Have Members At MPTO Meet

(Continued from page 1)

with the distributor, it was pointed out. Southern California would have difficulty getting a representative here and the "strike" in Indiana is not as well organized as in other localities and agreement upon designation of a representative for that territory would be difficult on short notice it is believed.

The territories which are expected to send representatives are Minneapolis, Boston, Milwaukee, western Pennsylvania and Ohio. All seven, however, were advised of the settlement principles last Friday and Saturday by telephone and were urged to attend tomorrow's meeting, if possible, by Lewen Pizor, U.M.P.T.O. president.

General "Strike" Peace Likely

If the meeting approves the basic agreement it will pave the way only for the opening of individual negotiations by exhibitor accounts with the Paramount sales force.

The agreement provides that Paramount will not insist upon examination of customers' books to ascertain profits or "split" on percentage engagements; for a cancellation privilege subject to individual negotiations for the eight to 12 features, short subjects and bi-weekly issues of the newsreel which have been "shelved" by the exhibitors since Aug. 1; adjustment of contracts in connection with several of the six features claimed to have been included in last season's contracts but not delivered; outright or percentage selling of 1937-'38 product with negotiations on an individual basis, rather than in accordance with a set sales formula.

Both sides agree to abandon litigation now under way.

New Color Printer Assembled on Coast

HOLLYWOOD, Oct. 24.—A new Telco color processing machine for making color prints at high speed is being assembled at the temporary quarters of the Telco Corp. It is claimed that the machine, working from any set of color separation negatives, can apply colors mechanically and deliver uniform color prints at the speed of black and white.

Robert Hoyt, president of Telco, is supervising the installation.

Seattle Meet to Start

SEATTLE, Oct. 24.—The M. P. T. O. of the Northwest begins its 15th annual convention at the Washington Hotel here tomorrow. Ed Kuykendall is scheduled to speak. A display of equipment, trailers and posters will feature the meeting and various state, county and city officials will appear as guests.

Gets French Film

European Films Corp. has acquired the American rights to the French production "Le Roman d'un Tricheur" ("Story of a Cheat"), featuring Sascha Guitry.

Sepia Tinting Bridges Gap Of Color, Black and White

(Continued from page 1)

were likewise sepiaed, by Nickolaus. According to the present plans of M-G-M, audiences will see many more, since M-G-M is expanding its laboratory and installing four new machines to handle the work. Thus far, M-G-M is the only studio equipped to handle the new development and plans to use the tint also on the new cartoon series, "Captain and the Kids." The additional cost is estimated at approximately one-quarter of a cent per foot.

The idea of the sepia tint-tone process is not new. It is simply the application of a still photography developing and printing process to motion pictures. It was used in the silent film days, but it failed chiefly because the high intensity projection lamps used in modern projectors quickly burned off the coating. In the silent days, the "rack and tank" method was employed. At that time, a 1,000-foot reel was cut into 200-foot segments, put through the chemicals and solutions, the segments were hung in a rack to dry, then were pasted together again.

Silent Type Had Faults

Its faults were high cost, uneven results, the deterioration of the strength of the solutions, the inconsistency of the toning, and the burning off of the coating under high intensity lamps. All attempts to tone pictures were halted by the coming of sound-on-film, because, according to Nickolaus, the chemicals required to complete the process dissolved the sound track.

Then Nickolaus, with the Society of M. P. Engineers, in collaboration with Eastman and other raw stock manufacturers, began experimenting with film which could withstand the effect of the chemicals.

A sufficiently strong film was developed about the time "The Good Earth" was completed. At that point, the late Irving Thalberg, aware of the experiments, called in his laboratory head and asked him what progress was being made. When Nickolaus told him the right film had been developed. but that the "rack and tank" developing and tinting problem was still present, and that $25,000 would be needed to build a machine to accommodate the process film in a manner similar to the machines used for black and white, Thalberg told him to go ahead.

Hard Road Traveled

A temporary machine was built and the tinting process as seen in "The Good Earth" was produced. Discouraging difficulty beset the experimenters, chiefly the fact that the chemicals dissolved the metal in the machine, causing the solutions to become tainted and coating the sepia-toned film.

Exhaustive experiment resulted in obtaining a certain stainless steel which served the purpose and, at further expense, renovations were made in the original machine. The result was the superior tinting as used in "Maytime."

The machine has been perfected as far as it is possible to go at the present time, according to Nickolaus, and is considered satisfactory. The one in use has a capacity of about eight feature length pictures a day. The process is slow and must be watched and checked continuously.

Nevertheless, M-G-M is continuing with the construction of four new machines and, although experiments are going on, Nickolaus believes that when they are completed the studio will be ready to go in for mass sepia-tinted production.

The sepia tint goes on the film in a manner almost exactly like the developing and printing of black and white film. As the process is continuous, the films are toned, washed, dyed, washed, dyed again and finally dried. The range of sepia is infinite. It can be applied to all colors in their entire range. In other words, the process is not confined to primary colors any more than to the secondary colors which have been its extent to date. However, only the soft tones are visible to the unaided eye.

The eventualities of the process are still unpredictable. The process is confined now to three major classifications, straight sepia, sepia blue and sepia blue and orange.

Mailbag

Eddie Klein, reporting from London:

"I happened to mention 'atmospheric theatres' to an American visiting from Louisville. Whereupon, the young man asked:

"'Is an atmospheric theatre one which is air conditioned?'"

Delay Beatrice Test On Sunday Openings

BEATRICE, Neb., Oct. 24. — The court action filed by the American Legion seeking to have repealed the blue laws forbidding Sunday shows here has been delayed again by the opposition's successful challenge on the eligibility of District Judge Ellis. The judge is a Legion man.

After last July's special election ended in a tie vote and the county attorney ruled that the Sunday issue was lost, the American Legion filed a suit challenging the way mail ballots were counted. The votes of ten railroad men, known to have voted for Sunday shows, were declared invalid by the counting board because the election clerk had forgotten to sign them. The Legion's attorneys also declare the mail vote of a former teacher, now living in Baltimore, Md., should be invalidated on grounds she never intended to return here and thus was not a legal resident.

Mexican Film to Para.

Paramount has closed with Grovas-Mexican for worldwide distribution (except in Mexico and the United States) of "Amapola del Camino," starring Tito Guizar, tenor.

Schenck Buys Estate

Nicholas M. Schenck has purchased an additional three-acre estate known as "Delcrest," at Great Neck, L. I.

ITO Drive to Discard Games Seen Failure

(Continued from page 1)

ed move. Major circuit executives have expressed themselves as favoring the elimination plan, but will not make a move until competitive situations drop games.

Last year, Loew's, RKO, Skouras and Century circuits abolished cash awards in the hope that subsequent theatres would follow suit. When this did not materialize, the games were reinstated. However, the I.T.O.A. is continuing its drive to do away with the practice but so far little support has been given the plan.

It was learned that two members of the I.T.O.A. will not drop games, despite the contention by the exhibitor organization that its entire membership had approved the move.

Rosenberg Renamed Head of MPTO Unit

PITTSBURGH, Oct. 24.—M. A. Rosenberg was reelected president of the M.P.T.O. of Western Pennsylvania at the start of the annual two-day convention at the Hotel Schenley.

Other officers named were: Vice-President, W. L. Brown; secretary, Fred Herrington; treasurer, Joseph Gelman; directors, Carl Poke, William J. Walker and Pete Antinopolis.

Abram F. Myers and H. M. Richey addressed the gathering.

Oklahoma Meets Nov. 8-9

OKLAHOMA CITY, Oct. 24.—Preliminary arrangements for the annual M.P.T.O. meeting at the Biltmore Nov. 8 and 9 were discussed at a meeting of directors and officials this week.

Ed Kuykendall, M.P.T.O. president, will present his 10-point program and support of his program is expected.

Invited guests include M. A. Lightman, Fred Wehrenberg, Judge Roy L. Walker, Col. H. A. Cole, Dave Palfreyman and Bob O'Donnell.

The directors will meet again Nov. 1 to complete details of the program.

Form Fort Wayne Ass'n

FORT WAYNE, Oct. 24.—Local exhibitors have formed the Fort Wayne M. P. Exhibitors' Ass'n with Harvey G. Cocks as president. George Heliotes is vice-president, and H. Brokenstein is secretary-treasurer.

Chicago Exchanges Move

CHICAGO, Oct. 24.—Three Chicago film exchanges will move southward within the next few days to occupy new offices in the recently completed film exchange building at 13th St. and South Wabash Ave. This two-story structure will be occupied by the Universal, Columbia and United Artists which were formerly located at 831 South Wabash Ave.

Drops "Boy Meets Girl"

HOLLYWOOD, Oct. 24. — Marion Davies has decided not to do "Boy Meets Girl." She is considering three scripts, on one of which she will begin work shortly for Warner release.

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Radio Personals

RICHARD BLONDELL'S contract has been renewed by the WOR artists' bureau . . . Jane Gillis, who has been here for the past three years studying voice, has left for Cincinnati to join the staff of WLW-WSAI . . . Madge Evans will be featured guest on "Seein' Stars" Oct. 31 . . . Rudy Vallee will celebrate his eighth year in radio Thursday. He will have Joe Penner, Bob Burns and Bergen and McCarthy on the anniversary show . . . The political parties are enriching the local stations handsomely, with the Communist Party, oddly enough, spending most of its budget for WINS time . . . Slightly below the belt is the Fizdale office release stating that a cocktail party tendered one press agent by another, outdrew the party for Tyrone Power, Alice Faye . . . Adolphe Menjou and Verree Teasdale will appear on the Jolson show Nov. 2 . . . Lucrezia Bori will be Andre Kostelanetz' guest on the Chesterfield hour Nov. 3.

FCC's Band Changes Will Aid Television

(*Continued from page* 1)

Corp. and chairman of the R. M. A. committee.

The committee had stated to the F. C. C. that before television experimentation could be successfully carried on toward the development of practical television, the whole band from 42 to 90 megacycles needed to be cleared for this express purpose. According to Murray, in assigning channels from 44 to 108 megacycles, the F. C. C. has given television companies a number of the desired channels, though some of them are so high they cannot be used for this purpose.

FCC Continues Its Probing of Lawyers

WASHINGTON, Oct. 24.—Alleged use of dummy applicants for broadcasting privileges by Paul M. Segal and George S. Smith, attorneys on trial before the F. C. C. on charges of unprofessional conduct, was further explored by commission counsel yesterday at a short session before the commission.

Presentation of the commission's case has been very slow and marked by frequent consultations between the commissioners on points of procedure which have arisen, indications being that the trial will be long drawn out.

Efforts of the prosecution so far have been confined to the linking up with the two attorneys of a number of applicants which the commission charges were dummies set up to exercise an influence over commission action on applications for new stations.

Change Governor's Time

OKLAHOMA CITY, Oct. 24.—The time for Governor Marland's weekly 15-minute broadcast from the Capitol over the Oklahoma network will change to 6:30 P. M. every Monday from 12:30 P. M. Mondays. Officials of KTOK, over which the broadcasts originate, said the time was changed to give the Governor a larger audience. The program is sustaining.

Arrange Salutes

New Haven, Oct. 24.—Erle Wright, Loew-Poli publicity head, says every Loew town on the circuit is arranging special salutes on one or more local stations Nov. 4, in honor of the debut of the Metro-Maxwell House programs. A slogan of "Loew's all over the dial" has been adopted, and among the features already arranged for New Haven are talks by Dr. William Lyon Phelps and Mayor John W. Murphy, and orchestra and vocal selections.

Recommends Station For Mrs. Roosevelt

WASHINGTON, Oct. 24.—George H. Hill, F. C. C. examiner, has recommended that Mrs. Elliott Roosevelt, daughter-in-law of the President, be allowed to acquire control of KFJZ, Fort Worth, Tex., owned by Fort Worth Broadcasters, Inc.

Hill's report showed that the contract under which Mrs. Roosevelt proposes to purchase KFJZ called for $12,500 in cash and $45,000 in 24 quarterly installments, but placed the "total net worth" of the company on the basis of its May balance sheet at $33,981.80.

At the hearing R. S. Bishop, who controls the station, detailed Mrs. Roosevelt's financial and personal qualifications for taking over the station. Mrs. Roosevelt assured the commission that the resources and experience of her husband, now managing director of four Texas and Oklahoma stations of Hearst Radio, Inc., would be at her disposal.

Criticisms of Air Programs to Start

HOLLYWOOD, Oct. 24.—A new program will start on KFWB Monday under the title of "Take the Air," in which network and local air programs will be criticized. The idea is that of Gene Inge, formerly radio editor of the *Herald-Express*, who will produce it.

Several sponsors have been tentatively lined up, but are holding off any actual inking until the response has been checked. Inge's plan is to have Manning Ostroff as commentator read his script in which a character billed as the "Voice of the Listener" will criticize the air shows, and the answers are to be furnished by various radio editors. First radio editor to appear on the program will be Dale Armstrong, of the Los Angeles *Times*. Pinky Tomlin will also be a guest, for an interview.

Busy Schedule Set For FCC Hearings

WASHINGTON, Oct. 24.—The F.C.C. calendar of hearings for the current week follows:

Oct. 25—before an examiner: Application of George H. Payne for a new 1,440-kilocycle, 500-watt station at San Jose, Cal.

Oct. 26—before an examiner: Application of WDWS, Champaign, Ill., for extension of time to operate nights with 100 watts power and increase day power from 100 to 250 watts.

Oct. 28—before an examiner: Applications of J. T. Griffin for an 880-kilocycle, 1,000-watt daytime station at Fort Smith, Ark.; Fred M. Weil for a 1,420-kilocycle station at Grand Coulee, Wash., 100 watts night, 250 watts day, and KTSM, El Paso, for change of frequency from 1,310 to 1,350 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts.

Oct. 28—before the broadcast division: Applications of *The Bend Bulletin* for a 1,310-kilocycle station at Bend, Ore., 100 watts night, 250 watts day; *Waterloo Times-Tribune* for a 1,370-kilocycle, 100-watt daytime station at Waterloo, Ia.; West Texas Broadcasting Co. for a 1,380-kilocycle, 1,000-watt station at Wichita Falls, Tex.; Wichita Broadcasting Co. for a 620-kilocycle station at Wichita Falls, Tex., 250 watts night, 1,000 watts day; Faith Broadcasting Co., Inc., for a 1,380-kilocycle station at Wichita Falls, Tex., 1,000 watts night, 5,000 watts day; KFPL, Wichita Falls, Tex., for change of frequency from 1,310 to 1,500 kilocycles, and Chase S. Osborn, Jr., for a 1,440-kilocycle, 500-watt station at Fresno, Cal.

Oct. 29—before an examiner: Application of WLAK, Lakeland, Fla., for increase of day power from 100 to 250 watts.

KDKA Will Dedicate New Antenna Oct. 30

PITTSBURGH, Oct. 24.—KDKA, in dedicating its new antenna Oct. 30, will also celebrate its 17th birthday, and the occasion will be marked by fitting ceremonies. Among those who will be present when the new spire is placed in operation will be A. W. Robertson, chairman of the board of Westinghouse; F. A. Merrick, president of Westinghouse; Lenox R. Lohr, president of NBC; Dr. Frank Conrad, Westinghouse assistant chief engineer; W. C. Evans, manager of the Westinghouse radio division; Alfred H. Morton, manager of NBC operated stations.

The new system will give KDKA a primary broadcasting area 10 times greater than previously provided.

Tinkers Self to Court

Bristow, Okla., Oct. 24.—William G. Bond, amateur radio operator and inventor, tinkered his way into Federal Court at Dallas. He had hooked up his amateur set to the kitchen stove to send messages through the Lone Star Gas Co.'s lines from Dallas to its branch here, a F. C. C. examiner said.

"I didn't know it was against the law to use ground radio transmission and never dreamed it would go into the air," Bond told Commissioner Lee R. Smith.

Communications commission officials said Bond did not have a license and that the hookup interfered with radio programs. Smith released the inventor on his own recognizance to appear in Federal Court at Dallas Oct. 25.

New Shows On the Air

"How to Get the Most Out of Life"

Governor Fred P. Cone of Florida scarcely read 50 words of his script Thursday morning before he went into a spiel detailing the abundant crops and agricultural possibilities, the population, the scenery and the climate of his home state. Governor Cone said all this while introducing Mrs. Emily Post, who is being sponsored by a $300,000 industry which spends $500,000 a year maintaining the Citrus Fruit Commission sponsors of this program for its 30,000 fruit growers.

Mrs. Post's part of the program promises to be interesting at a future date when she can really hit her stride with problems that will interest the woman at home. Yesterday she managed an entertaining start answering such queries as "Should a man and woman go on a weekend trip unchaperoned?" Let the female in the case use her own judgment and let what her neighbors will think be her guide, said Mrs. Post.

The program is to be heard on Tuesday and Thursdays from 10:30 to 10:45 A. M. Ruthrauff and Ryan is the agency.

RCA Communications Signs an ARTA Pact

RCA Communications, Inc., and the American Radio Telegraphists' Ass'n., affiliated with the C. I. O., have signed a one-year contract covering wages and working conditions for 1,000 employes in the U. S. and Hawaii. The contract is the first ever signed by RCA Communications with a labor union.

The contract provides for wage increases of from three to 10 per cent, a 42-hour week, two weeks' vacation with pay for those employed from one to five years, three weeks for those employed from five to 10 years, and four weeks for those employed more than 10 years; time and a half for overtime, double time and a half for work on holidays, and union recognition. The wage increases are retroactive to July 1.

Edwin P. McGrady, labor relations executive for RCA, and Mervyn Rathborne, president of A. R. T. A., negotiated the contract.

WCAU Signs With Union

PHILADELPHIA, Oct. 24.—A new two-year contract has been signed by 18 technicians at WCAU. The new contract which will net the technicians a seven and a half per cent pay increase resulted from negotiations between Dr. Leon Levy, station president, and Local 28 of the A.C.A. In addition, Levy agreed to withdraw an application for a permanent injunction restraining the union from picketing and branding the station unfair. The new pact provides for a 44 hour, five-day week and establishes minimum salaries of $46 to $69 weekly and sets up arbitration machinery.

Weissinger Joins WCKY

CINCINNATI, Oct. 24.—F. H. Weissinger, formerly of Campbell-Ewald, has joined the sales staff of WCKY here.

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VOL. 42. NO. 99 NEW YORK, TUESDAY, OCTOBER 26, 1937 TEN CENTS

Expect Other Spots to Take Phila. Terms

Delegations to Attend UMPTO Meet Today

PHILADELPHIA, Oct. 25.—After telephone conversations today with the seven territories affected by the Paramount "buyers' strike" Lewen Pizor, president of the U. M. P. T. O., said he expected out of town delegates to attend tomorrow's ratification meeting. The attendance will depend largely upon plane and train schedules.

Pizor said he had been assured all the territories affected would follow the Philadelphia lead.

"I think we have reached a sane, sensible conclusion to the matter," Pizor said. "We have agreed upon a compromise based on business common sense that will leave no scars or bitter feeling. The conclusion of the affair, we think, marks a step forward in distributor-exhibitor relationships and will set a precedent

(*Continued on page 6*)

China Attendance Is 40% Normal—Britton

Attendance at the film houses in the six leading cities of China is 40 per cent of normal, according to Leon Britton, general manager of Peacock M. P. Co., distributors of RKO product in China, with headquarters in Shanghai. Britton is here on business and expects to return next month.

He reports that China has 180 theatres wired for sound. Admission to first run houses runs from 60 cents to $2 in silver Mex., equal to about 17 to 60 cents in American money. No double bills are run in the first run houses, Britton said.

"Ali Baba" Grosses $33,000 in 3 Days

"Ali Baba Goes to Town" played to 66,792 persons over the weekend and garnered $33,000 in the three days at the Roxy. Indications are that the picture will finish the first week with $53,000. The eleventh week of "The Firefly" at the Astor got about $5,000, while the second final week of "Wife, Doctor and Nurse" at the Rivoli ended with $12,500.

Radio—Page 8

Spokesman Foresees Selznick Switch If U. A. Control Shifts

An official spokesman for David O. Selznick stated flatly yesterday that the producer will not remain with United Artists if the option now held by Samuel Goldwyn and Alexander Korda for control of the distributing company is exercised. Selznick will remain here until he makes a new deal, probably in two weeks.

Such control, he added, in Selznick's opinion would place him in what was described as a position of "subordination" to the controlling producers. This, it was stated, Selznick would refuse to countenance.

Negotiations with other distributors admittedly are under way regardless of the outcome of the U. A. option situation, this spokesman declared. He said for Selznick that the producer was mapping his future plans and paying little heed to the Goldwyn-Korda negotiations. Of prime consideration in Selznick's plans is an intention to maintain the identity of Selznick International. An effort likewise was made to convey the impression that he was considering picking up the option with John Hay Whitney's continued backing in the event the current dickers fail. At the same time, it was suggested that the chance that Selznick would remain with U. A. was an "outside" one.

Studio Pace Slows With 38 Shooting

HOLLYWOOD, Oct. 25.—The number of productions before the cameras this week totaled 38, four less than last week, as 11 finished and seven started. Eighteen are being prepared, and 61 are in the cutting rooms.

Those starting are: Columbia, "Singing Ranger," "The Night Be-

(*Continued on page 6*)

Answers Are Filed In Pa. Chain Suits

HARRISBURG, Oct. 25.—Attorney General Charles J. Margiotti, of Pennsylvania has filed answers to seven equity proceedings started by chain store and theatre circuit organizations directed against state officials to keep the latter from enforcing the provisions of the chain store

(*Continued on page 7*)

Warners to Produce Two or 3 in London

By BRUCE ALLAN

LONDON, Oct. 25.—Warners will make two or three major pictures for world release at the Teddington Studios, Jack L. Warner declared today. The stories will be selected from the Hollywood schedule and may be "George and Margaret," "The Amaz-

(*Continued on page 6*)

No More Increases On Coast—Skouras

Increases in admissions on the coast have reached their peak and there are no indications that further boosts will be made, Charles P. Skouras, operating head of F. W. C., stated upon his arrival from Los Angeles yesterday.

"We increased prices about a year

(*Continued on page 6*)

"Zola," "College," "Wife" And "Wedding" Takes Best

"The Life of Emile Zola," "Life Begins in College," "Double Wedding" and "Wife, Doctor and Nurse" were the top-ranking pictures at the first run box-offices of the country's key city theatres during the past week.

"The Life of Emile Zola" took top money at the Earle in Washington, where $23,000 brought it a second week at the Metropolitan; held to a strong third week at Warners' Lake in Cleveland; was strong in a second week in Seattle and continued first run for a third stanza. "Life Begins in College" took the lead at the Tower in Kansas City with a strong $10,500; led at the Alvin, in Pittsburgh, where it grossed the third largest figure in the history of the house and was held over; was good

(*Continued on page 6*)

Release Index Is Adopted on Screen Titles

MPPDA Board Approves De-Freezing Plan

The creation of a "release index" to facilitate the "de-freezing" of registered titles after they have remained unused for a period of four years was approved yesterday by the board of directors of the M. P. P. D. A. at its adjourned meeting.

Under the new plan original titles of pictures which have been produced, if not placed on a reserve title list, become available to others than the registrant after a period of four years. The reserve list is limited to 250. Thus, the owner of original titles may retain the permanent rights to a maximum of 250 such titles by placing them on the reserve list, but all titles over and above that number go on the new "release index" and, four years after the calendar year in which the title was used on a released picture, it becomes available to others. The release index, which will be compiled immediately, will contain the titles of every picture ever produced in this country.

Copyrighted titles derived from books and plays if used on a picture without change, remain the exclusive property of the registrant. In addition, producers are permitted to retain exclusive rights indefinitely to 100 original titles which have not been used on produced pictures. The latter provision has been in effect for the past 10 years.

Indianapolis Firm Loses Review Plea

By BERTRAM F. LINZ

WASHINGTON, Oct. 25.—The Supreme Court today denied the appeal of the Indianapolis Amusement Co. for review of an order of the Seventh Circuit Court of Appeals requiring it to make its books and records available to M-G-M Distributing Corp., Universal Film Exchanges, United

(*Continued on page 7*)

Depositions Halted In Anti-Trust Case

The work of taking depositions and entering exhibits in the Morse & Rothenberg circuit's anti-trust suit against eight major distributors and the Maine & New Hampshire and M. A. Shea circuits, which is in its second week here, will be adjourned on

(*Continued on page 7*)

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Moskowitz Re-signed

Joseph H. Moskowitz, who returned yesterday from the coast, has been given a new long term contract as New York representative of 20th Century-Fox studios. Under the terms of the contract, Moskowitz remains in charge of stories, talent and studio matters in the east.

Arlen Asks Deduction

WASHINGTON, Oct. 25.—Richard Arlen and his wife, Jobyna Ralston, today asked the Board of Tax Appeals to allow a deduction of $10,379.62 for "expenses" incurred in 1934 on a European trip which he said was taken for "publicity purposes."

McKenna Joins M-G-M

Kenneth McKenna, actor and playwright, yesterday joined M-G-M as head of the eastern play department He succeeds Bertram Block, who resigned several months ago.

Set Warner Club Party

PITTSBURGH, Oct. 25. — The local Warner Club will hold its annual dinner dance at the William Penn Hotel Nov. 28. More than 1,000 are expected to attend.

Insiders' Outlook

By RED KANN

EUROPE in the days of Napoleon's glory and the love affair between Bonaparte and the Countess Walewska. That seemed like a tall order to sit through beginning 10:15—and promptly—on a Monday, of all mornings. Yet a Garbo picture comes along infrequently. A Garbo film with Charles Boyer, remembering "Mayerling," is even a less common event. Lurking well up front, too, were those persistent reports that this latest roar from Leo was in the $3,000,000 and more negative class. Fourthly and even closer to the head of the list was the realization, sometimes vaguely applied, that part of this job was to keep in touch with Hollywood, its good and its bad efforts. Thus, we went. . . .

▼

"Conquest" is completely praiseworthy on many counts. In its background is a war-torn Europe, neatly ground and being ground under the iron heel of Napoleon. It clanks with sabers and is beribboned with epaulettes and curtseys. But always in the foreground is the love story of the man, not the emperor, and the lovely countess who goes to him as a sacrifice for Poland's freedom from Imperial Russia and remains, as this version has it, the vital love influence down the years to St. Helena and banishment. . . .

▼

We suppose the accolade for acting honors will go to Boyer. Certainly, his interpretation of the crafty, ambitious, sometimes mad-like mortal who sees a cowering continent at his feet, is a characterization definitely touched with magnificence and great skill. Boyer gives physical appearance to the handed-down conception of Napoleon—the slightly bulging stomach, the hump in the shoulder, the Bonaparte hat, the clenched fist behind the back, the unruly shock of hair sneaking down on the forehead. But he does more. He makes the character a living and a live one—torn by affairs of state, bedeviled by the inordinate fire for a dynasty which led to the marriage with Marie Louise of Austria, alternately soft and enraged, dictatorial and overbearing. His notable endeavor also comes along to remind others and us of the once firm conviction that it was Paul Muni for "Zola" who inevitably must win the Academy's award for the highest in histrionics this year. No longer is this so completely assured, now that Boyer has played Napoleon. . . .

▼

Then, and very much indeed to be considered, is Miss Garbo. We should remove the barriers sufficiently long to tell you that, for us, she can do no wrong. It was Dick Watts when he was reviewing films for the *New York Herald-Tribune,* who once wrote any Garbo film was better than no Garbo at all. In that we concur to the hilt. While this corner, from time to time, has argued with Metro over what it has done with Garbo, never has it had any verbal turmoil with this distinguished actress. She is always good, although she is sometimes better. For "Conquest," superb is the word. As closely perhaps as anyone of the opposite sex can divine it, she epitomizes woman at her sincerest, her most understanding, her most self-sacrificing. This and more she conveys brilliantly in the subdued mood which is the keystone of her deep and emotional performances. Because she does and because, also, the Walewska role keeps her in the background and Boyer down front, where the spotlight of dramatic attention the more easily can pick him out, the intelligence of her acting makes her stand forth as formidably and as proudly as a dazzling beacon surmounting a lofty and inaccessible mountain peak. . . .

▼

In the last few years, Metro has been selecting for her the type of vehicles usually combed out for tragediennes. "Conquest" is fitly in that group. It is consequently stamped from beginning to end as the sort of entertainment in which the gum chewers will evince little or no interest. But Garbo will again entrance her admirers. The Boyer fans will find him present in copious footage and in worthwhile footage endowed with fine handling by Clarence Brown. "Conquest," in a word, is an endeavor which will make the scoffers of the Hollywood scene less strident in their criticism. It will cause them to pause and probably to reflect that their barbs here find themselves dulled in their impact with distinguished enterprise. . . .

Skolsky on Mirror

Sidney Skolsky yesterday appeared in the *New York Daily Mirror* with his first Hollywood column.

"Thunder" Opens Here

"Thunder Over the Orient" opened here yesterday at Loew's Canal. Criterion is distributing.

Bernhard, Zone Men Meeting Here Today

The Warner home office will be the scene today of a meeting called by Joseph Bernhard, general manager of Warner theatres, with the company's zone managers.

Among the district men present will be: James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John J. Payette, Washington, and Herb Copelan, Atlantic City.

The members of the home office staff who will sit in include: Harry Goldberg, Clayton Bond, Ed Hinchy, Leonard Schlesinger, Frank Phelps, Nat Fellman, Abel Vigard, Stewart McDonald, Harry Rosenquest, Louis Kaufman, Frank Cahill and Herman Maier.

W. B. Close 4 Western Deals

Four circuits in the San Francisco area have signed for Warners' 1937-'38 list, including First National features and Vitaphone shorts. The circuits are Morgan Walsh's Redwood and Midland; Blumenthal, McNeill & Naify and the Harvey circuit. Herbert J. Ochs and W. E. Calloway acted for Warners in the negotiations.

Monogram Men to Boston

W. Ray Johnston, president of Monogram Pictures; Scott Dunlap, production head, and Edward Golden, general sales manager, leave this morning for Boston to attend the testimonial dinner at the Statler there this evening for Steve Broidy, Monogram New England sales manager. The group will return to New York tomorrow. Dunlap plans to leave for the coast tomorrow night or Thursday.

Marshall Ampa Guest

Herbert Marshall will again be among the guests of honor at the Ampa luncheon Thursday at the International Casino. He made an appearance before the advertising and publicity group several weeks ago. In addition to others previously announced there will be C. B. Cochran, English producer, and Leon Rothier, basso.

No Hanson Successor

HOLLYWOOD, Oct. 25.—There will be no successor to Al Hanson, former manager of the F.W.C. office here, who resigned recently. Hanson's duties will be distributed among Larry Kent and a number of district managers. Charles Skouras, vice-president of the circuit, is in the east at present.

MITCHELL MAY, Jr. CO., INC.

•

INSURANCE

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Purely Personal

HERMAN MAIER, in charge of Warner theatre construction, will turn from England today on the *Ile de France* after completing plans for the demolition of Daly's, London, recently acquired by Warners. MAIER will return to England in February to supervise construction of the new theatre.

On the same boat are ALEXANDER KORDA, MAURICE SILVERSTONE, SAM E. MORRIS, PHIL REISMAN, WILLIAM POWELL, MADELEINE CARROLL, KING and MRS. VIDOR, BARNEY GLAZER, and J. THERY and M. KAUFMAN.

•

JACK COHN is among the passengers arriving on the *Ile de France* today. On the same boat are ERIK CHARELL and his brother, LUDWIG, JULIEN DUVIVIER, French producer; MARCEL HELLMAN and MIREILLE BALLIN.

•

HERBERT WILCOX, producer; ANNA NEAGLE, star, and CHARLES DE GRANDCOURT, author of "Victoria the Great," appeared yesterday at the British Luncheon Club.

•

ARTHUR A. LEE, G.B. vice-president, attended a press reception for JOHN LODER at Toronto yesterday. He will go to Chicago today.

•

ARTHUR W. KELLY has indefinitely postponed his trip to Palm Springs. He has to continue treatments for his recent mastoid operation.

•

J. ROBERT RUBIN has canceled his trip to the coast as a result of the settlement of the FREDDIE BARTHOLOMEW litigation.

•

DANNY WINKLER, HARRY GREEN, SOL BORNSTEIN and MRS. GENE TOWNE arrived from Hollywood yesterday by train.

•

WILLARD MCKAY, Universal general counsel, returned to New York over the weekend after two weeks on the coast.

•

WINFIELD SHEEHAN is en route back to the coast after several weeks in New York and a few days at Saratoga.

•

MICHAEL CURTIZ, director of "The Perfect Specimen," is expected from the coast today. He is on a business trip.

•

ARTHUR GREENBLATT, G.B. eastern division manager, is in Philadelphia today. His next stop is Washington.

•

JACK PARTINGTON left for the coast yesterday to confer with MIKE MARCO. He'll be gone about two weeks.

•

MONA BARRIE, who last Saturday finished a role in "Virginia" at the Center, left yesterday for the coast.

•

FRED MEYER is in town from Hollywood. At the Park Central.

•

SPYROS SKOURAS, JR., nephew of the National Theatres' operating head, has returned from the coast and is planning to return to Greece in December.

•

SAM COHEN of the U. A. foreign publicity department has gone to Bermuda for a week's vacation.

•

ABE LYMAN, eastbound from the coast, stopped over at Chicago yesterday.

•

A. H. SCHWARTZ yesterday bagged a 200-pound buck at Owl's Head, N. Y.

•

JOE MOSKOWITZ, IRVING HOFFMAN, HAL LEROY and MACK MILLER returned from the coast yesterday.

•

WILLIAM C. GEHRING of 20th Century-Fox is due back from Chicago in a few days.

•

LORETTA YOUNG will arrive on Thursday from the coast for a vacation.

•

ALICE FAYE leaves today on the Century en route to the coast.

•

JANET GAYNOR is in town and staying at the Waldorf-Astoria.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Look Out, Mr. Moto"

(20th Century-Fox)

HOLLYWOOD, Oct. 25.—In reaching for the fantastic and the bizarre, with which are compounded the appeal of J. P. Marquand's fiction character, "Mr. Moto," participants in the present fabrication have picked up, possibly in error, the incredible and the impossible which used to be staple ingredients of the serial or chapter play. They have thus limited the effectiveness of the entertainment to the very young, or very immature, and this reporter regrets to mention that his 11-year-old preview companion had a hard time convincing herself that it was, as she wished to believe, a picture well stayed up for on the night before a school-less Saturday.

The names available for marquee display are Peter Lorre, Rochelle Hudson and Robert Kent. What they do in the picture is as hard to tell in swift synopsis as it was hard to figure out in slow revelation. Lorre, as Mr. Moto, is posing as an archeologist in deep Africa when Miss Hudson parachutes down from her self-fired plane while free lance cinematographer Kent points his camera. They become more or less willing guests of a tribal potentate and all sorts of queer things happen, such as feats of magic, loosing and shooting down of carrier pigeons, before it turns out that Lorre and the girl are secret agents here to prevent a revolution planned by the high priest, which they do with much machine gunning and bloodshed. The romantic angle is very indistinct.

Willis Cooper and Norman Foster wrote the original story, Lou Breslow and John Patrick the screenplay, with Norman Foster also directing. It is a Sol M. Wurtzel production.

Running time, 60 minutes. "G."

Looking 'Em Over

"Federal Bullets"

(Monogram)

A new twist to a G-Man story is offered in "Federal Bullets," but it does not quite seem to jell. Perhaps the performances of the principals are the cause. Conversation gives way to action and theatrical business and many stock situations of the unimpressive variety pervade the film. It should have fair acceptance with audiences in the lesser houses, or fit adequately on a double bill.

It is revealed in early sequences that Effie Tilbury is the master mind of underworld law sidestepping. Milburn Stone, a Federal agent, is assigned to bring her pseudo humanitarian outfit in. He gets himself involved in the organization and shortly learns of the false front she has erected to cover up her clever court maneuvers. Much of the story concerns her efforts to release Mattie Fain from a murder charge. When he is soon to be executed she engineers his escape, quite cleverly. The action starts at that point. Stone, however, is prepared and soon after the gang is captured following a noisy gun battle. Terry Walker serves as a romantic foil for Stone. The fadeout reveals Fain to be Miss Tilbury's wayward son.

The screenplay is by Karl Brown, who also directed. The idea for the picture was taken from the novel by Major George Fielding Eliot. The support includes Selmer Jackson, William Harrigan, Warner Richmond, Betty Compson and Helen MacKellar.

Running time, 60 minutes. "G."

Virginia Censors' Receipts Show Gain

RICHMOND, Oct. 25.—A pickup in theatre business in this state is indicated in the latest report of the censor board which shows that for the first three months of the fiscal year starting July 1 the board's receipts are running $1,701 ahead of the same period a year ago. The total is $9,720.

The revenue is based on a charge of $2 per 1,000 feet of original film and $1 per 1,000 feet for duplicates.

Four theatres have been added to the Richmond total during the past year and houses also have been opened in Alexandria, Arlington, Martinsville and Norfolk.

Rites for Moses Reis

Funeral services for Moses Reis, former owner of a circuit of 128 legitimate theatres, who died on Saturday will be held today at the Riverside Memorial Chapel. Reis died of bronchial pneumonia. He was 87 years old. The Shubert brothers started their careers with Reis.

Loew Extends on Astor

Loew's have taken a six-months' extension of its lease on the Astor. The new arrangement expires May 1. "The Firefly," now current, is expected to depart from the two-a-day house the end of the month to make way for "Hurricane," slated to open Nov. 9.

Unit Banquet Tonight

INDIANAPOLIS, Oct. 25.—The Associated Theatre Owners of Indiana will hold the 11th annual banquet, called "Fiesta in Old Mexico," in the Riley Room of the Claypool Hotel tomorrow night.

Another Trans-Lux

Trans-Lux will open its latest house via a private preview Friday evening. The theatre is at 1144 Madison Ave.

Wall Street

Board Gain ⅛ to 12⅝ Points

	Open	High	Low	Close	Net Change
Col.	14	16¼	14	16¼	+1¾
Cons.	1¾	2⅛	1¾	2	+ ⅛
Cons., pfd.	7⅜	7⅜	7⅜	7⅜	+ ⅞
E. K.	160	169½	159	169½	+8½
G. T. E.	12⅞	14⅛	12⅜	13⅝	+ ⅝
Loew	59¼	64⅝	59	63¾	+3¼
Loew, pfd.	105½	105½	105½	105½	.....
Para.	11⅛	13⅛	10¾	13	+1¾
Para. 1.	90⅜	104⅝	89⅞	104⅝	+12⅝
Para. 2.	11⅝	12½	10¼	12⅛	+1¾
Pathe	5¼	6⅛	5¼	6	+ ½
RKO	4	5	4	4⅞	+ ⅝
20th Fox	23½	25½	23½	25¼	+1¾
20th, pfd.	31	31	30¾	30¾	+ ⅝
Univ., pfd.	33	33	31	31	—2
W. B.	7	8¼	6⅞	7⅞	+ ¾

Technicolor Leads Curb Rise

	Open	High	Low	Close	Net Change
G. N.	1½	1⅝	1⅜	1½	+ ⅛
Monogram	1⅞	1⅞	1⅞	1⅞	+ ⅛
Sonotone	1½	1⅝	1½	1⅝	.....
Tech.	17⅞	20⅜	17	20⅜	+2¼
Trans-Lux	2¾	2⅞	2¾	2⅞	+ ⅛
Univ. Corp.	2	2	2	2	+ ¼

Bond Declines Hold

	High	Low	Close	Net Change
Keith 6s '46	91	91	91	.....
Loew 3½s '46	98½	98½	98½	.....
Para. Pict. 6s '55	95	95	95	.....
Para. Pict. '47	79¼	79	79	—1
W. B. 6s '39	82½	81¼	82½	— ½

(Quotations at close of Oct. 25)

WHEN THE RECORDS COME TUMBLING DOWN ON OCT. 23RD YOU'LL KNOW WHY THEY CALL IT THE FALL SEASON!

...The 23rd of October Is the Day Set for the First Engagements of That Great Gift to the Box-Office

ERROL FLY

In His First Modern Role Since 'Green Light', the Most Romantic Since He Came to the Screen

THE PERFEC



By the Author of 'It Happened One Night', with

JOAN BLONDELL

and

HUGH HERBERT • EDWARD EVERETT HORTON

DICK FORAN • BEVERLY ROBERTS • MAY ROBSON

ALLEN JENKINS • Directed by MICHAEL CURTIZ

Screen Play by Norman Reilly Raine, Lawrence Riley and Brewster Morse and Fritz Falkenstein

Story by Samuel Hopkins Adams • A First National Picture





VN

T SPECIMEN

Film Daily says: "Will have them rolling in the aisles."

Motion Picture Daily says: "It had a preview audience in stitches."

Variety Daily says: "So many sure-fire elements insure solid amusement and excellent business!"

WARNER BROS.

Say It with Full-Page Newspaper Ads
in a Gigantic Key-City Campaign!

Studio Pace Slows With 38 Shooting

(*Continued from page* 1)

fore" and "Wonder Child"; M-G-M, "A Family Vacation;" 20th Century-Fox, "Hot and Happy" and "Thank You, Mr. Moto;" Warners, "A Slight Case of Murder."

The tally by studio:

Columbia, finished one, shooting four, preparing one, editing seven; Goldwyn one, one, zero, one; Grand National, zero, zero, zero, three; M-G-M, zero, seven, one, seven; Monogram, one, one, one, one; Paramount, one, five, three, nine; Principal, zero, one, two, one; Republic, one, two, one, five; RKO, four, three, four, five; Roach, zero, zero, one, zero; Selznick, zero, zero, zero, two; 20th Century-Fox, one, six, one, three; Universal, zero, one, two, two; Wanger, zero, zero, zero, one; Warner, one, seven, one, 15.

In the short subjects field, Columbia and RKO each started one. They are still shooting. Columbia finished one. Two are preparing, one at M-G-M, and other at Roach. Ten are being edited.

France and Mexico In Reciprocal Deal

MEXICO CITY, Oct. 25.—A reciprocal exchange of films for cultural but not commercial purposes has been arranged between Mexico and France by the Governments of both nations. The plan has been started with the exchanging of the Mexican production, "Judas," and the French film, "Visages de France" ("Faces of France"). These and other pictures concerned in the pact are to be widely exhibited in Mexico and France.

Mexico is organizing the International Distributors Ass'n. to further this proposition and invites producers who are interested to join.

Conn Sets More Deals

Maurice Conn, president of Ambassador Pictures, has closed distribution deals for New England, western Pennsylvania and Michigan. Harry Segal, operating under the name of Ambassador Pictures of N. E., Inc., will handle the product in that territory. He will open new offices in Boston and New Haven.

Monarch Pictures Corp., headed by Lew Lefton and Milton Lefton, will have the western Pennsylvania territory, and Ann O'Donnell has the Michigan franchise. Sam Berkowitz has been named western sales manager. He has closed in the Cleveland territory with H. C. Bissell and C. C. Linehan.

CIO Seeks Ad Workers

Circulars were distributed to employes in the RKO Bldg. yesterday seeking to have advertising men working in the building join the American Advertising Guild, local of the United Office and Professional Workers of America, affiliate of the C.I.O.

Attend LaGuardia Lunch

Numerous film executives in New York attended the luncheon yesterday at the Astor of the Non-Partisan Theatrical and Motion Picture Division in Support of Mayor LaGuardia and Thomas E. Dewey. Louis Nizer acted as chairman.

"Zola," "College," "Wife" And "Wedding" Takes Best

(*Continued from page* 1)

in a second week at the Allen in Cleveland, and was a smash in Cincinnati.

"Double Wedding" was good for leading figures in Philadelphia, Cincinnati and San Francisco, while "Wife, Doctor and Nurse" turned in handsome grosses in Denver and Indianapolis.

In Washington, "Dead End" was strong at the Columbia, behind "The Life of Emile Zola." "Stage Door," dualled with "Bulldog Drummond Comes Back," was good for $11,600 at the Mainstreet in Kansas City, over par by $3,600. "Walter Wanger's Vogues of 1938," on a dual bill, was top in Milwaukee, where "The Bride Wore Red" with "My Dear Miss Aldrich" was the only other bill to better average.

"Stage Door," dualled with "Fight for Glory," was good in Denver, while "Stella Dallas" held up well in its third week at the Broadway. Detroit was led by "Lancer Spy," aided by Buddy Rogers on the stage of the Fox, where the bill went $2,600 over average. "High, Wide and Handsome" had the assistance of Ina Ray Hutton on the stage of the Michigan there in its strong gross.

New Haven Quiet

New Haven theatres were weak, "The Bride Wore Red," plus "My Dear Miss Aldrich," reaching par at Loew's Poli. A stage show in addition to "This Way, Please" gave the Earle the top Philadelphia gross, while "The Prisoner of Zenda" with Horace Heidt on the stage, did well. "Heidi" was good at Warners' Hippodrome in Cleveland, grossing $13,900.

In Cleveland, where "Double Wedding" and "Life Begins in College" were the leaders, "Dead End" was fairly strong in a repeat engagement. "Lost Horizon" and "100 Men and a Girl" came close to doubling par in Minneapolis, the former at the Orpheum and the latter at the Century. "Something to Sing About," with a Major Bowes unit on the stage of the Oriental in Chicago, took the top gross, while "The Prisoner of Zenda" went $6,700 over average at the Chicago there.

"Heidi" was the only film to show any strength in Oklahoma. San Francisco had a dull week, outside of the gross of "Double Wedding" at the Warfield, where it was dualled with "On Such a Night." "Stage Door" was the only other film strong at the box-office, doing $18,500 at the Golden Gate. "That Certain Woman," on a dual with "Saturday's Heroes," took the top spot at the Brandeis in Omaha, while "Danger, Love at Work" was the only film besides the leader, "Wife, Doctor and Nurse," to better average in Indianapolis, taking $8,600, aided by a stage show, at the Lyric.

Para. Splurge on "Tide"

Paramount has signed for back covers in the Nov. 14 issues of the *American Weekly,* Hearst Sunday newspaper magazine supplement, and *This Week,* Sunday edition magazine supplement in approximately 20 newspapers, for "Ebb Tide," which is scheduled for release Nov. 19. The adds will be in four colors.

Other Sections to Follow Phila. Lead

(*Continued from page* 1)

for all sorts of future dealing between these two groups."

A large turnout is expected tomorrow when the specific terms of the agreement will be given members for ratification.

Neil F. Agnew, Paramount vice-president in charge of distribution, leaves for Philadelphia this morning to confer with the company's branch office officials there. It is believed that Agnew will explain to the Paramount exchangemen the policies to be followed in settling old contracts and negotiating new ones in the event the principles agreed upon in New York, Friday, for settlement of the "strike" are accepted at today's meeting.

Three Denver Groups Take Over Theatres

DENVER, Oct. 25.—Three circuits have increased their holdings, six theatres having changed owners. Dave Cockrill has reopened the Washington Park as the Park, this giving him four Denver houses, one a first run, the Denham.

Fox Intermountain is now operating 63 theatres in the territory, having added the Marlow, Antlers and Orpheum at Helena, Mont., the latter house being closed. This gives Fox a total of 90 in the territory. The three houses were purchased from Intermountain Theatres.

The Grove and Riviera, Gering, Neb., have been purchased by the Midwest Amusement & Realty Co., of which W. H. Ostenberg is president. Mrs. Clara Grove, widow of B. B. Grove, sold the houses by virtue of a court order at Gering, giving her permission to do so. The group operated by Ostenberg is a part of Gibralter Enterprises, Inc., and the addition of these two houses gives the firm 32 houses, all in the Denver area.

Invents Ticket Chopper

Ralph W. Budd, director of personnel for Warners, has invented a ticket chopper which is being manufactured by Newman Bros. of Cincinnati. It has compartments which ring a buzzer in the cashier's office at intervals, and the cashier can check with her numbers to keep a record of tickets sold up to that time. The machines are being installed in all Warner theatres.

Gus Holly in New Post

KANSAS CITY, Oct. 25.—Gus Holly has succeeded Harry Somerville as district supervisor for RCA Photophone. Somerville will turn his energies to commercial sound service and sales, and to the training of men.

Change "Nightingale"

HOLLYWOOD, Oct. 25. — Paramount has chosen "Romance in the Dark" as the release title for the Gladys Swarthout-John Boles film formerly titled "The Yellow Nightingale."

Warners to Produce Two or 3 in London

(*Continued from page* 1)

ing Dr. Clitterhouse" and "Blonde White."

Warner will sail Wednesday on the *Queen Mary.*

The producer conferred with Leslie Howard and said afterwards that he would make a British picture with him this year, if a story can be agreed upon.

Irving Asher, managing director for Warners' production here, will sail Nov. 17 to confer in the United States on star castings. Lloyd Bacon definitely will direct one in England.

The company will not import technicians, as Warner believes the British staff and equipment equals Hollywood's, he says.

Asher will arrange United States distribution for several current British-made films. Of five submitted, "The Perfect Crime," "Mayfair," "Melody" and "You Live and Learn" have been accepted for American showing and will be played by the Warner theatres.

The cost of next year's output is estimated at from £300,000 to £400,000.

Warner said color would be used in 10 per cent of the output and that this probably would be raised to 25 per cent in a few years.

No More Increases On Coast—Skouras

(*Continued from page* 1)

and a half ago and they are the highest in the country," Skouras added. There are no plans to acquire additional theatres, he said. "We are satisfied with what we have at the present time."

Skouras stated he will remain in town several weeks. He may return to the coast before his brother, Spyros, returns from a vacation abroad.

Price Cut in Oklahoma

OKLAHOMA CITY, Oct. 25.—The Midwest here has cut its admission from 55 cents to 40 cents top at night, following the example of the Criterion which made the same 15-cent reduction early this summer, according to George Henger, Standard Theatres city manager.

The cut at the Criterion proved so popular with the public, Standard decided to lower the Midwest admission to the same level. First runs here are getting 40 cents at night in three spots, 35 cents in a de luxe suburban, and 25 cents at a downtown double bill house.

Reduces Price to Five Cents

NEW ORLEANS, Oct. 25.—The Roxy in the upper section of the city has reduced its prices to five cents, with no opposition house.

Honor Black at Dinner

TROY, N. Y., Oct. 25.—Members of the local Elks and the American Legion posts of Rensselaer County tendered a testimonial dinner here to Harry Black, who returned recently to manage Proctor's, from the Palace, Albany. Fabian Theatres shifts sent Ward Kreag from the Strand, Schenectady, to the Community, Catskill, and Phil Raap from the Rivoli, Schenectady, to the Strand in Kreag's place.

Kuykendall to Talk At St. Louis Meet

SEATTLE, Oct. 25.—Ed Kuykendall, M. P. T. O. A. president, who is here in the course of a trans-continental trip to obtain national exhibitor viewpoints on current trade practices and exhibition problems, today accepted an invitation to attend a special meeting of the M. P. T. O. of Eastern Missouri and Southern Illinois on Nov. 5 at St. Louis. The visit there is a new addition to Kuykendall's itinerary.

Kuykendall spoke here today on national and local subjects at the 15th annual convention of the Washington M.P.T.O. at the Washington Hotel.

Lukan Elected President

L. O. Lukan was elected president of the exhibitor organization. Other officers are: Milton Kenworthy of Moscow, Idaho, first vice-president; Paul Aust of Seattle, second vice-president; Cecil Gwinn of Centralia, third vice-president. James Hone was reelected treasurer.

New trustees are William Ripley of Longview, Ben Shearer and John Danz of Seattle, Mildred Bishop of Lewiston, Idaho; Harry Black of Seattle and H. T. Moore of Tacoma. Holdover trustees are John Hamrick and Al Rosenberg of Seattle and Junior Mercy of Yakima.

The convention ended with a mammoth public ball presided over by Mary Carlisle, Paramount star.

The M. P. T. O. A. president will leave Seattle on Tuesday for Salt Lake City. From there he will go to Denver, Omaha and Kansas City before visiting St. Louis. From that city he goes to Oklahoma City and Dallas before returning to his home at Columbus, Miss. Kuykendall will leave for Washington about Nov. 20 and will attend the annual convention of the M. P. T. O. of North and South Carolina at Pinehurst early in December.

Discuss Oregon Organization

PORTLAND, ORE., Oct. 25.—For the past two months Oregon exhibitors have been considering the organization of an Oregon unit of the M. P. T. O. A. This culminated in meeting attended by 32 Oregon exhibitors, to discuss plans for an early organization and election of officers.

The meeting was called by a special committee consisting of Ted Gamble, of the J. J. Parker Theatres of Portland, William Ripley, operating houses at Longview and Kelso, and president also of the Washington unit, and Art Adamson, operating leading houses in Albany and Vancouver.

Intermountain Men Meet

DENVER, Oct. 21.—Two regional meetings of Fox Intermountain managers have been held in Denver this week, the southern and northern divisions. A third group, the Montana division, will meet in Pocatello, Ida., Nov. 3.

Recent managerial changes in the the territory for Fox include: Ted Kirkmeyer, manager of the Rio, Helena, Mont., made city manager there; Harold Woods, assistant city manager at Boulder, Col., transferred to Helena as Kirkmeyer's assistant. Succeeding Woods in Boulder is Albert Hadaday, new in the business.

Frank at Least

Dunn, N. C., Oct. 25.—Worth Stewart, manager of a local theatre advertised:

"Two lousy features and a comedy."

"If anybody coming out, wants his money back, show him the sign," he told the theatre attaches.

Lina-Principal to Ask for Judgments

Both sides in a suit brought by Lina Pictures Corp. against the Principal Film Exchanges, Inc., will ask Justice Edgar J. Lauer in the N. Y. Supreme Court today for a summary judgment instead of waiting for the case to go to trial. Lina Pictures is asking for the return of approximately 100 prints which were given to the defendant under a contract made in 1933 in which Principal was made exclusive distributor in the metropolitan area. Damages amounting to $10,000 also were asked. Principal claims that the contract did not require the return of the film.

Revell Made Defendant

Harry Revell, songwriter, was brought in as an additional defendant in the $50,000 copyright infringement suit brought by Charles McCord in the U. S. District Court yesterday. Revell was originally named as defendant when the suit was started against 20th Century-Fox and the Robbins Music Corp. in April, but a subpoena was not served upon him until last week.

McCord is suing because of alleged infringement of his song, "I'll Always Remember Ronkonkoma," in the song, "Goodnight, My Love" which was heard in the picture, "Stowaway." Mack Gordon was also named as a defendant, but has not yet been served. Besides damages, a permanent injunction and an accounting of the profits are asked.

"Wind" Suit Dismissed

Federal Judge Henry W. Goddard yesterday formally dismissed the copyright infringement suit of Susan Lawrence Davis against Macmillan Co., publishers of "Gone with the Wind," in the U. S. District Court. Judge Goddard ordered the plaintiff to pay $2,000 for attorney's fees in addition to the usual costs. Miss Davis claimed that her book, "An Authentic History of the Ku Klux Klan," was infringed in "Gone with the Wind."

Czech Hearing Starts

WASHINGTON, Oct. 25. — Hearings on the proposed reciprocal trade agreement with Czechoslovakia were opened today by the Committee for Reciprocity Information, with Major Fred L. Herron of the Hays office scheduled to appear Friday to discuss the film angle of the trade situation between the two countries.

Hal Elias Promoted

HOLLYWOOD, Oct. 25.—Hal Elias, formerly of the M-G-M publicity department, has been promoted to assistant to Fred C. Quimby, general manager of the short subject department.

Indianapolis Firm Loses Review Plea

(Continued from page 1)

Artists, 20th Century-Fox, Vitagraph and Educational Film Exchanges, against which the company has an anti-trust suit pending.

The amusement company brought action, alleging that the respondents had engaged in an unlawful conspiracy in restraint of interstate commerce by which they forced it to pay higher prices for films, and, by forcing it to take inferior pictures, had caused its failure.

The respondents asked the court to make the plaintiff's records available, alleging that the greater part of their defense was to consist in proving that the amusement company's losses were due to causes other than their acts.

Force Return of Film

AKRON, Oct. 25. — An injunction forcing the city to return "Sex Madness" to the State Theatre and restraining Mayor Lee D. Schroy and Police Chief Frank Boss from interfering with the operations of the theatre was granted here by Common Pleas Judge Frank H. Harvey to John H. Romweber, theatre owner. The injunction also forbids officials to revoke the license of the theatre pending a final hearing on the case.

Sues on Bank Night

TAMPA, Oct. 25.—Mrs. R. E. Dorman of Gainesville, Fla., has brought suit against the Sparks circuit for $1,000, alleging refusal of the management to pay her a Bank Night award, when she claims she appeared "within a reasonable time." Two similar previous suits were settled.

Depositions Halted In Anti-Trust Case

(Continued from page 1)

Friday for several weeks to permit the preparation of stenographic records of the testimony introduced up to that time, it was agreed yesterday by attorneys associated with the case.

Up to yesterday, 350 exhibits had been offered in evidence here, largely comprising contracts made by the defendant distributors with the defendant circuits. No witnesses were heard at yesterday's session. The plaintiff charges inability to obtain any run of product of the distributor defendants for its theatres in seven situations. Triple damages of $2,100,000 are sought.

Answers Are Filed In Pa. Chain Suits

(Continued from page 1)

tax act. Margiotti asks the court to dismiss the proceedings at the cost of the plaintiff companies.

Margiotti says that the chain stores, theatres and service stations are different from stores conducted by individuals, denies that the act is unconstitutional and claims that no irreparable damage will result to the companies by the enforcement of the act. He says, however, that firms have no adequate remedy at law except by equity.

More G. B. Additions

More additions have been made to the G.B. sales staff. They are: Mel Levenson, Indianapolis; Harry Stern, Los Angeles, and Sam Oshry, Cincinnati, booker promoted to salesman.



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Review Refused on Ruling in FCC Case

WASHINGTON, Oct. 25.—The Supreme Court, denying petitions of the Eastland Co. and the Congress Square Hotel Co. for a review of a decision of the District of Columbia Court of Appeals, today held in effect that replacement of two of the three members of the F.C.C. broadcast division between the holding of hearings and the rendition of a decision did not jeopardize the validity of that decision.

In a case involving applications for facilities in Portland, Me., two of the commissioners participating in the hearings were replaced before a decision was reached, and the petitioners raised the question whether this affected the validity of a decision in which the majority which decided the case neither heard the evidence nor submitted a report.

FCC Action Against Attorneys Nears End

WASHINGTON, Oct. 25.—The presentation of the F.C.C. case against Paul M. Segal and George S. Smith, charged with unprofessional conduct, was brought close to a conclusion today with indications that the respondents will begin presentation of their defense tomorrow.

The commission counsel today continued his exploration of applications for broadcasting facilities in which the two attorneys were concerned, along the lines followed last week. Defense attorneys are hopeful of completing their side of the case this week.

A. F. of M. Studying IRNA Agreement

The International Council of the A. F. of M. met yesterday to study the new trade agreement recently formulated by the Federation and the IRNA. No signatures have been affixed by either side to the document as yet, however.

The Federation's board meets with the transcription committee today to formulate a pact for transcription and recording companies.

Will Renew Christmas Series

Because of last year's success with its series of Christmas programs, Star Radio Programs, Inc., will on Nov. 15 release a new edition of the series, titled "Christmas Tree of 1937." The series will run in 25 scripts and will require only one man for production. The series was written by Edith Barnwell and edited by Burke Boyce, for eight years continuity head of NBC.

Rockefeller on Air

Nelson A. Rockefeller, vice-president of Rockefeller Center, Inc., will make the first public talk on Radio City by a member of the Rockefeller family Nov. 10, when he addresses a New York Building Congress luncheon at the Hotel Commodore. His address will be broadcast over WEAF from 1:15 to 1:30 P. M.

New Shows on the Air

"Children's Corner"

George Henry Payne, F.C.C. commissioner, recently unburdened himself of some highly uncomplimentary remarks anent children's programs in radio and we concur most heartily in what the commissioner said. We except, however, and we are quite positive Payne does, too, the "Children's Corner," presented thrice weekly over CBS by Dorothy Gordon.

"Children's Corner," with Miss Gordon as mistress of ceremonies, is eminently suited to childish ears in that it eschews the sophisticated songs and palaver heard on too many other "juvenile" shows. Which makes our reference to this show Sept. 16 last most unfortunate, for we chronicled then that we heard children singing currently popular tunes. It was unquestionably another children's program to which we had tuned inadvertently.

Last night Miss Gordon sang "Make Believe Land," written especially for her by the late Henry Hadley; a Norwegian tune titled "Paul on the Hillside," and, as her story, she offered a Hans Christian Andersen tale, "The Flying Trunk." Hers is not a particularly flattering voice, but she does work indefatigably and selects her material wisely.

BANNER

"Adventures of Charlie Chan"

Selling this program to the audience that has been made ready by the presentation of this highly entertaining fictitious character will be an easy matter for the Stokely Co. which sponsors for its own brand of tomato juice.

The initial installment of the transcribed series started things off in the approved manner. Charlie Chan is enjoying the first day of his vacation at home with his family and jousting verbally with his son. The dissection of familiar slang by the oriental ace of the Honolulu police has its own sly humor. About to dine, Chan is called on the telephone by his superior at headquarters and informed about a mysterious call from a waterfront hotel by a Deacon Jessup. Chan goes to the address, finds Jessup dead and is off to locate the causes of his death, whatever they may be.

The program is heard Monday through Fridays from 5:15 to 5:30 P. M. over WOR-Mutual. P.

"Newsreel of The Air"

"Newsreel of the Air," new series which uses the newsreel technique by presenting personalities whose names appear prominently in the daily press, was launched Sunday afternoon with interesting results. Among its subjects were Bert Acosta, William R. Clay, of the newly-formed Anti Movie Double Feature League, Grace Freed, sister of the American boy now held captive by General Franco; Harry Meistrich, who recently achieved fame of a sort by serving as the only male juror in a panel of 12, and Mrs. Yetta Rochman, the East Side woman who has instituted a ban on babies movement in her neighborhood until the Federal Housing Commission "comes across" with an East Side housing development. Via a Chicago cut-in, Jack Redding, *Chicago American* reporter, and a Mrs. Clara Ludwig, who found the first ransom bill, discussed the Ross kidnapping case. We almost forgot a couple of sweepstakes winners.

This new series is eminently more entertaining than many of its prototypes, such as "We, the People." Production, despite the problems obviously involved, was nicely handled and, as a consequence, the program moved briskly. Too many such shows have a tendency to lag, due mainly to microphone inexperienced principals. Wally Butterworth and Parks Johnson, who handle also the "Vox Pop" show, rate a bow for the efficient manner in which they kept the program moving. The series is offered Sundays from 3 to 3:30 P. M. on the NBC-Red, sponsored by Energine Cleaning Fluid through Stack-Goble.

BANNER

Radio Personals

NBC executives en masse will travel to Pittsburgh Oct. 30 to officiate at the KDKA birthday celebration. The party will include A.L. Ashby, v. p. and general counsel; George Engels and John F. Royal, both v. p.'s; Clay Morgan, director of promotion; Alfred H. Morton, manager of NBC operated stations, and O. B. Hanson, chief engineer . . . Buster Bailey of the Onyx Club has signed an exclusive contract with Irving Mills . . . Dick Spencer of NBC's press department, won second prize of $75 in the Medo Picture Contest, amateur class, for his photo, "Won by One." This same picture has been hung in the Royal Photographers' Society Salon in London and selected for publication in the Society's annual book, *The Year's Photography* . . . Sammy Kaye's orchestra opens at the Statler in Cleveland next week with a Mutual wire . . . Elisabeth Rethberg will deliver a talk over WQXR today in behalf of the United Hospital Fund . . . Alex Faulkner, sports editor in America for the *London Daily Telegraph,* will appear on Lou Little's show over Mutual Oct. 29 . . .

✚

Most inexplicable appointment of the year is John S. Young's as head of the radio publicity division of the New York World's Fair. Why an announcer to this post? . . . Paul Ross, of CBS artists bureau, leaves tonight with Margaret Daum, Eton Boys, Howard Phillips and Del Casino for St. Louis where they will appear in an all-CBS produced show for the United Charities Campaign in that city . . . John Barbirolli, Philharmonic conductor, has been appointed to direct the five final Ford "Sunday Evening Hour" programs, May 8 through June 5 . . . The "Saturday Night Swing Club" will come from Hollywood this week, with Raymond Scott's Quintet, Bob Crosby, Louie Armstrong and Connie Boswell . . . Briana Grossman, WHN receptionist, will be married Nov. 2.

Film Gossip on Air Facing Restriction

HOLLYWOOD, Oct. 25.—The recent cementing of frendship between radio and the film business appears due for a severe test over the matter of film gossip commentators who use material which occasionally borders on libel and slander.

No less than seven national and eight local and Pacific Coast air columnists are vying with one another for "exclusive" stories on the more or less private lives of the various players, and some of the material thus used has been offensive to both the studios and the players mentioned in the broadcasts.

While desirous of effecting a censorship of such news, the studios cannot afford, because of the combined wide audiences, to get into direct conflict with the air columnists, but, it is learned, will appeal directly to the heads of the networks and the stations asking them to invoke more drastically the F. C. C. ruling that the broadcasting officials themselves must safeguard against program material insofar as libel, decency and accuracy are concerned.

Delegates to Havana Radio Session Named

WASHINGTON, Oct. 25.—Commander T. M. Craven, a member of the F. C. C., and R. Harry Norweb, American minister to the Dominican Republic, have been named as delegates to the Inter-American Radio Conference at Havana Nov. 1.

Harry B. Otterman of the State Dept., Lieut. Col. David M. Crawford of the War Dept., E. K. Jett, acting chief engineer of the F. C. C.; A. D. Ring, his assistant, and G. V. Gross have been named as technical advisers. Carlton Hurst, American consul at Havana, will be secretary to the delegation.

Firestone Extends Programs

Firestone Tire & Rubber Co., which recently sponsored NBC broadcasts from the National Dairy Show at Columbus, O., also will sponsor daily programs from the International Livestock Exposition in Chicago from Nov. 29 through Dec. 3, over the NBC-Blue from 4 to 4:15 P. M. The broadcasts will be handled by William E. Drips, NBC director of Agricultural programs, and Everett Mitchell, NBC "Farm and Home Hour" announcer.

Radio Division for Fair

Establishment of a radio division to supplement the press department of the New York World's Fair has been made by Grover A. Whalen. Head of the department will be John S. Young, network announcer.

It's "Good News"

After much concentration, M-G-M and General Foods Corp. have finally come up with a title of the new radio hour featuring M-G-M players to be inaugurated Nov. 4. It is "Good News of 1938."

Among the reasons advanced for its selection is that it will lend itself to use as a possible screen title for future M-G-M picures.

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VOL. 42. NO. 100 NEW YORK, WEDNESDAY, OCTOBER 27, 1937 TEN CENTS

Briskin Wants To Leave Post At RKO Studio

Admits Dissatisfaction; Spitz on Way West

HOLLYWOOD, Oct. 26.—Samuel J. Briskin, for the last two years head of production for RKO, through a spokesman today admitted he wants to resign that post. No reason for his current disaffection was advanced, but current through Hollywood today, as it has been for some time, have been reports over difficulties in policy with Pandro S. Berman, long regarded as the "white-haired boy" among RKO's producers.



S. J. Briskin

Leo Spitz, president of RKO, was

(*Continued on page 16*)

Struggle Is Seen on U. A. Canadian Sales

TORONTO, Oct. 26. — Apparently swords are being sharpened for a struggle between important circuit interests in Canada and United Artists, following failure to renew the contract for the coming year's product with Famous Players Canadian Corp. The first battle ground is obviously Montreal where the Palace, an F. P. ace house, has just concluded a two-week run of "The Prisoner of Zenda," the last attraction under the agreement which has now expired.

Following extensive renovations, the Orpheum, Montreal, operated by Variety Amusements, Ltd., will reopen Oct. 30 as the local first run

(*Continued on page 16*)

Tally, Corbar Reopen Suit Against F.W.C.

LOS ANGELES, Oct. 26.—Reopening the months-old litigation which has already gone before the U. S. Supreme Court, L. Tally and the Corbar Corp. today filed a suit for $841,-010 against Fox West Coast Theatres, Fox West Coast Theatres Corp., Fox Film Corp., Wesco, 20th Century-Fox

(*Continued on page 16*)

Radio—Pp. 17-21

Odeon Will Build Circuit To 400, Says Silverstone

The Odeon circuit in England, which now has 320 theatres, will have 400 in three or four months, Maurice Silverstone, a director of the circuit and head of U. A. in England, declared upon his arrival yesterday on the *Ile de France*. Expansion plans for the circuit are continuing, Silverstone stated, but he would not divulge any information as to what theatres would be acquired or built.

Asked about reports that John Maxwell was buying an interest in the circuit, Silverstone asserted that "there isn't the slightest truth to the stories. And I should know."

Questioned about the KRS and CEA fight, Silverstone said: "There is no fight. The KRS has a desire to cut overlong programs. These are programs where two top pictures are on the same bill. This can be avoided if distributors will sell all top pictures on percentage and the others on flat rental.

"If this is done, it will be a benefit to exhibitors as well as distributors," he said. "Where there are two theatres in one locality, the plan would automatically give each exhibitor top pictures. Some exhibitors can't see it, but on the other hand a lot of others do.

"I think that the breaking up of the overlong programs will be a grand

(*Continued on page 6*)

Determined

"Despite rumors to the contrary, we are determined that there should be a British film industry," Alexander Korda, head of London Films, declared in the course of a shipboard interview on the *Ile de France* on his arrival yesterday. "Our studios will produce more this year than last," he said.

Philadelphia Pact Delayed For One Week

PHILADELPHIA, Oct. 26.—Instead of giving a complete ratification of the Paramount settlement plan, the biggest meeting in U. M. P. T. O. history unanimously decided to establish an armistice period of one week before final agreement. During this period, certain independent pictures not yet picked up will be played and new contracts studied, although nothing will be signed. Exhibitors will then report back at a meeting a week from today to outline how the proposed settlement works out in practice.

Although the meeting was generally in accord with the settlement

(*Continued on page 16*)

Educational, Guild Agree on Contracts

An agreement was reached yesterday between Educational Pictures and the Screen Actors' Guild here under which Educational's exceptions to the guild's contract will be covered by a supplementary guild letter following the signing of a contract between the two.

Educational's exceptions relate in the main to California laws referred

(*Continued on page 16*)

Morris Says Warners Plan 16 in England

Sam E. Morris, in charge of Warner foreign activities, headed the Warner contingent arriving yesterday on the *Ile de France*. The others included Herman Maier, in charge of theatre construction; Barney Glazer, former Paramount producer and now with the company, and Erik and Ludwig Charell.

Production plans for Warners in England next year will be cut from 20 to 16 pictures because of the quota regulations for 1938, Morris stated. The new quota act, which will go into effect next year, is expected to reduce quota requirements from 20

(*Continued on page 6*)

Reisman Gets Back From Europe Jaunt

Phil Reisman, head of RKO's foreign activities returned from abroad yesterday after three and a half months and was happy to be home with his family once again. His constant companions on the *Ile de France* were Barney Glazer and Lothar Mendes. He traveled all over Europe, he said.

No successor has been appointed

(*Continued on page 6*)

U. A. Purchase Far from Set, States Korda

Here to Settle Details; Confers with Goldwyn

By BILL ORNSTEIN

The much discussed deal whereby Alexander Korda and Samuel Goldwyn will purchase control of U.A. by acquiring the stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford is "far from set," Korda declared yesterday on his arrival from England on the *Ile de France*.

"I can't say anything about it," Korda at first insisted, adding, "I came here to settle details of the deal. If they can't be set, then there won't be any deal." Korda had been ill for three weeks before he boarded the boat at Southampton. He felt much better, he said, and is anxious to take a vacation as soon as he winds up the principal business on hand.

After he debarked, Korda went into conference with Goldwyn and E. H. Lever, the latter representing Prudendential Assurance Co., principal backers of London Films, Korda's company.

"The final closing of the deal depends on these conferences," Korda explained.

Asked about the financing, the London Films head said "there have been

(*Continued on page 5*)

Columbia to Await Quota Act Decision

Columbia will await the new quota decision next month before making commitments for English production, Jack Cohn, vice-president in charge of distribution, told MOTION PICTURE DAILY yesterday upon his return from a four-week trip to England and France.

Cohn said he knew nothing of reports that a deal was impending for Max Schach to produce four to five "A" films for world wide distribution

(*Continued on page 6*)

Battalion of New M-G-M Talent Here

M-G-M's home office publicity department was virtually deserted for the greater part of the day yesterday. The reason: Eight players and writers signed by Louis B. Mayer on his recent talent expedition abroad arrived on the *Ile de France*.

Among those who represented the company at the pier were Bernard

(*Continued on page 6*)

MOTION PICTURE
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New Title Releases To Start January 1

The new release index of used film titles adopted by the M. P. P. D. A. board on Tuesday to "de-freeze" registered titles which have remained unused for four years after the end of the calendar year in which the picture on which they were used was released goes into effect next Jan. 1, the Hays office stated yesterday. Approximately 30,000 titles have been placed on the new release index already and more will be added between now and the end of the year.

All titles on the release index will become available to others than their original owners after Jan. 1. Copyrighted titles will not be placed on the release index, but remain the property of the owners for all time. Only used, original titles are affected.

Coming Attraction Theatre Trailer Corporation Make Them Talk

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ADOLPH POLLAK General Mgr.

Insiders' Outlook

By RED KANN

THERE was the time in this industry when some of the smart boys making the product in Hollywood looked the other way when accepted standards in good taste were concerned. Of that, not much need be said now except to recall the havoc which these transgressions in the name of sophistication precipitated. Then came a realization that the general good luck which has been handmaiden to the progress of the business was not kicking in with such well-established regularity. Something had to be done and something was. It took shape in what became known as the production code, an agreement voluntarily adopted by the producers themselves to organize at the source a halt on unbridled liberty in the fashioning of a world entertainment. . . .

▼

The record since that day a few years ago when the latent teeth in the code were sharpened on the grindstone of necessity is a distinguished one. Production quality has been raised by its own bootstraps and, there is occasional reason to reflect, despite its own resistance. This, then, is one side of today's thesis. The other has to do with radio. Broadcasting has been leaping through the ether with such bounds that, as usually is the rule in industries accoutred by accident or otherwise with seven-league boots, time seems not to have been at hand to thoroughly mark the danger points. . . .

▼

It is the fact, of course, that radio has been sensible enough to set up its own censorship in a manner not unlike the code system operating in Hollywood. Yet, the celluloid can be changed, but once any show takes the air the hurt or the harm or the entertainment or lack of it are on their way to a multitude of millions which radio itself cannot accurately diagnose. However, a question which has been creeping to the fore in the last few months, if not further back, has to do with the extent to which a reasonable censorship has been applied. The air is full of film commentators, some of them not always mindful of where to abandon the private lives of Hollywood personalities to their own devices. Good taste not only has been violated, as a consequence, but keyhole peeping in so-called reportorial enterprise has been increased. . . .

▼

Demonstrating that in one direction, at least, this is recognized, is the current decision of NBC, for reasons not yet completely in the sunshine, that all future film commentators must be approved by Lenox Lohr, president of the system. The very fact that this control cuts through important underlings to rest finally in the hands of the head of the network is of itself significant. Officially credited is the explanation NBC wants to hold down the number of that type of aircast. We doubt that this alone is the answer. The action suggests other reasons and those reasons, we venture now, tie in with type of material. Should NBC, in fact, exercise its proposed control on the premise it advances, we urge looking beyond and over the shoulders of the offending commentators and into their scripts for deletions which not only are reasonable but very rapidly now becoming essential for radio's future good. . . .

▼ ▼

He spent about four days here about a week ago. Then Mervyn Le Roy returned to Hollywood. It was designed, this short trip of his, to be a secret. Entirely so. And as far as Le Roy would go was to say he had been called in to talk a new deal with the Warner directorate. But Dave Selznick was in town and he has a new deal of some sort or other coming up. Sam Goldwyn had arrived, Dave Rose and E. H. Lever, the latter representing Prudential of London with a sizeable stake in London Films, were here; Korda was on his way. And thus Mervyn, while he did see and talk to the Warner board, also indulged in other conversations around the town. If you might surmise this was done largely for sweet strategy's sake, you might not be far afield. There is also to consider and to consider well how anyone could strike a new pact with the Warners with Harry playing golf in Hollywood and Jack touring Europe. . . .

▼ ▼

The story of how well matters go with 20th Century-Fox these days of Zanuck is, of course, well known. Not so widely circulated, however, is the impression and hope, well supported to date by the figures so far this year, that the company will run close to $80,000,000 in international gross for 1937. It sounds fantastic. Yet this to remind this is a fantastic business. The low curve to which it can dip has been familiar subject matter in recent years. The ceiling to which it might soar is as indeterminate as tomorrow. . . .

Kansas City Chamber Sends Reply to Hess

KANSAS CITY, Oct. 26.—Ray T. Willette, manager of the Kansas City, Kan., Chamber of Commerce, has written to Gabriel L. Hess, attorney for the Hays organization, taking exception to some of the conclusions expressed by Hess in the latter's recent answer to the city's plea for help in obtaining first runs day and date with Kansas City, Mo.

In the letter Willette seeks "to enlighten the movie hierarchy about some of the things that have happened here in recent years that cause Kansas City, Kan., to be very much of an independent city," commented the Kansas City *Kansan*.

Wrote Willette: "I agree with you that Kansas City, Kan., and Kansas City, Mo., are in competition, one with the other, and by the same token these two cities are also in competition with other substantial cities in this district, such as Lawrence and Topeka," which, with other Kansas cities, play films ahead of Kansas City, Kan. "The very fact that Kansas City, Mo., and Kansas City, Kan., are adjacent to each other makes it even more imperative, if this city is to hold its trade and business and maintain its prestige as a city, that we be given an equal break."

Seymour Mayer Wins Loew's Fall Drive

District Manager Seymour Mayer took first place in the six-week fall festival advertising and exploitation campaign conducted by the Loew circuit. George Schenck of Brooklyn was second with Dominic Barreson, third. Harry Karasik's district was fourth, Maurice Seidlitz, fifth; Larry Beatus, sixth; S. H. Meinhold, seventh; William Downs, eighth; Gene Myers, ninth.

Individual theatre managers were Bernard Zelenko of the Valencia, Al Weiss, Loew's Pitkin; Edward Douglas, Loew's Kings. Oscar A. Doob conducted the drive with Ernest Emerling assisting.

More "Earth" Runs

"The Spanish Earth" has been booked for a two-week run at the Lincoln, New Haven. The picture at present is in its first run at the Cinema, Detroit, and is set for the Art Cinema, Pittsburgh, Nov. 3, the Europa, Baltimore, Nov. 7, and the Penn Square, Cleveland, Nov. 15.

Banned in England

LONDON, Oct. 26.—"The Spanish Earth" has been banned by the British Board of Censors.

"Awful Truth" Shown

Columbia gave a trade showing of "The Awful Truth" to 1,500 exhibitors and their families at the Astor Theatre yesterday. Among those present were Sam Rinzler, Harry Brandt, William Brandt, Arthur Mayer, Jack Hattem, Leo Justin, J. J. O'Connor, Harry Shiffman, Leon Rosenblatt, John Benas, Fred Schwartz, Samuel Rosen, Al Suchman, Charles Moses and Irving Renner.

Renate Muller Dead

Word had been received in New York of the death in Berlin of Renate Muller, 31, well known German screen and stage actress.



"Retreat from Moscow" by Messonier

Masterpiece!

And on the wider canvas
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great masterpiece—



Masterpiece!

Greta Garbo as **MARIE WALEWSKA**

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LAETITIA BONAPARTE . DAME MAY WHITTY
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STEPHAN . . . . CLAUDE GILLINGWATER
MARSHAL DUROC . . . GEORGE HOUSTON
SENATOR MALACHOWSKI . . GEORGE ZUCCO
RUSTAN . . . . . NOBLE JOHNSON
CONSTANT . . . . . GEORGE GIVOT
ALEXANDRE . . . . . SCOTTY BECKETT
SENATOR WYBITCKI . . . HENRY KOLKER
COSSACK CAPTAIN . . . IVAN LEBEDEFF
ANNA . . . . . BODIL ROSING
COUNTESS POTOCKA . . . LOIS MEREDITH
COUNT POTOCKI . . . . OSCAR APFEL
PRINCESS MIRSKA . . . . BETTY BLYTHE
GRENADIER . . . . . GEORGE DAVIS
PERSIAN AMBASSADOR . . . . DR. FERID
PERSIAN INTERPRETER . . . PASHA KHAN
TURKISH AMBASSADOR . CARLOS DE VALDEZ
STAPS . . . . . ROLAND VARNO
CAPTAIN LAROUX . . . ROBERT WARWICK
PRINCE METTERNICH . . . . . IEN WULF
MARIA LOUISA . . . . JEAN FENWICK
BIANCA . . . . . ROSINA GALLI
LEJEUNE . . . . . RALF HAROLDE
DYING SOLDIER . . . VLADIMIR SOKOLOFF

And Thousands of others

Produced by BERNARD H. HYMAN
Directed by CLARENCE BROWN
Screen Play by Samuel Hoffenstein,
Salka Viertel and S. N. Behrman

A Clarence Brown Production

METRO-GOLDWYN-MAYER

U. A. Purchase Far from Set, States Korda

(Continued from page 1)

so many reports I don't want to talk about it." He did say, however, that Prudential is the chief backer of his film company.

"I can't say who will put up the money and I am not at liberty to say who has the money to put up."

The deal is more or less set financially, he added, but details have to be worked out. "If the deal is closed, Goldwyn, Lever and myself will make whatever financial arrangements are necessary," he said.

"How does London Films enter into the deal?" Korda was asked.

"London Films is one of the principal interests involved. Lever is acting as an adviser and a very much interested party."

"Will Prudential put up the money?"

"As I said before I cannot go into details. I cannot say anything about this."

'How long will it take before the details are set?"

"It all depends on the conversations among Lever, Goldwyn and myself. I expect the sessions to last two or three days, possibly until the end of the week."

"What plan of the three or four mentioned are you in favor of?"

Plans Still to Be Made

"We are far behind any plans. There are facts now. The fact that we are here to make a deal. It is not a question of what plan I support, for we are far behind the stage of planning."

A reporter then asked if Eagle and Dominion would participate in the financing and Korda jokingly said: "What is Eagle and Dominion?" Then he went on to say that the firm is the second largest insurance company in England and one of the backers of the Odeon circuit.

"Will you get a better break for your product in this market if the deal goes through?" Korda was asked.

"We always hope to. Despite rumors to the contrary, we are determined that there should be a British film industry. In the last 18 months 27 films have been made at Denham studios, 20 by London Films. Next year we will produce less in number, but with higher negative costs than last year. Our studios will produce more this year than last. There are six pictures in work at the same time. Among the companies working at Denham are M-G-M, 20th Century-Fox, London Films and Herbert Wilcox."

There was a brief pause while Korda took time out to order refreshments for the press.

"We are absolutely sure we'll succeed. We are sure to get a break in the American market. I admit we've made mistakes, but I believe we have passed that stage."

Korda then excused himself for not joining in the refreshments, stating that he had to be careful because of his recent illness. Then he went on:

To Release Here

"Every picture we make in London will have an American release. We will have from 12 to 15 as compared to eight last year. The new budget will range from $8,000,000 to $12,000,000. England is a very good market for American product and, likewise, the American market should get a good outlet for British films."

"What type of pictures are you aiming at?"

"I can't say definitely. There will be a variety of films. We want to have the benefit of natural backgrounds in some of our pictures. There will be four in color next year. This is an increase of one over the current program. Two of the three color pictures this season will star Merle Oberon, who has just finished one, 'Mutiny of the Mountains.'"

Queried on Stock Plan

"Is there a plan for a stock issue in the U. A. deal?"

"There is no such plan at the moment."

"Is anyone else coming over on the deal?"

"No one."

"Who will represent you in this larger picture here? Will it continue to be Emanuel Silverstone?"

"There will be no change. Silverstone will continue to be my representative."

"Will you make any product here?"

"No."

"Will Goldwyn produce in England?"

Reticent on Goldwyn

"I don't know."

"Will Walter Wanger make any films in England?"

"I can't say. I don't know."

Before Korda left for England four months ago, he mentioned that there was a possibility that Goldwyn and Wanger may produce there.

"Will you supply U.A. quota requirements in the United Kingdom? If so, will they be cheap or expensive negatives?"

"I will not make any quota films. My plans call for expensive negative costs in the future."

"Interchange of Talent"

"Is there any interchange of talent provided for in the deal, either in writing or by tacit understanding?"

That got a laugh from the producer. He wanted to know what interchange of talent meant and if there was such a thing.

"I have heard about this thing for the past 15 years. As far as I am concerned it is a question of money for my talent."

"Will you form a holding company if the U.A. deal goes through? If so, what will the name be?"

"I don't know."

"What will your production program be next year?"

"I can't say very much on my production program. It depends entirely on things worked out here at the conferences with Goldwyn and Lever."

"How do David O. Selznick and Walter Wanger stand in the arrangement?"

"I don't know. The only thing I can say is I hope they will remain with the company."

"Is the money arranged for in the deal?"

Korda laughed, put his hand inside his jacket pocket and said: "It's here," but didn't take anything out.

"You are quoted from England as saying that a City group is prepared to finance you in this deal?"

City Money Expected

"Yes, that is right. There is a City group which will put up what money is necessary." Then Korda asked what the purchase price was to pick up the options. A reporter said $6,000,000. Then Korda said, "if that's the price there is a group which is ready to put it all up if we need it."

"Are Hemphill, Noyes & Co. (Stanton Griffis is a partner of this company) in on it?"

"I don't think so."

"How long do you expect to be here?"

"About two to three weeks. I am going to try and get a vacation."

"Are you going to the coast?"

"I don't think so. I hope not."

"Is it true that you have shut down production for six months?"

Still Producing

"No. As a matter of fact we are busier now than we have ever been. We have just finished 'Divorce of Lady X' and have just started 'Over the Moon,' with Merle Oberon. This is a story by Robert Sherwood with William K. Howard directing. We have also finished what I think the biggest film ever made. It is 'Mutiny of the Mountains,' in color. For the picture we sent a unit to India to film the Himalayas in Technicolor. We may shut down for four or five weeks, as all companies do. I wish we could shut down for several months. It would give me time for a vacation."

"If the options are picked up will a reorganization of U.A. follow?"

"I can't say."

"What about the possibility of the Lehman-Atlas group providing part of the option money?"

"I don't know anything about them. Who are they?"

"Is there a possibility of a $20,000-

(Continued on page 6)

Executive Cargo Arrives



Sam E. Morris, foreign manager of Warners; Phil Reisman, who occupies a similar post at RKO, and Jack Cohn, vice-president of Columbia, as they arrived on the Ile de France *yesterday.*



Alexander Korda, head of London Films, another arrival on the same liner. On the left is Maury Silverstone, managing director of United Artists (British). On the right, Emanuel, his brother and American representative of London Films. Camera work by Metropolitan Photo Service.

Just Numbers

Maurice Silverstone was handed a cablegram by his brother, Emanuel, shortly after the cutter transferred its passengers to the *Ile de France* at Quarantine. One of the reporters knew about the telegram in advance and asked to see it.

Maurice Silverstone obliged. The telegram was a mass of numbers.

A Boatload

The *Ile de France* yesterday chalked up a new record for any one group of theatrical personalities arriving on a single trip. There were 21 in all, representing all fields of the amusement industry.

Alexander Korda headed the list, which included Maurice Silverstone, Sam E. Morris, Herman Maier, Major General J. C. Harbord, Barney Glazer, King Vidor, Erik and Ludwig Charell, Jack Cohn, Lothar Mendes, Phil Reisman, J. Hayes Hunter, Marcel Hellman, Lili Hatvany, Konstantin Gorian, Bruno Frank, Julien Duvivier, Levy Straus, Mireille Balin and Arthur Reick.

U.A. Purchase Far from Set, States Korda

(*Continued from page* 5)

000 stock issue to provide for financing production?"

"There is no such plan at the moment. I don't know anything about reports of this kind."

"Is there any truth to the report that John Hay Whitney, representing Selznick, may participate in the financing?"

"There might be. I don't know of it."

Korda was then told of stories which have been printed that Whitney was ready to buy up two of the options provided the third was exercised by Korda. He said this was news to him. After reporters had exhausted all questions, Korda thanked the men. As he was about to clear his passport regulations, the London Films head asked if there was anything else the newsmen wanted to know.

He said he could not divulge any of the details and he kept his word.

Vidor, Back, Wants To Make Film Abroad

King Vidor returned yesterday from a vacation to northern Italy, Switzerland, Germany, France and England. He had been gone since Aug. 4. He will be in town a week before leaving for Hollywood.

After studying production in France Vidor expressed himself as anxious to do a picture there and hopes that he will fulfill this desire upon the completion of his next picture on the coast. He said that in the future he will make two pictures in 18 months. He did not know for whom he would produce his next film. His agreement with Samuel Goldwyn states that if Vidor likes the script he will make the picture. His last film was "Stella Dallas."

Television Not Ready—Harbord

Major General J. C. Harbord, chairman of the RCA board, was among the vacationists returning from abroad yesterday. He spent four weeks in France and stopped over in England for a few days to look into television developments.

He was pessimistic over television progress in England, stating that it is in the same state it has always been in. "Television is not ready yet," he declared.

Lothar Mendes Here

Away from these shores for four years, Lothar Mendes yesterday returned from England to make his permanent headquarters on the coast again. He will leave in a fortnight, he said. The last picture he directed was "Moonlight Sonata," which is to be internationally released by United Artists. Previously, he had made one for G.B. and another for Alexander Korda.

Powell, Carroll Not Aboard

William Powell and Madeleine Carroll, scheduled to return from abroad yesterday on the *Ile de France,* were not on board, having canceled before the liner sailed from England.

Odeon Will Build Circuit To 400, Says Silverstone

(*Continued from page* 1)

thing, both for distributors and exhibitors."

Theatre building in the United Kingdom is more or less at a standstill, Silverstone added, but Odeon is going ahead as usual. There is ample financing behind the circuit to do this. Prudential and Eagle Starr, the two largest insurance companies in England, are behind Odeon. In addition there is Phillip Hill, one of the biggest financial houses in England, fin- Oscar Deutsch, he said.

Theatre business is very good and England is maintaining the high average of business it reached last year, the executive declared. Silverstone plans to remain several weeks and may go to the coast to attend the annual meeting of U. A. stockholders next month.

Reisman Gets Back From Europe Jaunt

(*Continued from page* 1)

to succeed Harry W. Leasim, managing director of Radio Films International, Reisman stated, and no other changes are contemplated. There are no plans for British production, no expansion of offices in sight, he added. Conditions generally abroad are all right, he said.

Hellman Here to Observe

Marcel Hellman described his arrival from England yesterday as a visit to see new things being done in the theatre and in production. He plans to spend about two weeks in town and then go to Hollywood for a month. He has never visited the coast.

Hellman has last been identified with Criterion Films, which is now dormant, and which he expects to be revived shortly. He has in mind a picture by Sascha Guitry and is looking for an actor to play the leading role.

Columbia to Await Quota Act Decision

(*Continued from page* 1)

and eight to ten for the British market.

Joseph Seidelman, foreign head, is remaining in London for another month to work on deals in connection with English production plans, Cohn declared.

Asked if he had signed any talent, Cohn jocularly stated: "Louis B. Mayer beat me to it. He's got a flock of people on this boat and there's none left for us."

While in Paris and London, Cohn and Seidelman conferred with a number of the company's foreign managers. The vice-president said that business was very good in Paris and London and activity is at its peak in both cities.

Rockefeller Film Likely

HOLLYWOOD, Oct. 26.—Rufus Le Maire will leave here shortly for New York, where he will confer with George Arliss with regard to the possibility of producing a film based on the life of John D. Rockefeller.

Battalion of New M-G-M Talent Here

(*Continued from page* 1)

Sobel, Mel Heyman, Milton Weiss, Charles Cohen, Morris Frantz and Ernest Morrell. The boys experienced some difficulty tracking down Leopold Jessner, German stage and film producer. It seemed that Jessner cleared customs before the M-G-M army could get to him.

The other seven who came over were: Baroness Lili Hatvany. She is the author of "Tonight or Never" and "Love Duel." For the past year she has been writing scripts from her home in Budapest for M-G-M. This is her first trip to this country and she holds a six-month contract with options. She will remain here for a few days and then go to the coast.

Konstantin Gorian, who has appeared on the stage in Vienna for the past three years in opera, spent three weeks in London studying English before boarding the boat. He has had no experience in films.

Bruno Frank Arrives

Bruno Frank, novelist and playwright, plans to stay in New York four or five weeks before reporting to the M-G-M studios. He has a six-month contract with options. He has never done any picture work. Among the plays he has written are "Storm Over Patsy," which was produced by the Theatre Guild, and "12,000." Among his novels are "Lost Heritage" and "A Man Called Cervantes." He intends to look over the current crop of plays during his stay in town.

Julien Duvivier, one of the most prominent French film producers, said his last picture was "Carnet de Bal." He has a two-year contract. He asserted this was his fourth trip to America, but the first on a picture assignment. He has also produced 'The Grand Illusion" and "Pepe Le Moka." He will leave for Hollywood tomorrow.

Mireille Balin, prominent French actress, told MOTION PICTURE DAILY her last picture was "Femme d'Amour" for Ufa. She speaks little English and had one of her friends interpret for her. She will visit here for two weeks prior to her departure to the coast. She has a one-year pact.

Arthur Rieck, who has appeared at the Scala Theatre in Vienna, will head for Hollywood tomorrow. He said he has been on the stage for two years, has never visited this country before and has never appeared in a film. He has a six-month agreement.

Levy Straus is an assistant to Duvivier and is accompanying him coastward.

T. Hayes Hunter Here

T. Hayes Hunter, former American director and now an agent in England, was among the passengers on the *Ile de France.* He said he would spend about three days in New York and then go to the coast to supervise the opening of a Hollywood office. He will return to England in about six weeks.

Morris States Warners Plan 16 in England

(*Continued from page* 1)

per cent to 15 per cent. The company will not produce in any other foreign country, he said.

The new Warner theatre which is being constructed on the site of the old Daly's will be ready the first week in August, according to Morris. There is no other theatre expansion planned abroad.

Irving Asher, British production head for the company, will sail Nov. 17 on the *Normandie* from England, and will then proceed to Hollywood to discuss future production plans with Jack L. Warner. Morris will accompany Asher on his trip to California.

Options were taken on a number of people, Morris said, but nothing definite has been decided on bringing them to Hollywood.

Warner Coming Shortly

Warner is expected to leave England for this country in two weeks. There were no changes made in personnel abroad, Morris added.

Morris and Maier will return to England in January or February. Morris was gone six weeks visiting London, Paris and Budapest. He said business is very good in England, getting better on the Continent and also improving in France despite conditions.

Maier asserted that the Warner theatre in England will cost about $400,000 and seat 2,000. E. A. Stone of England is the architect. He was gone seven weeks.

Although he stated no further theatre expansion is being considered at the moment, the new Rhodes, a 1,400-seat theatre in Chicago, will be ready for opening Nov. 1. The new Warner house at Shaker Heights, Cleveland, seating 1,500, will be opened late next month, Maier stated.

Lost Much Weight

Morris lost 10 pounds during his stay in England. He kept away from rye bread, his wife stated.

Glazer, who was signed to a five-year producer contract by Warner in England, spent three and a half months touring Scandinavia, Czechoslovakia, France and England. He said he spent a good deal of time visiting the Russian theatre festival. He will spend about 10 days here before entraining for the coast.

Erik Charell, producer of "White Horse Inn," declared that he will begin production of the film version for Warners on the coast next spring. He added that he has a number of ideas in mind for a new show which he hopes to produce on Broadway before leaving Christmas for the Warner studio.

Edwin Morris to Coast

Edwin Morris, son of Sam E. and head of Warners' music interests, will leave for the coast Monday to assume charge of all music writers for the next six months. There is a possibility Morris will make his permanent headquarters in Hollywood, but this will be decided later.

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THE STOCK MARKET!

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SOCK MARKET!



..YOU'LL HIT "NEW

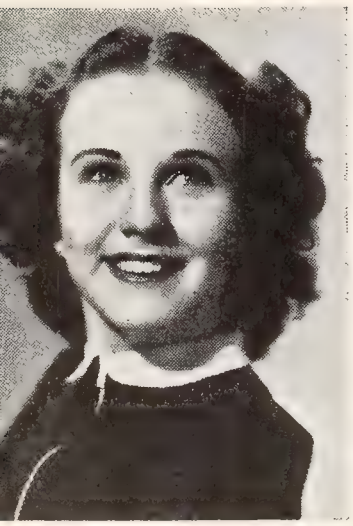












America—here they come!

THE FOUR HORSEMEN OF HILARITY!

"MERRY-GO-ROUND OF 1938"

A TEN-STAR FUN FROLIC with BERT LAHR
JIMMY SAVO • BILLY HOUSE • ALICE BRADY
MISCHA AUER • JOY HODGES • LOUISE FAZENDA
JOHN KING • BARBARA READ • DAVE APOLLON and his orchestra

Produced by
B. G. DE SYLVA

Screen Play by Monte Brice and A. Dorian Otvos • Original story by Monte Brice and Henry Myers • Directed by Irving Cummings

The world can't get enough of her!

DEANNA DURBIN in "MAD ABOUT MUSIC"

Directed by **NORMAN TAUROG**
Academy Award Winner and director of "You Can't Have Everything"!

Produced by **JOE PASTERNAK**
Story and Screen Play by Frederick Kohner and Marcella Burke

The surprise picture of the year!

A JOHN M. STAHL PRODUCTION



HIGHS" WITH THESE!













Her most glorious picture!

ALICE FAYE in "YOU'RE A SWEETHEART"

with

GEORGE MURPHY
New rage and dancing hit of "Broadway Melody of 1938"!

CHARLES WINNINGER
Lovable hit of "Three Smart Girls" and "Showboat" radio program!

WILLIAM GARGAN
ANDY DEVINE
Scream of "A Star Is Born" and Jack Benny's radio program!

FRANCES HUNT
Singing beauty of Benny Goodman's Orch.

FRANK JENKS
The comic cab driver of "100 Men and a Girl"!

DONALD MEEK

KEN MURRAY
Radio's millions laugh with him!

OSWALD
Ken Murray's "Oh—yeah" stooge!

THE DIAMOND BROS.

CASPER REARDON

Songs and Music by Harold Adamson and Jimmy McHugh

PRODUCED BY
B. G. DE SYLVA

Screen play by Monte Brice and Charles Grayson

Directed by
DAVID BUTLER
who directed Eddie Cantor in "Ali Baba Goes To Town"

"She is unbelievably lovely" —NEW YORK TIMES
AMERICA WILL THRILL TO HER CONTINENTAL ALLURE!

DANIELLE DARRIEUX in "THE RAGE OF PARIS"

Directed by **HENRY KOSTER** who gave you "Three Smart Girls" and "100 Men and a Girl"!

Story by **HENRY KOSTER** and **FELIX JACKSON**

THE NEW UNIVERSAL.. YOUR SOCK EXCHANGE!

CHARLES R. ROGERS EXECUTIVE VICE-PRESIDENT IN CHARGE OF PRODUCTION



Purely Personal

NED DEPINET and SAM DEMBOW, JR., combined for luncheon at JACK and CHARLIE'S yesterday. WILLARD MCKAY, back from the coast and about to return again shortly, was in his accustomed corner. GREGORY LA CAVA and LEO MCCAREY were chinning with some of the local critics, including DICK WATTS and HOWARD BARNES of the *Herald-Tribune* and BILL BOEHNEL of the *World-Telegram*. DANNY WINKLER of the Selznick agency was another present while JOE MOSKOWITZ, JOE PINCUS and BOB GOLDSTEIN, naturally, made up still another aggregation. EDDIE SMALL, who leaves for Savannah today to visit his mother and then journeys on to the coast, was around, having lunch with HAL HORNE with whom some sort of a deal is being talked. HORNE resigns his post with Walter Wanger Dec. 7. MCCAREY was saying he sails tomorrow on a five-week vacation abroad with no other commitment—self-imposed, by the way—than to be back in Hollywood by Christmas. This by choice.

•

JULIUS SINGER, who encountered a peculiar accident a few days ago, is recovering rapidly from injuries sustained when a plate glass door suddently collapsed and showered him with cuts in a midtown office building.

•

A. C. BROMBERG, Republic franchise holder in Atlanta; HEC EVERETT, district manager and TY DILLON, branch manager with headquarters at Charlotte, are in town conferring with J. J. MILSTEIN.

•

TOBY WING, who came east after completing a role in Grand National's "Mr. Boggs Steps Out," will leave today for Chicago to make personal appearances before continuing to Hollywood.

•

ANNA NEAGLE was a guest of the Woman Pays Club yesterday.

•

DOROTHY GONDOLA and AL O. BONDY will marry on Friday and the next day leave aboard the *Munargo* on a 12-day honeymoon in Havana and Nassau.

•

JANET GAYNOR is the latest target of a cocktail party. DAVID O. SELZNICK will be the host. Time and place are 5 o'clock at "21" on Thursday.

•

MRS. BOB WEITMAN, wife of the manager of the Paramount, is recovering from a mastoid operation at the Beth Moses Hospital, Brooklyn.

•

STANLEY W. HAND, midwestern sales manager for Erpi, returned to Chicago yesterday after several days at Erpi headquarters here.

•

CLAYTON BOND, film buyer for Warner theatres, has been home nursing a cold, but is expected back at his desk in a day or two.

•

HENRI ELMAN, Chicago Monogram franchise holder, is visiting W. RAY JOHNSTON and EDWARD GOLDEN for a few days.

•

FLOYD GIBBONS' fifth in the Vitaphone short subject series, "Your True Adventures," is completed.

•

JACK L. WARNER, in charge of Warner production, will arrive Monday aboard the *Queen Mary*.

•

PAUL LAZARUS of United Artists lectured last night at Columbia in the course on films.

•

OSCAR DOOB and SI SEADLER will leave for the coast by plane tomorrow.

•

DAVID O. SELZNICK has renewed his option on DOUGLAS FAIRBANKS, JR.

•

OTTO KRUGER will sail today on the *Aquitania*.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
AMERICAN AIRLINES INC.

Looking 'Em Over

"Criminals of the Air"

(*Columbia*)

Think nothing of the tame-sounding title. Here is a first-rate thriller. Although it follows a familiar course in the unfoldment of plot "Criminals of the Air" nevertheless will prove stimulating fare. It is a story of the Mexican border patrol and offers Charles Quigley in a virile role.

The story is one of those affairs where a gang of smugglers headed by Russell Hicks is managing to smuggle aliens over the border and the authorities are helpless to cope with the situation. Quigley comes on the scene and shortly has a plan. He is to fly a honeymoon express plane to a point across the "line" where a couple is married. While on this clue hunt he is dogged by Rosalind Keith, a newspaper woman who is after the well known story. Quigley finds a few leads, but the gang also gets a line on him and on his third flight he is taken prisoner. Miss Keith also is with him. She has stowed away on her editor's orders. Miss Keith releases him and they make their getaway with the smugglers hot on their trail. But the border patrol is lurking about and the pursuing ship is shot down. Hicks and a confrere are making a getaway in an automobile and they, too, are taken care of from the air.

These final chase scenes are thrilling stuff. The cameras were well placed and the action, shooting and airplane maneuvers are really thrilling. The conclusion has Quigley and Miss Keith taking a flight on the honeymoon express.

Good bit parts are performed by Patricia Farr, as a waitress in an airport coffee shop, and Rita Cansino as an entertainer in a cafe. The story gets under way at the outset and moves speedily along. C. C. Coleman, Jr., directed. George Meehan is responsible for excellent photography.

Running time, 61 minutes. "G."

Max Schach Is Sued On Bergner Contract

LONDON, Oct. 26.—Elizabeth Bergner and her husband, Dr. Paul Czinner, producer of her pictures, have filed suit against Max Schach, head of Trafalger Films, for the balance allegedly due under a two-picture contract the star and producer held with the producing company. Only one film, "Dreaming Lips," has been completed.

It is understood in informed quarters here that Schach has no finances available for the production of pictures on the scale on which Miss Bergner's pictures are generally made.

Ordered to List Action

Crosby George, author, was ordered to place his $50,000 infringement suit against 20th Century-Fox on the calendar for trial in December, by Justice William T. Collins in the N. Y. Supreme Court yesterday. Justice Collins stated that if George failed to comply with the order his action will be dismissed for lack of prosecution.

To Make Salesmen Films

Singer & Byrne, producers of advertising films, have added a department for producing industrial and sales training shorts. They have been making a study of the field for more than a year and recently completed a two-and-a-half reel short for Sheffield Farms.

Warner Zone Heads Meet

Warner zone managers and home office theatre executives yesterday held what was described as a routine conference at the home office. Joseph Bernhard, general manager of Warners theatres, presided.

Decision Reserved On Empire Accounts

Supreme Court Judge Charles J. Dodd in Brooklyn yesterday reserved decision on a suit brought by members of the Empire State M. P. Operators' Union against Ray P. Monahan, Richard Baron and William Santasiero, officers of the organization. The complainants seek an accounting of $50,000 which they allege was contributed by 324 members in 1935 and since then supposed to have been held in escrow for certain purposes of the organization.

The complainants allege that the money was used to purchase two mortgages of $40,000 and $10,000, respectively, and that on Oct. 3, 1935, the officers authorized Monahan to deliver to a Bernard Sliashnick a satisfaction of the mortgage in consideration of $25,000. They allege that the $25,000 was not equitably distributed.

The defendants claim there is no cause for action.

Wins Esquire Amusement Case

A judgment for $7,734 was awarded to the Petroleum Heat and Power Co., Inc., against the Esquire Amusement Corp., operators of the George M. Cohan Theatre, by Justice Aaron Steuer after a trial in the N. Y. Supreme Court yesterday. The suit was based on a 1936 contract for air conditioning the theatre. Esquire sued for $22,965 alleging that Petroleum had failed to perform under the contract, but the deefndant responded with a counterclaim for $10,484. Judge Steuer ruled that "proof shows that each party is correct in its contention that the other did not perform" but decided, however, that money advanced by Petroleum to purchase material should be returned.

Para. Denies Gazette Charge

Paramount filed a general denial in the U. S. District Court yesterday in answer to the $50,000 libel suit brought by the National Police Gazette Corp. The plaintiff is suing for damages on the ground that showing of the *Police Gazette* in a scene from "Klondike Annie" caused damage to its reputation. The suit was originally started as a copyright infringement action. In its answer Paramount admitted the use of the publication but denied that such use was harmful. A dismissal with costs is asked.



ONLY UNITED OFFERS THE SKY ROOM!

★Courtesy lounge for nighthawks and early birds is exclusive to United's sleeper planes.

In addition, United alone provides de luxe Skylounges on daylight portions of trip, sleepers at night . . . sleepers limited to 12 passengers for extra comfort (a berth for every passenger).

3 nightly sleeper flights coast to coast.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices

UNITED AIR LINES

To Radio City Music Hall

THIS WEEK

comes the picture whose unprecedented production advantages and tremendous show values stamp it as one of the great motion pictures of all time.

RKO Radio AGAIN!

VICTORIA

More daring than the outposts of imagination!...Thrilling beyond the puny limits of fiction!...A mighty human drama with all the world a stage ...and all the people in it actors in a flaming pageant rolling headlong through the sixty years that shook the world!

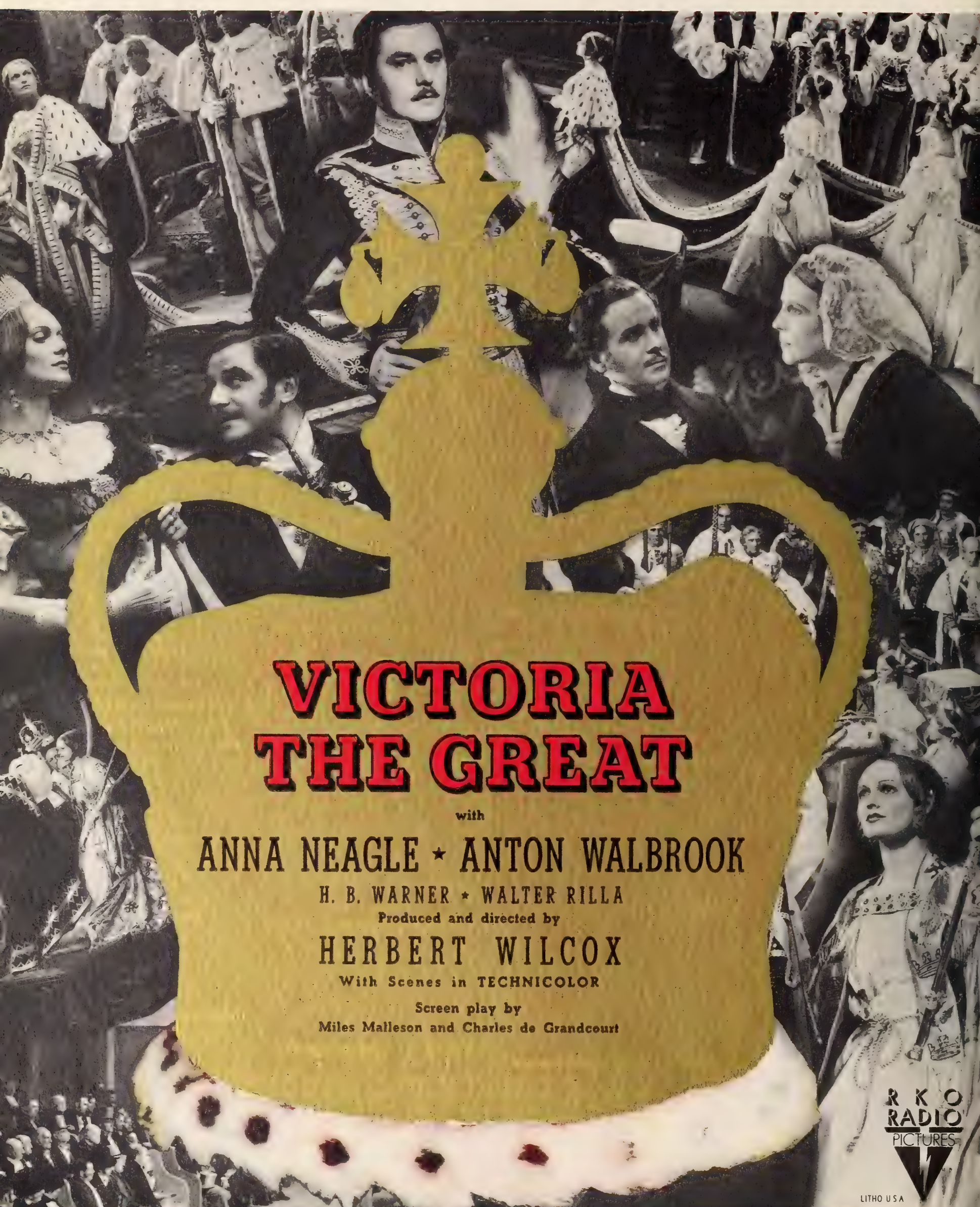


THE GREAT

History, yes . . . but more than history . . . the intimate record of a beautiful woman's romance . . . the story of a queen who loved as you and I . . . told against a moving background unbelievable in immensity, ungraspable in scope, unmatched in beauty and power!



A SHOW TO SENSATIONALIZE AND SELL WITH SMASH!...A ONCE-IN-A-LIFETIME CHANCE AT THE BIGGEST CROWDS YOUR THEATRE CAN PLAY TO!



VICTORIA THE GREAT

with

ANNA NEAGLE ★ ANTON WALBROOK

H. B. WARNER ★ WALTER RILLA

Produced and directed by

HERBERT WILCOX

With Scenes in TECHNICOLOR

Screen play by

Miles Malleson and Charles de Grandcourt

RKO RADIO PICTURES

LITHO U.S.A.

"Certain" on Dual Best at Los Angeles

LOS ANGELES, Oct. 26.—"That Certain Woman," on a dual with "Over the Goal," was out front in a dull week among first runs. It reached $14,500, over the line by $2,500, at Warners' Downtown, and took $14,-356, slightly over par, at Warner's Hollywood.

The only other attraction to make much of an impression was "Life Begins at College," dualed with "Counsel for Crime," at the Chinese and Loew's State. At the former the $12,-561 take was just over the profit line and at the latter it was strong at $16,-430, up by $2,430.

Total first run business was $97,472. Average is $107,950.

Estimated takings for the week ending Oct. 20:

"THE LIFE OF EMILE ZOLA" (W.B.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 6th week. **Gross:** $9,380. (Average, $17,000)
"LIFE BEGINS IN COLLEGE" (20th-Fox)
"COUNSEL FOR CRIME" (Col.)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $12,561. (Average, $12,500)
"DARK JOURNEY" (U.A.)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $2,555. (Average, $3,250)
"OUR BOY"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,700. (Average, $1,200)
"LOST HORIZON" (Col.)
"SATURDAY'S HEROES" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days, 3rd week. **Gross:** $7,500. (Average, $8,000)
"LIFE BEGINS IN COLLEGE" (20th-Fox)
"COUNSEL FOR CRIME" (Col.)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $16,430. (Average, $14,000)
"LOST HORIZON" (Col.)
"SATURDAY'S HEROES" (RKO)
PANTAGES—(3,000), 30c-65c, 6 days, 3rd week. **Gross:** $5,000. (Average, $8,000)
"MUSIC FOR MADAME" (RKO)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, Hal Kemp and his orchestra. **Gross:** $12,500. (Average, $18,000)
"THAT CERTAIN WOMAN" (F.N.)
"OVER THE GOAL" (F.N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $14,346. Average, $14,000)
"THAT CERTAIN WOMAN" (F.N.)
"OVER THE GOAL" (F.N.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $14,500. (Average, $12,000)

Omaha Is Faced with Jam of Good Product

OMAHA, Oct. 26.—Theatre managers here are facing the problem of "too many" pictures of superior quality. They can't get them booked in.

There are only three first runs in the city and frequently money-making pictures are held over for more than a week. Consequently this city is often behind others in the showing of new films.

For instance, "Stella Dallas," released weeks ago, has yet to show here. Ditto on "The Life of Emile Zola," "Dead End," "Vogues of 1938," "They Won't Forget" and a half dozen less important "A" pictures.

Albany Club to Dance

ALBANY, Oct. 26.—The Warner Club, numbering 190 employes, is busy on arrangements for a Hallowe'en barn dance to be held at Cropseyville Nov. 6. Andrew M. Roy, manager of the Strand and president of the unit, and Woodrow J. Campbell, treasurer, are in charge of arrangements.

Mid-October Grosses Fall Slightly to $1,500,826

Mid-October key city first run grosses continued the decline which set in after the Labor Day rush, in spite of the success of a number of outstanding films all the way across the country. The total for 147 houses in 24 keys for the week ending Oct. 8-9 was $1,500,826.

This total was $27,460 below the previous week when the gross for 148 houses was $1,528,286. That total also was slightly below the week preceding.

The decline was spotty for the week ending Oct. 8-9, as 14 cities showed gains. These spots were: Buffalo, Chicago, Cleveland, Denver, Indianapolis, Kansas City, Los Angeles, Milwaukee, Minneapolis, New Haven, Oklahoma City, Omaha, Philadelphia and San Francisco.

Estimated takings for the latest available periods:

	Week Ending Oct. 8-9		*Week Ending Oct. 1-2*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	8	$101,100	8	$105,500
Buffalo	5	55,200	5	44,600
Chicago	8	132,300	8	141,000
Cincinnati	8	51,450	8	56,850
Cleveland	6	66,926	6	63,000
Denver	6	34,500	7	31,000
Detroit	6	84,000	6	89,100
Houston	4	25,300	4	25,800
Indianapolis	4	29,700	4	28,400
Kansas City	5	42,500	5	41,300
Los Angeles	10	101,800	10	95,136
Milwaukee	5	34,000	5	30,700
Minneapolis	5	21,900	5	21,600
Montreal	4	37,000	4	37,500
New Haven	4	26,900	4	22,000
New York	11	255,450	11	297,500
Oklahoma	4	17,100	4	14,700
Omaha	3	22,300	3	17,500
Philadelphia	9	100,900	9	81,500
Pittsburgh	5	50,500	5	67,200
San Francisco	9	93,700	9	89,700
St. Paul	4	13,200	4	13,600
Seattle	7	36,900	7	38,100
Washington	7	66,200	7	75,500
	147	$1,500,826	148	$1,528,286

Key city grosses for the week ending Oct. 8-9:

Week Ending	*No. Theatres*	*Gross*
Sept. 3-4	143	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1-2	148	1,528,286
Oct. 8-9	147	1,500,826

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Order "Madame X" Cuts

TORONTO, Oct. 26.—The Ontario Board of Censors ordered substantial deletions in the 1937 version of "Madame X." At least two theatres in Ontario were all set for first run engagements with full advertising campaigns under way when a last-minute switch of feature attractions had to be made.

Spend More in Mexico

MEXICO CITY, Oct. 26.—Mexican producers are spending more money on their pictures as box-office returns prove that better wares bring better profits. Production costs are now at a minimum of around $40,000. In the old days, three years or so ago, $15,-000 per was considered the high cost mark.

Kuykendall for Denver

DENVER, Oct. 26.—Ed Kuykendall, president of the M.P.T.O.A., will address the members of the Theatre Owners and Managers of the Rocky Mountain Region at a special luncheon meeting on Friday at the Cosmopolitan Hotel.

McCarthy Showing First

KANSAS CITY, Oct. 26.—L. J. McCarthy, who will leave here late this week to show his first feature picture, "Assassin of Youth," in St. Louis, Chicago, and other exchange centers of the east, plans to produce about four features a year of a similar type, he said here this week. Distribution of "Assassin" will be in 10 districts covering the U. S.

Milwaukee Raises Asked

MILWAUKEE, Oct. 26.—Negotiations have been opened here between exhibitors and the projectionists' union, with the latter seeking a wage raise of from seven and one-half to 25 per cent in the various classifications. The current contract expires Oct. 31.

Build at Indianapolis

INDIANAPOLIS, Oct. 26.—A modern 1,200-seat house on the north side in a well-to-do residential area is in prospect early in 1938. Ground has been acquired and construction will begin soon.

Carl Niesse of the Manny Marcus organization will operate the house.

"Zola" Gets Washington's Top, $20,300

WASHINGTON, Oct. 26.—Backed by more than two weeks as a roadshow, with plenty of current ballyhoo, "The Life of Emile Zola," playing a popular price at the Earle, with a stage show, topped a first run take of $20,-300. It was moved to the Metropolitan for a run. The Earle take was $1,900 over average.

"Dead End," on a return engagement at the Columbia, took $4,200, to exceed the first run par by $600. At Loew's Capitol, "High, Wide and Handsome," with a stage show, took $19,800, or $1,100 under average.

Total first run business was $62,100. Average is $73,700.

Estimated takings, excluding the Little and exclusive of tax:

Six Days Ending Oct. 20:

"THE BRIDE WORE RED" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 6 days, 2nd week. **Gross:** $6,400. (Average, 7 days, $15,900)

Week Ending Oct. 21:

"THE LIFE OF EMILE ZOLA" (W. B.)
EARLE—(2,218), 25c-55c, 7 days. Stage: Carmela Ponselle, Roy Smeck, Olympic Trio, Chaney & Fox. **Gross:** $20,300. (Average, $18,400)
"HIGH, WIDE AND HANDSOME" (Para.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Dorothy Stone & Charles Collins, Gus Beatty, Five Elgins, Texas Jim Lewis & His Lone Star Cowboys. **Gross:** $19,800. (Average, $20,900)
"DEAD END" (U. A.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,200. (Average, first run, $3,600)
"THIS WAY, PLEASE" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $3,900. (Average, $4,300)
"BREAKFAST FOR TWO" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $7,500. (Average, $10,600)

Week Ending Oct. 23:

"THE WANDERING JEW" (Olympic)
LITTLE—(365), 15c-40c, 7 days. **Gross:** $1,600)

Cameron Leaving KC For Hub Erpi Post

KANSAS CITY, Oct. 26.—J. A. Cameron, district superintendent for Erpi here the past five years, will leave next week to assume his new duties in Boston, where he will be branch salesmanager under Lon Hacking, district manager. Cameron came here after five years as district superintendent in Chicago. He opened the Atlanta office for Erpi in 1928.

Obie Hunt, district superintendent at Dallas, succeeds Cameron. The Dallas-Kansas City districts are being combined under a new setup, and Hunt will have charge of both areas as district manager. The new territory will comprise Texas, Oklahoma, Arkansas, Louisiana, Missouri, Kansas, Nebraska and Iowa.

Subsequent Rise Success

KANSAS CITY, Oct. 26.—The Fox Plaza, first Kansas City subsequent run which went from 25 cents to 35 cents two weeks ago, has found the increase beneficial to grosses. There has been little change in attendance. More significant, the increase at the Plaza appears to have stimulated business at the Fox Isis and Fox Warwick, 25-cent houses following the Plaza.

Philadelphia Pact Delayed For One Week

(*Continued from page* 1)

plan worked out between Paramount and the committee there was some opposition. Morris Wax attacked some items in the agreement after it had been explained by Lewen Pizor, Charles Segall and Dave Barrist. Abe Sablosky replied by saying that opposition was a reflection on the committee which had worked hard to reach a fair agreement.

After praising Philadelphia exhibitors for having "more guts" than Ohio exhibitors in waging the fight, P. J. Wood, Ohio exhibitor leader, asserted Philadelphia should not approve a plan which didn't give Ohio the same benefits. He was answered from the floor with charges that other units had not carried on the battle the way the local outfit had.

Call "Armistice"

After a three-hour discussion the sentiment of the group was that in view of minority opposition, it would be better for future peace to agree to an "armistice" period for a week instead of an immediate settlement. A motion to this effect was introduced by Charles Rappaport and seconded by Jay Emanuel. It was carried without dissent.

The terms of settlement were as follows: On the matter of six pictures allegedly on last year's contract which were held over by Paramount for the new season, two, "Souls at Sea" and "High, Wide and Handsome," are to be played as part of last year's contract at the highest percentage figure. In return, two of last year's highest percentage group already played, are to be reallocated to the lowest group, with the difference credited to exhibitors and charged against the new films. The other four films were dropped from the discussion.

Provide Arbitration Board

So far as the old pictures on last year's contract are concerned, it was generallv agreed that those which were weak or had been played out by opposition would be cancelled, though individual deals could be made for any of them. In case of dispute on these films, an arbitration board could be set up.

The time limit on old contracts was extended on pictures not yet played, including shorts. Those signing new contracts for news would not be obligated to any old releases.

The selling plan for the new season of features calls for four at 35 per cent; eight at 30 per cent, with the remainder at 25 per cent on outright buy. Paramount agreed not to insist on any examination of books and where the split percentage contract was not used before it will not be used now.

Neil F. Agnew of Paramount was in town, though not at the meeting. It is believed exhibitor leaders will confer with him today.

ITPA To Discuss Pact

MILWAUKEE, Oct. 26.—The settlement of the U. M. P. T. O. "buyers' strike" against Paramount will be one of the principal topics of discussion at the I. T. P. A. convention at the Shroeder Hotel Nov. 3.

The meeting will open with a pre-convention dinner at the Club Aztec Monday night. Business sessions and election of officers will follow Tuesday. All independent exhibitors in the territory have been invited to attend.

Briskin Wants To Leave Post At RKO Studio

(*Continued from page* 1)

in Chicago today en route to Hollywood where he is due Thursday for the purpose, it is understood, of taking hold of the studio situation and adjudicating the current situation on the lot.

Although it was announced several months ago that Briskin had signed a new three-year contract, it was established definitely today that the pact had never been signed by him and that it is his intention to push his determination to sever his present association.

Tally, Corbar Reopen Suit Against F.W.C.

(*Continued from page* 1)

Film Corp. and National Theatres Corp., charging fraudulent conveyance of properties under the bankruptcy proceedings of Fox West Coast Theatres.

The suit was filed through William B. Neblett, attorney, and alleged that Fox West Coast Theatres, on Feb. 26, 1933, conveyed to Fox West Coast Theatres Corp. valuable and profitable properties of the former and the next day filed a petition, on behalf of its unprofitable properties, of voluntary bankruptcy proceedings.

The complaint alleges that the lessors lost millions of dollars through the disaffirming of valuable leases in the bankruptcy proceedings. Tally asks $421,510 and Corbar $419,500.

Continue Boston Action Here

Additional contracts of major distributors with the Maine & New Hampshire and M. A. Shea circuits were introduced in evidence here yesterday in connection with the Morse & Rothenberg anti-trust suit brought in Federal court at Boston some time ago. Approximately 400 exhibits, mostly contracts, have been entered in the action so far. No witnesses were called yesterday but it is planned to take the depositions of several representatives of defendant distribution companies at today's session.

Milliken Club Speaker

ALBANY, Oct. 26.—Carl E. Milliken, secretary of the M. P. P. D. A., addressed a joint meeting of the Women's Club and the Mothers' Club of Albany today. Milliken was entertained at a luncheon given in his honor by the Mothers' Club prior to the meeting.

North Carolina to Build

CHARLOTTE, Oct. 26.—North Carolina Theatres, Inc., will erect a new house in the Elizabeth section in competition with the new Trans-Lux.

Fox in Union Deal Covering Milwaukee

MILWAUKEE, Oct. 26.—Fox has signed an agreement with the Theatrical Employes' Union, A. F. of L. affiliate, covering approximately 150 doormen, ushers and cashiers in 20 of its houses. The agreement calls for an approximate 10 per cent wage increase and 40-hour week.

Representatives of the Projectionists' Union, Local 164, were repulsed when they sought to stop an illustrated lecture at the men's club of the Shorewood Presbyterian Church. To their demand that a union operator be employed, Alvin E. Rutenbeck, Boys' Technical High School instructor and lecturer, declared that the meeting was private, as were the machine and pictures and that it was not being conducted for profit.

At Watertown, Wis., the Classic has engaged projectionists affiliated with the A. F. of L. with two men in a booth.

Educational, Guild Agree on Contracts

(*Continued from page* 1)

to in the guild contract. The company's objections will be covered in the supplementary letter by a provision that disputes under the contract arising here will be arbitrated in New York rather than California. The letter makes no concessions as to wages, hours or other basic contractual considerations, the guild office said. Educational has been complying with the guild contract in these respects for some time past and yesterday's agreement will permit the formal signing of a contract with the guild within the next week, it was said.

The guild, shortly, will ask Mentone Prod. and Pathe Commercial Films to sign the same form of contract as that being offered Educational, it was said.

Joplin Houses Sign IATSE Union Pacts

KANSAS CITY, Oct. 26.—Felix Snow, I.A.T.S.E. representative, last week closed one-year deals with Joplin, Mo., theatres. The contracts call for a five per cent increase for both stagehands and operators except in the case of Ensley Barbour's Orpheum and G. E. Shilkett's Rex, where the increase amounted to approximately 22 per cent.

Snow also reached an agreement with theatres in Pittsburgh, Kan., calling for two-year contracts with a five per cent increase both this year and next.

Iowa Allied Meet Set

IOWA FALLS, Ia., Oct. 26.—Allied of Iowa and Nebraska will hold its annual convention here Nov. 4, Leo F. Wolcott states. Sessions will be held at the Chamber of Commerce clubrooms, with E. O. Ellsworth and W. A. Middleton, exhibitors, as hosts.

Flash Preview

"Mystery of the Hooded Horseman"—Slow moving tale of hooded riders who terrorize ranchers. Performed below par. One of the lesser Tex Ritters.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Value of Regionals Stressed by Myers

INDIANAPOLIS, Oct. 26.—The value of regional conference activity in the work of Allied was stressed by Abram F. Myers, general counsel, in an address at the annual convention of the Associated Theatre Owners of Indiana in the Variety Club here today.

He cited the protection regional work in the east has given exhibitors and urged that this be duplicated in the middle west. Martin G. Smith of Toledo, president of Allied of Ohio, asked leaders of the Indiana group to participate in Ohio's convention in Columbus Dec. 7 and 8.

Discussion of tax matters had a major part in the meeting, best attended in the organization's history. Largely because of Allied's work, Indiana is the only mid-west state without a direct theatre tax. The only levy is that imposed by the state fire code. This members held not burdensome and they adopted a resolution commending the code and its benefits and praising the work of the state fire marshal's office.

Directors Elected

The following directors were named:

District No. 1, Maurice Rubin of Michigan City, V. U. Young of Gary, Alex Manta of Indiana Harbor and H. Lisle Kreighbaum, of Rochester; No. 2, I. R. Holycross of Anderson, Sam Neall of Kokomo, William Studebaker of Logansport and Leonard Sowar of Muncie; No. 3, Mannie Marcus, Harry Markun, R. R. Bair and Frank B. Sanders of Indianapolis; No. 4, Trueman Rembusch of Franklin, Walter F. Easley of Greensburg, Roy Harrold of Rushville and John Servaas of Indianapolis; No. 5, H. P. Vonderschmitt of Bloomington, Herbert H. Johnson of Madison, Oscar Fine of Evansville and Bruce Kixmiller, of Bicknell.

Directors will meet Nov. 2 to elect officers.

A dinner and a floor show in the Claypool Hotel followed the business session. Speakers were Governor M. Clifford Townsend, Myers, Bair, Indiana president and Bob Newhall, WLW sports commentator. The day's activities were to close with a preview of "The Awful Truth" at Loew's at midnight.

Struggle Is Seen on U.A. Canadian Sales

(*Continued from page* 1)

house for United Artists product starting with "Stella Dallas," the second attraction to be "Dead End." There is no change in the setup at Toronto and London, Ontario, where the two Loew houses in Canada have played United Artists features for years, but in various other key situations leading independent exhibitors now have the nod with respect to U. A. No reason is given for the break in relations between United Artists and Famous Players, but it is rumored that the renewal of contract hinged upon the question of first runs in Toronto and London. Alexander Korda's British productions, released in the United States by United Artists, are not involved because these pictures are handled in Canada by Regal Films, Ltd., which is controlled by N. L. Nathanson, president of Famous Players Canadian Corp.

AFM Will License Recording Firms

Meeting yesterday with a committee representing transcription companies the A. F. M. clearly indicated it had no intention of allowing itself to become embroiled in a series of trying sessions such as it recently underwent with network affiliates by informing the committee that the complexities of the transcription business made it impractical for the federation to attempt to draw up a trade agreement for them similar to the one formulated for the IRNA. As an alternative measure the federation said it would set up a licensing system for the transcription interests.

A licensing system would enable the union to quickly ascertain the identities of recalcitrant companies so they can be dealt with individually and promptly.

The terms of the license will be based on the 16 points submitted by the federation to the transcription interests at the beginning of the union drive to bring about a re-employment of musicians in the radio industry and will be ready within 10 days or so.

A federation spokesman informed this publication that the union "will drive those companies into line" which do not avail themselves of the license to employ union musicians. Just what this course of action would entail was not revealed.

Mason Is Named Aide To President of NBC

Frank E. Mason, vice-president in charge of station relations for NBC, has been promoted to serve as assistant to Lenox R. Lohr, NBC president. He will assume his new duties Nov. 1. Mason's new position may be considered similar to the executive vice-presidency, which has remained unfilled since Richard E. Patterson resigned shortly after Lohr became president in January, 1936.

Mason's station relations executive berth will be filled by William S Hedges, formerly manager of NBC-owned and operated stations and more recently general manager and vice-president of the Crosley Radio Corp. interests.

Keith Higgins, manager of the station relations department, will continue in that position.

Report White to Get CBS Executive Post

From an authoritative source it is reported that Paul White, currently director of special events and public features for CBS, will be awarded an executive title by the network and placed in charge of both special events and the publicity departments.

The change, however, will not affect the status of Don Higgins, who will continue in his post of director of publicity for the network.

Efforts to check this with CBS executives proved unavailing late yesterday.

James R. Curtis on Tour

LONGVIEW, Tex., Oct. 26.—James R. Curtis, president of KFRO and secretary-treasurer of the Texas Broadcasters' Ass'n is visiting stations throughout the state in the interest of the association.

The Wraps Are Off

By JACK BANNER

HOW soon will television become commercially practicable? Last November we said it was at least a decade removed, after witnessing a demonstration.

However, just a few evenings ago, RCA engineers removed the wraps again to permit the Society of Motion Picture Engineers to take a glimpse at the instrument. The progress made in the less than a year's time since we last saw television demonstrated compels us to revise our earlier estimate as to its commercial feasibility by at least half. Television—perhaps not nationally, but most certainly regionally—will be in the home within five years.

The images achieved now approximate three by four feet in size. Images of only 7½ by 10 inches were the maximum displayed last November. Considerable improvements have been made in other directions also. Now the closeups and long shots are well defined; the manipulation and coordination of the television cameras are much more skilfully handled. The images are still somewhat fuzzy, but they are clearing up. In short, television is growing up. The minds of those who scoff at it had better grow with it.

THE news of the tie-up between NBC and WHN, under the terms of which the network will feed commercial programs to the Loew station in New York indicates a growing trend among radio advertisers to obtain duplicate coverage. Several such contracts are already in effect and apparently have worked out with benefit to the advertisers. Currently there are: "Broadway Melody" duplicating over WOR-WHN; "Life of Mary Sothern," doubling over WABC-WHN; "Hobby Lobby," over WABC-WOR; "Voice of Experience" over WMCA-WOR.

Conceivably, the duplicate coverage may soon become triplicate, quadruplicate coverage. In a vast market like New York City, or in any great city, an advertiser would have a genuine something if his radio program was to be heard simultaneously over four or five stations. It is done for prominent speakers and for great special event attractions on a sustaining basis. Why not commercially?

APROPOS of "commercialitis," a disease afflicting practically all sponsors, here is a true story worth reviving. It concerns Perry Charles, an announcer formerly with WHN and now serving M-G-M in Hollywood. Perry as may be gathered from what follows, was not one of those regimented ours-not-to-question-why, ours-but-to-read - the - script - as-it-is-written announcers. He was—and still is, judging by the reports leaking back from Hollywood—a non-conformist.

At any rate, Perry was broadcasting a description of a fight from a local club over a WHN wire. The broadcast was sponsored by a chain of retail clothing stores.

The sponsor sat directly behind the announcer during the broadcast, annoying Perry every few moments with a whispered admonition to inject a commercial. Finally Perry could stand it no longer. He began a terrific sales spiel, built up to a glorious climax, and finished by shouting, "but I personally, ladies and gentlemen, wouldn't be seen dead in one of the —— —— rags!"

P. S.—The sponsor canceled.

Clean Air

An editorial observation on cleaner broadcasting appears on page 2 today as the lead of the "Insiders' Outlook" column.

Enjoined in RCA Patent Suit

A permanent injunction enjoining J. and L. Sara, Inc., and Joseph Sara from further alleged infringement of patents covering radio receiving sets owned by RCA and A. T. & T. was granted in the U. S. District Court yesterday by Federal Judge John W. Clancy. The decree was granted upon consent. No accounting of the profits and damages was submitted because both sides agreed on the amount.

Toscanini Rehearsal on Air

The dress rehearsal of the NBC symphony orchestra recruited for Toscanini will be broadcast Nov. 2 from 2 to 3 P. M. over the Blue network, Artur Rodzinski conducting.

Hersholt in New Series

Jean Hersholt, supported by a cast of Hollywood players, will inaugurate a new script series Nov. 7 over 58 stations of the CBS network. The program, to originate in Hollywood, will be broadcast from 2:30 to 3 P. M., and rebroadcast from 5:30 to 6 P. M., both New York time. The Chesebrough Mfg. Co. will sponsor, through McCann-Erickson.

WQXR Adds an Orchestra

WQXR has added to its staff of musicians a small station orchestra which will be heard in programs of classical and salon music. The group will be under the direction of George Steiner.

Defense Case Heard In FCC-Counsel Trial

By BERTRAM F. LINZ

WASHINGTON, Oct. 26.—Presentation of the defense of Paul M. Segal and George S. Smith, charged by the F.C.C. with unbecoming conduct, began today with the testimony of the former and a parade of character witnesses who testified to the integrity of the two attorneys.

During his testimony, Segal contested evidence previously offered that the Commission regulations and the law had been violated in the handling of cases but under cross examination by F.C.C. counsel was forced to admit he was fully aware of the regulations and the act and the intent of the act to force full disclosure of all facts and that he had not complied with those requirements in the handling of some of the allegedly "dummy" applications.

Among those who testified to the high character of both Segal and Smith were Louis Caldwell, Paul Spearman and Duke Patrick, all former general counsels of the commission; James F. Baldwin, Swager Sherley, Ralph Van Orsdel and John W. Guider.

The hearings will conclude some time tomorrow, probably late in the evening, the commission today having announced its intention of sitting until the case is ended.

Squire Resigns as Hearst Web Manager

Burt Squire, manager of the New York Broadcasting System network, Hearst regional web in this state, has resigned from the network, effective immediately. Queried yesterday as to his future plans, Squire said he may reveal them today.

Hereafter, the general offices of the network, now at 5 E. 57th St., will be at the key station of the web, WINS.

Bradley Kelly, currently station manager of WINS, has succeeded Squire as manager of the network. Until recently Kelly was with King Features.

George Trendle Hits Radio Film Chatter

HOLLYWOOD, Oct. 26.—George Trendle, here on a visit from Detroit, has joined the current protests on radio film chatterers.

Trendle says studios should banish from studios "purveyors of confidential and discrediting information."

"The truth," said Trendle, "has never hurt anyone, but when the truth is distorted it can become dangerous and easily injure some one or even the industry."

AIR FEATURES, Inc.

RADIO PRODUCTIONS

◆

247 Park Ave. New York City



Haensel & Jones

have the honor to announce
the Exclusive Management

of

JESSICA DRAGONETTE

Soprano

Singing at the Academy of
Music, Philadelphia, Pa.

November 22nd

Division: Columbia Concerts Corporation
of Columbia Broadcasting Systems
3 West 57th Street, New York, N. Y.

Myron Rapport

Emile Coté . . .

Palmolive Chorus
Modern Choir
Serenaders

Best Wishes to
Jessica Dragonette

Al Goodman

Completing 3 years in the

BEAUTY BOX THEATRE

in which I directed 150 operettas, and for most of which I also directed the Broadway premiers.

Good Luck to
Miss Dragonette

Charles Kullmann

Leading Tenor

Metropolitan Opera Company
San Francisco Opera Company
Chicago Civic Opera Company
26 Weeks on the
Palmolive Beauty Box Theatre
Singing Star of the "Goldwyn Follies"
Guest Star On: Ford Hour, Lucky Strike, General Motors
and other important radio programs.

Best Wishes to Miss
Jessica Dragonette

It Speaks For Itself

TELEPHONE 2976 — WRDW — TENTH & BROAD STS.

"The Voice of Augusta"

Augusta Broadcasting Company

Augusta, Georgia

October 16, 1937

Motion Picture Daily,
1270 Sixth Avenue,
Rockefeller Center,
New York, N. Y.

Gentlemen:

Herewith please find check of Augusta Broadcasting Company, in the amount of $6.00, covering one year's subscription to Motion Picture Daily - which should be forwarded to Augusta Broadcasting Company, Radio Station WRDW, Augusta, Ga.

We have been seeing copies of your Daily, and your radio news is most interesting, and keeps one up to date with developments in the broadcasting field.

You are to be complimented on the interesting articles which have appeared on the progress of television, and we hope that you will continue to have good reports in regard to this development, in your future publications.

Yours very truly,

M. A. METZGER

M/M/vo
encl.ck

cc-Mr.J.E.Reynolds.

"Where Radio Does Wonders"

MOTION PICTURE DAILY

ROCKEFELLER CENTER NEW YORK

Radio Personals

COL. JACK MAJOR, featured on CBS, gave four auditions for a client and just before the president of the company was to sign the contract he passed away. The new president heard Major yesterday and asked for a fifth audition, to be held today! John Thomas of 20th Century-Fox has resigned to join the publicity staff of Batten, Barton, Durstine & Osborn. . . . Abe Schechter, news and special events director for NBC, left yesterday for Indiana to attend funeral services for E. H. Harris, chairman of the Press Radio Bureau of the ANPA. Harris is known in radio-newspaper circles as the father of the Press-Radio agreement. . . . Barney, of Barney's, Inc., who is suing WNEW for a lot of money, was in the WNEW studios yesterday hearing talent for a new show on that station!

+

Lester Gotlieb, Mutual network publicity coordinator, will leave early next week for a swing around the Mutual circuit. . . . There are rumors that WINS will release its house band led by Louis Katzman and that it will not replace it with another. . . . Margaret Daum, CBS soprano, has been signed to appear with Rubinoff's band for a recital tour opening Oct. 29 in Illinois and later to cover the southwest and the Pacific coast. . . . Jean Travers has been booked for a two-week personal appearance stay at the Mount Royal Hotel in Montreal, opening Nov. 1. Both bookings are through CBS artists' bureau. . . . Carlton Young, Irene Hubbard, Jay Austin and John Moore are among those signed for roles in the forthcoming Colgate-Palmolive - Peet serial, "Hilltop House." . . . Earle Harper was corraling visitors to the Empire State Bldg. observation tower yesterday afternoon for his "Microphone in the Sky" broadcast, and one minute before going on the air over WOR, a visitor who signified his willingness to be interviewed jumped to the railing and leaped, plunging to his death.

Pipe Ivory Program to WCOP

"Ivory Tower," Procter & Gamble program now on WOV, will be piped to WCOP, Boston, beginning Monday. Compton & Co. is the agency.

The series is a "live" offering. It will continue to be broadcast over WOV from 11:45 A. M. to 12 noon, and effective Monday it will be repeated to Boston from 12 noon to 12:15 P. M.

Marrow Suspends Program

J. W. Marrow Co., sponsors of Henry Busse's orchestra on NBC, has cancelled the program as of Nov. 28, but will return the orchestra for 13 weeks beginning Jan. 16, 1938. The series thereafter will be heard Sundays from 1:15 to 1:30 P. M. over 21 stations of the Red network. Baggaley, Horton & Hoyt is the agency.

"True Confession" to Be Aired

Carole Lombard, Fred MacMurray and other members of the cast of "True Confession" will give a dramatization of the film on "Hollywood Hotel" Nov. 26 over CBS.

WLW-WSAI to Move Studio Facilities

CINCINNATI, Oct. 26.—Although not expiring until Dec. 15, the lease on the offices and studios of WLW and WSAI in the downtown Union Central Annex has been discontinued, and the facilities will be centralized in the Arlington studios, some 12 miles from the downtown sector. The eighth floor of the combined studio and manufacturing plant is being remodeled at a cost of between $12,000 and $15,000 to accommodate 300 actors and reserves, as well as 50 employes of the continuity, sales and music departments. The manufacturing plant will be moved from the eighth to the seventh floor.

Crosley officials stated that the change is being made because the company's new $1,000,000 radio building, now under construction at Chickasaw & Warner Sts., would be ready for occupancy in the spring, and the new $600,000 plant at suburban Clifton Heights would be completed late next summer. A new auxiliary plant at Richmond, Ind., has been completed, and will constitute a relief unit for the Cincinnati plant, officials said.

Montreal Radio Show To Resume This Year

MONTREAL, Oct. 26.—After a lapse of several years, the annual Montreal Radio Show will be resumed next month, this time, however, as a department of the National Produced in Canada Exhibition rather than as a separate venture.

As a feature attraction the organizers have planned to erect a temporary studio at the exhibition and will broadcast special programs starring leading figures in Canadian radio. Some years ago the show was an annual event in Montreal, but hard times temporarily put it out of commission. It will run from Nov. 3 to Nov. 18.

Britisher Will Aid Canadian Broadcasts

QUEBEC, Oct. 26. — Laurence Gilliam, on six-month leave from the British Broadcasting Corp., has arrived here to assist and advise in improving CBC programs. When he returns to England he will take with him a CBC representative to study methods there.

Technical men may be exchanged later.

F. W. C. Goes on the Air

SAN DIEGO, Oct. 26. — F. W. C. has been signed for a series of 15-minute programs over KGB, Mutual-Don Lee outlet. Titled "The Movie Reporter," the program features highlights on local Fox offerings, interspersed with transcribed hit tunes from films. The theatres have also contracted for one spot announcement daily, six days a week, for 52 weeks.

Other new accounts closed by Don Donnelly of KGB include five spot announcements a day for Dr. Cowan, for 52 weeks. Also: Graf's Furs, 30 spot announcements through the Gracemill agency; Walker's Department Store, 52 day spot announcements, and for the Golden Bear Coffee, Co., a 13-week renewal for "Sycamore Street," through the Meany agency, Los Angeles.

Television Station Started in Boston

BOSTON, Oct. 26.—Construction has been started here of a modern 441-line definition cathode ray television transmitter, the first of its type in New England, at the Massachusetts Television Institute under the direction of Robert E. Rutherford, formerly director of television research for Farnsworth Television, Inc., Philadelphia.

The television equipment is of the type used in England and which was used in televising the Coronation parade there. Upon completion of the equipment, it will be put on public display. Rutherford is a pioneer television engineer and in the course of his work for Farnsworth went to England to supervise the installation of television equipment for Baird Television, Ltd., and also did similar work in Germany.

Three More Stations Are Sought from FCC

WASHINGTON, Oct. 26. — Applications for new stations have been filed with the F. C. C. as follows:

Chester Howarth and Clarence Berger, Wallace, Ida., 1,420 kilocycles, 100 watts night, 250 watts day; Greater Greenwood Broadcasting Station, Greenwood, S. C., 1,420 kilocycles, 100 watts night, 250 watts day; L. B. McCormick, Greenville, N. C., 1,370 kilocycles, 250 watts, daytime.

Applications also have been filed by KSRO, Santa Rosa, Cal., seeking increase of time to operate nights with 100 watts power; and by the Roberts-McNab Co., Livingston, Mont., seeking a frequency of 1,310 kilocycles for a proposed station originally asked on 1,210 kilocycles.

Loughrane on Coast

HOLLYWOOD, Oct. 26.—Basil Loughrane, Lord & Thomas radio executive, is here to confer with Walt Disney and his associates on the new Pepsodent radio show that will feature Disney cartoon characters. Loughrane said television, although not to be ready for five years, would constitute the greatest threat to films.

Marty, Roger Hall Signed

OKLAHOMA CITY, Oct. 26. — The Cain Coffee Co. of Oklahoma City has signed a one-year contract for five days a week with Marty and Roger Hall of Hollywood featured. This is the fourth year this company has been using the air to push its products. Last year Johnny Marvin was featured with an amateur program.

Promote Ferdinand Biondi

MONTREAL, Oct. 26. — Ferdinand Biondi, CKAC announcer, has been promoted to the post of program producer, and will serve as assistant to Yves Bourassa, program director. Flavius Daniel has been attached to the traffic department, and Pierre Normandin and Alain Gravel have been added to the announcing staff.

New Mexican Station Starts

MEXICO CITY, Oct. 26. — Station XEFT, operating, on a 7,000-kilocycle frequency, has been inaugurated at Catemaco, Vera Cruz state, by the Cia. Transportes Aereos de Veracruz, S. A., an aviation enterprise.

New Shows On the Air

"Rising Musical Stars"

"Rising Musical Stars" is a far worthier show than the one it has replaced, "Sunday Night Party." The new series continues under Sealtest Laboratories sponsorship and is patterned somewhat along the lines of the "Metropolitan Auditions of the Air" in that it seeks to give opportunity to unknown singers and instrumentalists. A committee of eight judges the performers, selecting one each four weeks as meriting a $500 cash prize. A grand prize of $1,000 is to be awarded at the end of 12 weeks.

The program features a 90-piece orchestra under direction of Eugene Smallens, a 60-voice chorus, and Richard Gordon as narrator. The inaugural "rising star" was Pauline Pierce.

Sealtest Laboratories sponsors the series, which is presented Sundays over the NBC-Red, 10 to 10:30 P.M. McKee, Albright & Ivey is the agency. BANNER

Hugh Conover Wins Award

WASHINGTON, Oct. 26.—Hugh Conover, WJSV announcer, has been awarded the annual Kaufman Award for Washington commercial announcers. The Kaufman advertising agency is the donor. The prize is awarded annually to the Washington announcer who excels in diction, sincerity and effectiveness. The selection committee consists of four local radio editors plus six disinterested local citizens. Larry Elliott of WJSV and Bill Coyle of WRC, winners in 1937 and 1936, were ineligible for this year's contest. Bud Barry of NBC took second place in the current contest.

Buy 5-Year Pact with KCMO

KANSAS CITY, Oct. 26.—Cooper & Cooper, razor blade manufacturers, have bought a five-year contract from KCMO, calling for six 15-minute broadcasts a week, Monday through Saturday, for 52 weeks each year. Studio prepared, the program consists of a quartet doing popular numbers.

Candelori New Band Leader

PHILADELPHIA, Oct. 26.—The settlement of the music situation between WFIL and Local 77, A.F.M. which at the last minute allowed the Philadelphia Orchestra broadcasts to be heard locally, brings Anthony Candelori in as leader of the house band at the station. Candelori will have a 12 piece orchestra.

Carleton Kelsey Resigns

CHICAGO, Oct. 26.—Carleton Kelsey, midwest musical director for CBS, has resigned, effective Nov. 12.

Kelsey has been ill for some time and plans a South American cruise starting Nov. 15. Upon his return he will go to Hollywood to direct the music for a new radio show.

WJSV Has Birthday

WASHINGTON, Oct. 26. — WJSV last week celebrated its fifth anniversary. The station is awaiting the decision of the F. C. C. concerning its application for an increase in power to 50,000 watts.

Reel Organization Formed in England

By BRUCE ALLAN

LONDON, Oct. 26.—A new newsreel association has been formed here, including Gaumont British News, Movietone News, Pathe News and Universal Newsreel.

The association has closed a deal with the Government and other organizations for the control of special facilities on a rotating system, whereby one reel will cover certain events for all, from specified and probably preferred positions. Paramount, although not included in the group, is eligible to join, while the new National News, now undergoing reorganization, is not.

It is believed here that the exclusion of National News amounts to a move to kill the potential competition of the latter virtually before its birth, by excluding it from special positions and compelling it to work in isolation.

Bernhard Retiring From Union Cinemas

LONDON, Oct. 18.—C. F. Bernhard, managing director of Union Cinemas, Ltd., is retiring from the company as a result of the recent deal whereby John Maxwell of Associated British Pictures, Ltd., acquired 51 per cent of the ordinary and "A" ordinary shares of the circuit.

Erpi Head in England

LONDON, Oct. 18.—Whitford Drake, president of Erpi, is here on his annual visit, accompanied by Brook Price, general counsel, and Joel Palmer, contract counsel. After a flying trip to Paris and Berlin, Drake returned to London for a stay of several weeks, during which he will be in consultation with W. A. Bach, European manager of Erpi.

"Squeaker" to Rialto

"The Squeaker," London Film production, will open at the Rialto Friday, Nov. 5.

Wall Street

Mixed Board Activity

	Open	High	Low	Close	Net Change
Col.	16	16½	15¾	15¾	— ¼
Col., pfd...	31	31	31	31	.....
Cons.	2⅛	2⅛	2	2	.....
Cons., pfd..	7⅜	7½	7⅜	7⅜	.....
E. K.	169½	169½	169	169½	.....
G. T. E. ..	14½	14½	14	14	+ ⅜
Loew	63⅝	65	62½	62½	—1¼
Para.	13	13½	12⅝	12¾	— ¼
Para. 1.....	100½	102	100½	101	—3⅝
Para. 2.....	12⅜	12½	11⅞	11⅞	— ⅝
Pathe	6	6⅛	5⅞	5⅞	— ⅛
RKO	4⅞	5	4⅝	4¾	— ⅛
20th Fox ..	25½	26¼	25¼	25½	+ ¼
Univ., pfd..	31½	32	31½	32	+1
W. B.	8⅜	8⅜	7⅞	7⅞	.....

Technicolor Loses Most on Curb

	Open	High	Low	Close	Net Change
G. N.	1½	1⅝	1⅜	1⅜	— ⅛
Sonotone ..	1⅝	1¾	1½	1½	— ⅛
Tech.	20¼	20¼	18½	18½	—1¾
Trans-Lux	3	3⅛	2¾	3⅛	+ ¼

Loew Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46.....	99	98⅝	99	+ ½
Para. B'way 3s '55	68⅜	68⅜	68⅜	.....
Para. Pict. '47....	79¾	78½	79	.....
W. B. 6s '39....	82½	82	82½	.....

(Quotations at close of Oct. 26)

The Newsreel Parade

Movietone News
Vol. 20, No. 13
(20th Century-Fox)

Starting with a lengthy and locally interesting treatment of the New York mayoralty election campaign, this issue builds to an impressive and exciting climax in the football sequences which are featured by two 70-yard runs in the typical Frank Merriwell manner, one by Yale's Clint Frank against Cornell and the second by Pitt's Marshall Goldberg against Wisconsin.

In the New York election scenes Mayor LaGuardia is questioned by the invisible commentator, Lowell Thomas, after which Jeremiah Mahoney, Democratic candidate for Mayor, makes his bid for votes. Thomas E. Dewey, Fusion candidate for district attorney, tells of his hopes for a continuation of the fight on crime.

A battalion of Detroit police are shown on their new 100-mile-an-hour motorcycles.

From foreign sources Reims cathedral is pictured during its reconsecration ceremonies following the damage caused by the last war and Italian boys are seen in gas mask drills preparing for the next.

Lew Lehr's amusing comments accompany 3,000 Canadian geese on their way to Thanksgiving doom and Helen Claire introduces some of the newest fasion notes in veils and head adornment for coming season.

Running time, 11 mins. F.

"News of the Day"
Vol. 9, No. 211
(M-G-M)

The first two clips in this issue are the sort of material that causes some audiences to hiss and register their disapproval. General Franco is shown in Burgos as various military factions, boys, girls and regulars parade before him with their right hands raised in salute. The second possibly controversial clip reveals young Italian boys about ten years old engaging in gas attack maneuvers and sham battle. The opening of the restored Reims cathedral in France follows. In Paris a radio controlled model battleship is tested and comes out with acclaim.

The Snapshots division shows a Brooklyn inventor demonstrating his champagne beer glass that prevents the brew from going flat, which is real advancement. Capt. George Easton drives his racing car about the Salt Lake flats while he is waiting for decent weather to open her up. That group of 30 sweepstakes winners on one ticket tell what they are going to do in the way of selling a half interest. This portion is the usual hilarious stuff with laughs provided by the good-natured abuse of the King's English.

The football shots are the best part of the reel with scenes of the Texas Christian-Fordham and the Yale-Cornell games. In its entirety, it is an average newsreel issue.

Running time, 10 mins. P.

Paramount News
No. 24
(Paramount)

More or less routine in reporting and subject matter, this number of the Paramount reel is featured by the expected football action, made rather amusing by the wet fields common in the east last weekend, the aftermath of the Iowa tragedy in which 10 children in a school bus were killed at a grade crossing, and the clip of Italian small boys engaged in regular army field maneuvers, even to the donning of gas masks in a pseudo gas attack.

For the rest, the reel pictures the London show of 1938 automobiles, the visit of Secretary of State Hull to Canada, another of Sir Hubert Wilkins' flights to the Arctic in search of the lost Russian fliers, the hailing of General Franco in insurgent territory in Spain, visits of the King and Queen of England to housing projects and of the Queen Mother to a college.

The football sequences are good as usual, featuring the highlights of the Dartmouth-Harvard, Pittsburgh-Wisconsin, California-Southern California and Yale-Cornell games.

Running time, 9½ mins. A.

Pathe News
Vol. 9, No. 28
(RKO)

Shots of the Japanese invasion of China and the Saturday afternoon warfare on sectional gridirons here highlight the current Pathe News release. The five remaining subjects making up the release run pretty much to routine.

The China shots are of the hostilities in the north and show extensive Japanese troop movements, field maneuvers and batteries in action. On the sports end, the reel has shortened the footage given to individual games in order to include an outstanding intersectional game for each section of the country. New York is represented by the Fordham-T. C. U. game; the midwest by the Ohio State-Northwestern game, the far west by California-Southern California and the east by Harvard-Dartmouth.

The remainder of the subjects are a review of the London Scottish regiment by Queen Elizabeth at Buckingham Palace; a cleaning of the exterior the Capitol Bldg., Washington; Indians harvesting wild rice in Minnesota swamps; military training of Italian youths, and trick billiard shots made at the championship tourney in Philadelphia.

Running time, 8 mins. K.

Universal News
Vol. 9, No. 609
(Universal)

Most of the subjects are of the magazine type and make Graham McNamee work pretty hard to dramatize them, but they're interesting. Three Irish Sweepstakes winners talk, and there's always something amusing about people trying to talk in front of a camera when they're not used to it.

Italian youngsters going through army manuevers with gas masks show what can be done in the way of training boys, but leave the spectator calm. A doughnut dunking contest is good for some laughs. The boy contestants take their work seriously. A roller skating marathon in Chicago—with a spill as the feature—is mildly amusing.

Some Venice, Cal., bathing beauties paint Hallowe'en drawings on each other's backs and then wade into the water up to their knees. It's the kind of seasonal stuff the coast publicity departments like to get out, but it always seems to amuse the populace. A flock of 3,000 geese leaving a freight car and walking to a Mansfield, Mass., farm left this writer absolutely cold.

Snow on the South Bend field during the Notre Dame-Navy game added a novel touch to some exciting plays. The boys skid around on their backs and make fumbles so fast that it's very interesting. There's a grand run in the Yale-Cornell game that'll give audiences a kick.

Running time, 9 mins. J.

President and Roper Congratulate Talley

President Roosevelt and Secretary of Commerce Daniel C. Roper have congratulated Truman Talley, producer of Movietone News, on the 20th anniversary of the reel.

The President's letter follows: "I congratulate you upon the occasion of the 20th anniversary of Movietone News and upon its record during a particularly interesting period. The years which have passed since the inception of Movietone News have witnessed not only the pioneer period of a new medium of intelligence, but have seen that medium brought to a high degree of perfection.

"Yours is a great and boundless field in which I trust you will go forward with increasing success and usefulness."

"Nothing in educational history and development of our country has been more significant and more constructive in entertaining and informing the public than that accomplished through your Movietone News work," wrote the Secretary of Commerce.

Margaret Sullavan Is Signed by Roach

HOLLYWOOD, Oct. 26.—Hal Roach has signed Margaret Sullavan to a three-year contract calling for two films a year. The first will be "Roadshow," Marc Connelly's adaptation of Eric Hatch's novel. Lewis Milestone will direct. Tentative plans also call for her to star in "The Moon's Our Home," and "Only Yesterday."

Wanger in Phone Stunt

Walter Wanger will have a telephone conversation with Hayden Hickock, dramatic editor of the *Syracuse Herald,* today in connection with the Thursday opening of "52nd Street" at Loew's State there. A picture of Wanger at the telephone will be wired to Syracuse. The stunt was arranged by Eddie McBride of Loew's State.

For the Friday opening of the picture at the Capitol, Springfield, Mass., George Hoovers has arranged a half-hour program on WMAS Thursday night during which Kay Fayre will sing the songs from the picture.

Add to Ampa Guests

Ned E. Depinet, C. C. Pettijohn, Leslie Banks, Humphrey Lee and R. H. Noonan have been added to the list of guests who will occupy the dais at the Ampa luncheon tomorrow at the International Casino.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 101 NEW YORK, THURSDAY, OCTOBER 28, 1937 TEN CENTS

Dallas Appeal Will Be Ready Before Dec. 13

Majors Not to Ask for Time Extension

Defendant distributors will begin preparation of their appeal from U. S. District Court decision in the Government's Dallas anti-trust suit immediately, with expectations that the notice of appeal will be filed with the U. S. Supreme Court well in advance of Dec. 13, the final date for filing of the appeal. No extension of the appeal period will be sought by the defendants, it was stated.

Several of the defendant distributors have not yet formally stated their desire to appeal from the Dallas decision but, as reported in MOTION PICTURE DAILY of Oct. 23, an appeal is definite, nevertheless. Well over a majority of the defendants have decided in favor of the appeal.

The Dallas decision held that distribution companies conspired with the Interstate circuit in entering into contracts which regulated exhibition prices in subsequent run theatres for certain films.

Banning of 'Ecstacy' Confirmed in Albany

ALBANY, Oct. 27.—The Appellate Division late today refused unanimously to overrule Commissioner of Education Frank B. Graves and the M. P. Division in their rejection of the application filed by Eureka Prod. on behalf of "Ecstacy."

The opinion by Justice Leon C. Rhodes held that "The picture unduly emphasizes the carnal side of the sex relationship and the Regents of the University of the State of New York and the Commissioner of Education, having made a decision which we feel is amply supported by the facts, it should be confirmed." Justices Hill, McNamee, Bliss and Jefferson concurred.

Consolidated Net on Quarter Is $162,606

Consolidated Film Industries and subsidiaries report a profit of $162,606 for the quarter ending in September. For the preceding quarter the net was $148,713 and for the September quarter a year ago it was $290,282.

For the nine months ending Sept. 30 the profit was $541,023, compared with $776,290 in the first nine months of 1936.

Selznick-RKO Negotiations Off, Spokesman Volunteers

Selznick International's long-negotiated deal with RKO collapsed late yesterday afternoon, a spokesman for David O. Selznick volunteered to MOTION PICTURE DAILY early last night because of either the refusal or the inability of Floyd Odlum of the Atlas Corp. and representatives of Lehman Bros. to meet the producer's terms.

From another source it was learned Selznick and John Hay Whitney, chairman of the board of S. I., had been insistent upon terms directly parallelling the conditions under which Twentieth Century and Darryl F. Zanuck entered upon their merger with Fox Film Corp. That consolidation gave Twentieth Century half of the common stock of Fox Film, as well as a block of preferred and prefixed the older company with the Twentieth Century trademark.

Selznick's spokesman readily offered the further information that the field now narrowed itself to Paramount and M-G-M insofar as the producer's own calculations were concerned.

Mallard Questioned In Anti-Trust Suit

The activities of the M.P.P.D.A. law committee and particulars of RKO's theatre expansion in 1930-31 were emphasized in the questioning yesterday of William Mallard, RKO general counsel, for a deposition in connection with the Morse & Rothenberg anti-trust suit against eight major distributors, Maine & New Hampshire and M. A. Shea circuits.

Mallard testified that the M.P.P.D.A. law committee was concerned with taxation, legislation and censorship developments relating to the industry, but that block booking measures, resolutions for investigation of the industry, anti-trust actions against member companies, arbitration or standard contract forms were not subjects of the committee meetings. Mallard admitted, however, that the

(*Continued on page 6*)

Fox Theatres to Pay Second 3% Dividend

Creditors of the Fox Theatre Corp., whose claims have been allowed were awarded a second ad interim dividend of three per cent by order of Circuit Judge Martin T. Manton in the U. S. District Court yesterday. The first dividend was five per cent. Milton C. Weisman, equity receiver of the Fox Theatres, was authorized to increase the reserve fund for unde-

(*Continued on page 6*)

New Film Bill Read

London, Oct. 27.—Eustace Stanley, president of the Board of Trade, presented the Government's Cinematograph Films Bill to the House of Commons today. The bill had its first formal reading. The bill will replace the present Films Act, which expires next year.

Incorporated in the new bill are the controversial quota provisions.

RKO Planning To Gird Globe With Branches

Plans by RKO to circle the globe with its own offices are developing rapidly with the announcement yesterday by Phil Reisman that seven new foreign branches had been opened and four more are contemplated shortly. Few situations remain open. Reisman indicated that as soon as local conditions warrant the company will establish its own offices in these spots.

The new group of branches include Portugal where R. Beja, formerly in charge of Seville, is head; Egypt and Palestine, with G. E. Gregory, recently sales manager in India, now at the helm with headquarters at Cairo; Switzerland, with M. Palivoda in charge; Lille, Lyons and Marseilles, France, under supervision of the Paris office, and Trinidad, with Gordon New as manager. New offices will be opened in Belgium, Bordeaux and Morocco, under supervision of the

(*Continued on page 3*)

Armour Named RKO European Manager

Reginald Armour, general manager of the Far East with headquarters at Calcutta, yesterday was named general manager of Continental Europe and Egypt for RKO, Phil Reisman, in charge of foreign activities for the company, stated. He succeeds Harry W. Leasim, resigned.

Armour will arrive in Paris, where he will make his headquarters, on Nov. 27. No one has been appointed to replace Armour in the Far East post.

Spitz to Run Studio Until Head Is Named

Briskin Resignation as Coast Chief Due

HOLLYWOOD, Oct. 27.—Leo Spitz, president of RKO who is now on his way west from New York, will assume charge of the studio until a deal is made for a successor to Samuel J. Briskin.

The present head of production intends to retire from his post and, while he has made no direct statement on his own, he has indicated, as reported in MOTION PICTURE DAILY, that he proposes to push his determination to disassociate himself from his current activities.

It is understood that, while Briskin did not sign the three-year deal he is reported to have made some months ago, he nevertheless has been functioning under an agreement set up along temporary lines as against the three-year contract which never was signed.

Briskin, according to authenticated information here, will receive from RKO somewhere between $100,000 and $150,000 as a settlement figure under the provisions of his pro tem agreement.

Disputed Six to Go On New Para. Pacts

None of the six pictures which "striking" exhibitors claimed were sold by Paramount on last season's contracts will be played on those contracts under the settlement terms outlined to Philadelphia exhibitor representatives, it was stated officially at Paramount yesterday. All of the six disputed pictures will be included in new season's contracts wherever such contracts are made with "strike" par-

(*Continued on page 2*)

Sues for $600,000 in Alleged Conspiracy

A $600,000 "conspiracy" suit by John D. Tippett, Inc., against Universal Pictures Corp., Eastman Kodak, Consolidated Film Industries, Carl Laemmle, Maurice Fleckels, J. E. Brulatour, Inc., and Jules E. Brulatour was revealed in the N. Y. Supreme Court yesterday when Brulatour filed a motion to set aside the

(*Continued on page 6*)

Radio—Page 8

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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E. P. Kennedy Leaves Erpi for Motiograph

E. P. Kennedy, former Erpi technical consultant, has been named director of sound engineering of Motiograph, Inc. He will operate the Chicago plant now under construction.

Kennedy joined Erpi at the advent of sound films. Prior to that time he had been with Westinghouse Electric Co.

Time Gets Cancer Award

The March of Time was awarded the Clement Cleveland Memorial Medal for the "outstanding piece of work in cancer education during the year," last night by the New York City Cancer Committee of the American Society for the Control of Cancer. The award was made at a dinner at the Town Hall Club, attended by physicians, educators and scientists. The sequence for which the award was given was "Conquering Cancer."

Central Takes "Renfrew"

"Renfrew of the Royal Mounted" has been booked into the Central to open Nov. 2.

Purely Personal

LOUIS PHILLIPS of the Paramount legal staff left for Indianapolis last night where he will attend the Federal Court hearing there tomorrow on the application of the Gary Theatre Co. for a mandatory injunction to compel Paramount to deliver 10 pictures allegedly included in last season's contract.

•

FRANKLIN ROBERTSON, who has been managing the RKO Flushing for the past eight years, is now with the NBC Artists Bureau. HARRY LYONS, manager of the Prospect, Brooklyn, replaces ROBERTSON at the Flushing, while LEE KOKEN, until now assistant manager at the 86th St., is now top man at the Prospect.

•

BERNARD and MRS. HYMAN arrive today from the coast en route to Europe for a vacation. HYMAN produced "Conquest" for M-G-M. The picture is slated to open at the Capitol shortly.

•

RAMON NOVARRO, Republic star, will leave for the coast Saturday. He conferred with WALTER VINCENT, president of the company, on his second picture yesterday.

•

RALPH DEITRICH, producer for 20th Century-Fox, is planning to return to the coast soon. He has been here a month shooting scenes for "Sally, Irene and Mary."

•

BERNIE KRANZ, Albany, and CHARLES BOASBERG, Buffalo, managers for RKO, are in town and will probably return to their headquarters tomorrow.

•

ALLAN RIVKIN, 20th Century-Fox writer, returned from his farm in New England yesterday and today will head for Hollywood to report back to work.

•

GEORGE GRIFFITH, Jr., of the Victoria Theatre in Melbourne, is in town. He is stopping at the St. Moritz.

•

GEORGE HORNSTEIN has been appointed manager of Joe Hornstein, Inc., his father's local equipment company.

•

HOMER HARMON is due from St. Louis today to take up his new duties as publicity director for the Roxy.

•

P. J. WOOD, business manager of the Ohio I.T.O., leaves New York today for Columbus.

•

NEIL F. AGNEW, Paramount distribution head, returned yesterday from Philadelphia.

•

ARTHUR GREENBLATT has returned from a tour of eastern G. B. exchanges.

•

HARRY EDINGTON of the Edington-Vincent agency left for the coast yesterday.

•

ED CHODOROV and ALLAN DWAN in from Hollywood.

•

JACK WARNER is due Monday on the *Queen Mary*.

•

WALTER FUTTER is back from the coast.

•

ROCKWELL KENT, LYND WARD and WHITNEY DARROW, JR., head a list of speakers scheduled to address the Commercial Artists & Designers Union's "victory" meeting at Labor Stage tonight in celebration of the recent settlement of the Fleischer studio strike.

•

HARRY EDINGTON left for New Orleans yesterday en route to the coast. He will purchase French furniture in the southern city for a new home he is building at Beverly Hills.

•

MARIA GAMBARELLI will sail from Naples today on the *Saturnia* and will arrive here Nov. 9. After theatrical engagements here, she will return to Rome for additional film work.

•

JOHN W. HICKS, JR., Paramount vice-president in charge of foreign distribution, arrives in New York tomorrow on the *Manhattan* following two months abroad.

•

JOE MOSKOWITZ yesterday lunched with FRANK UNDERWOOD, eastern story head, and JOE PINCUS, eastern talent scout for 20th Century-Fox.

•

RALPH ROLAN will leave again Sunday on another sales trip to be climaxed the end of next week with a trip to the coast.

•

WALLACE FORD, Grand National player, will arrive from the coast today to appear in the stage version of "Mice and Men."

•

SCOTT DUNLAP, production head for Monogram, returned last night from Boston and today will leave for Hollywood.

•

ALVIN GOODWIN has been placed in charge of the new Philadelphia office of Lester S. Tobias, Inc.

•

Y. FRANK FREEMAN, Paramount theatre head, is expected back from Minneapolis today.

•

JANE FROMAN has been signed by RKO for a role in "Radio City Revels."

•

BEN SHLYEN left for Kansas City last night.

Stop Chicago Burlesque

CHICAGO, Oct. 27.—Mayor Edward J. Kelly today revoked the licenses of Chicago's burlesque theatres, including the Rialto, the best known burlesque house in the midwest.

Several night clubs and barrooms in South State St. also have been closed.

Trans-Lux Talks Deal

Trans-Lux is considering a deal to take over the new theatre being built by B. S. Moss at 49th St. and Broadway. A meeting of the Trans-Lux board yesterday was routine, directors tabling the Moss deal indefinitely.

Century Negotiating

With most of its major product deals closed, Century Circuit is still negotiating with Paramount and M-G-M for the new season's product. Negotiations with both distributors are expected to be closed shortly.

Disputed Six to Go On New Para. Pacts

(*Continued from page 1*)

ticipants. The playing terms, however, will be subject to negotiation between the company and its individual accounts.

The statement was made by Paramount to correct an erroneous report emanating from Philadelphia and published in MOTION PICTURE DAILY yesterday to the effect that "Souls at Sea" and "High, Wide and Handsome," two of the six disputed pictures, "are to be played as part of last year's contracts at the highest percentage figure." It was emphasized at Paramount that the correction was being made solely in the interest of preventing a possible misunderstanding of the settlement terms by exhibitors outside of the Philadelphia territory as a result of the published report.

To Present Para. Report

The third quarter financial report of Paramount Pictures, Inc., will be submitted to the company's board of directors at its monthly meeting today. Profits for the three months ending Sept. 30 are under those of the two preceding quarters of the year, but are described by company officials as "satisfactory" for the mid-summer operating period.

Ampa Guests Numerous

If half the talent lineup for the Ampa meeting today shows up, it will be a big session. Those promised definitely are: Sir Gerald Campbell, British consul general; David M. Dow, Australian representative in the U. S.; Douglas C. Cole, Canadian trade commissioner; Eugene P. Thomas, president of the National Foreign Trade Council; Herbert Wilcox, Anna Neagle and Charles B. Cochran.

Lester Thompson also says he hopes R. W. Close, minister from South Africa to Washington, will attend. Also expected are Herbert Marshall, Leslie Banks, Estelle Taylor and Margot Grahame.

And they "hope" to have Gertrude Lawrence, Elissa Landi, Janet Gaynor, Frank E. Lawton, Dennis King, Pauline Lord and Adele Dickson.

THE MOST FAMOUS
BAR
ON BROADWAY
Prices from 25¢ for cocktails
INTERNATIONAL
CASINO
44th to 45th Sts. on Broadway
"The Eighth Wonder of Broadway" (Post)

RKO Planning To Gird Globe With Branches

(*Continued from page* 1)

Paris branch, and Lima, Peru, William S. Farmer, assistant manager in Panama, will be promoted to manager of the Lima office when it is established. The company's activities in Holland, started seven months ago, are very good. This also applies to Sweden.

Reisman was bullish over production in England, France and Italy. While in Paris he made a deal with a local group of producers to make four pictures for RKO distribution in France. He also completed arrangements with other individuals for two pictures. "Sky Prisoner" will be the first French picture to be released by the company under the deals. It is one of four promised by the group.

Compliments France

"There is a lot of production going on in France," Reisman said, "and they are producing a number of good pictures. This country is striving to compete with Hollywood and there are some fine films coming out of their studios."

The RKO foreign head said he spent some time in Italy and was impressed with Cinema City, near Rome.

"I believe Cinema City has the most complete studios I have ever seen in my life. Technicians were sent to England and Hollywood and brought back the best features of those production centers. From a mechanical and equipment standpoint it is the last word. About 10 pictures are in work there at the present time.

"Italy is very anxious to get outsiders to produce there. They want to establish Cinema City as a production center and they are working to this end."

Speaking generally, Reisman said: "There is a strong nationalistic feeling in all countries. They want to produce and see their own stories.

Warns Coast Studios

"I think good pictures are going to be made in France, Italy and England, and this may serve as a warning to Hollywood. Action pictures are needed for foreign countries instead of walk and talk.

"You can't close your eyes to the foreign market. Without it we will have no picture business here. Some pictures gross as much as $1,000,000.

"Producers should try to tell most of the story by action. Too much dialogue is not good for films designed for international release. Invariably pictures that are successful here are also successful abroad. They like the same things we do, with few exceptions.

"As for production in England, better pictures will come out of that country as soon as the serious-minded people get into production. There has been a wave of fly-by-nighters, but that is all over. Good pictures will come from England and there is no doubt about it."

Oriental Branches Hit

The RKO branch in Japan is closed and the China office is virtually dormant, Reisman said.

There is no overseating in England, according to the RKO executive. The new theatres are replacing most of the antique buildings, he said. New houses are being built in France, but not to an unreasonable extent.

Reisman plans to leave in January for South America.

RKO 9-Month Net May Total $1,600,000

RKO's consolidated net profit for the nine months ended Sept. 30 is estimated at approximately $1,600,000. The company's earnings report for the period will be submitted to Special Master George W. Alger who postponed from Oct. 14 until today the hearing on his tentative report on the RKO reorganization plan to await the availability of the earnings figures.

May Effect Reorganization

Indications are that the earnings report may figure importantly in the reorganization plan's provisions for new money for the reorganized company. The plan originally proposed the issuance of stock to provide for an unspecified amount of new cash, but the proposal was withdrawn subsequently on the statement of counsel for Atlas Corp. and Lehman Bros. that the normal earning expectancies of RKO Radio Pictures Co., exclusive of the theatre subsidiaries, indicated sufficient cash receipts to provide for the needs of the reorganized company.

The RKO picture company operations for the third quarter resulted in a loss, but this was not large enough to overcome the $476,491 profit earned during the first two quarters. The theatre companies' operations resulted in a profit for all three quarters.

Alger's tentative report which is scheduled to be presented to the reorganization factors today, will indicate the principal changes in the plan desired or believed advisable by him. His suggestions and recommendations will not be final, but will be subject to further hearings by the reorganization committees and principals. Following these hearings, Alger will take the reorganization plan under advisement again prior to drafting his final report and recommendations for Federal Judge William Bondy. Additional hearings will be held by Judge Bondy when the plan and the special master's report in regard to it come before him. Thereafter, the plan will be either confirmed or revised by Judge Bondy.

Consummation Indefinite

The extent and nature of the changes which are asked for in Alger's report today, however, will furnish the first definite indication of the length of time which will be required to complete the reorganization of RKO. His recommendations could either bring about the confirmation of the plan within the next three or four months or extend the reorganization proceedings for the better part of 1938.

Party for Miss Neagle

Prominent English visitors and members of the British colony in New York will attend a reception at the Music Hall for Anna Neagle, star of "Victoria the Great," and Herbert Wilcox, producer, this evening, coincident with the opening of the film. W. G. Van Schmus, managing director of the theatre, will be host.

B & K Takes RKO List

CHICAGO Oct. 27.—Balaban & Katz has signed for the entire RKO 1937-38 lineup for its circuit of 39 houses.

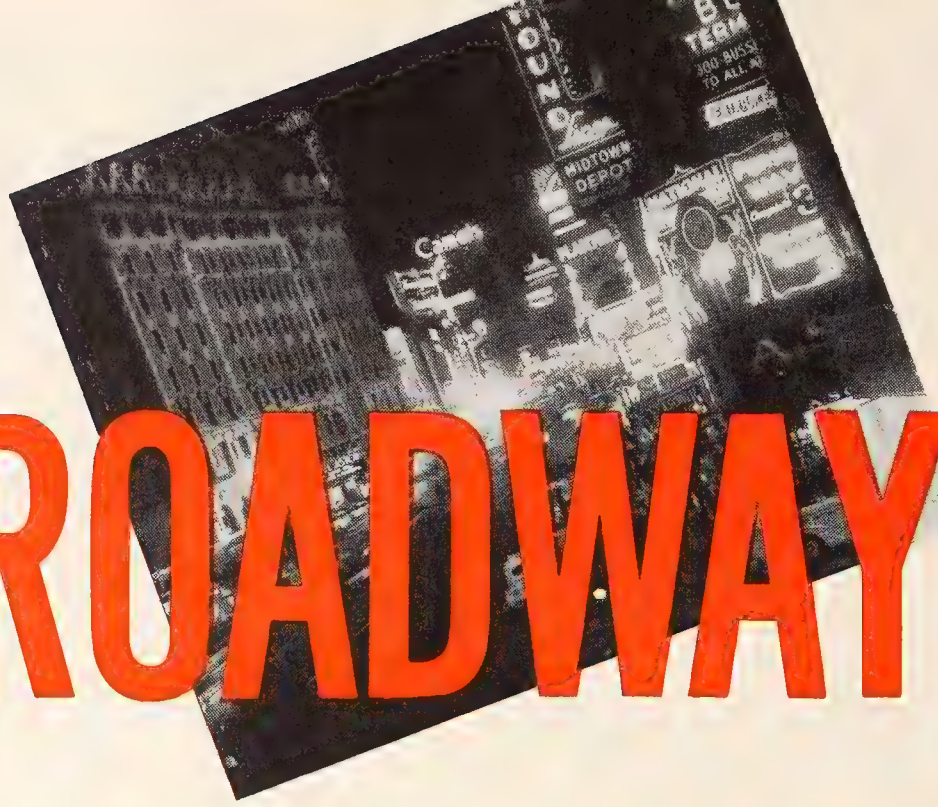
"Flight" Goes to Globe

"Atlantic Flight" will open at the Globe Saturday.

52nd Street Legionnaire Post Welcomes Homecomer



Ned E. Depinet was host yesterday at a welcoming luncheon for Philip Harry Reisman, RKO's foreign sales manager and latest member to join the exalted ranks of the Legion of Honor of France where he ranks as a chevalier. Left to right around the table, all bedecked with sharpshooter medals, dog ribbons and splashes of bright red ribbons, variously supplied by the management of "21" and Moe's Hock Shoppe are Herman Robbins, George Dembow, Nate Blumberg, Herbert J. Yates, Willard McKay, M. H. Aylesworth, Reisman, Depinet, Red Kann who won his for valor somewhere on the South African front, Leslie Thompson, Sam Dembow, Jr., Jack Alicoate, Herbert Wilcox, Ralph Rolan, W. G. Van Schmus, S. Barret McCormick. Jack Cohn and Ted Lauder.



BROADWAY'S THE

At the HOLLYWOOD (12th $2-Top Week!)

BWAY W. 51 ST.

PAUL MUNI in "THE

(with Gale Sondergaard • Joseph Schildkraut • Gloria Holden • Don

At the RIVOLI

BWAY W. 49 ST.

BRIAN AHERNE, OLIVIA D

(with Edward Everett Horton • Melv

At the STRAND

BWAY W. 47 ST.

ERROL FLYNN in "TH

(with JOAN BLONDELL • Hugh Herbert • Edward Ever

At the CRITERION

BWAY W. 45 ST.

BORIS KARLOFF

(with Beverly Roberts • Ricardo Cortez • Luke Chan •

FOUR SIMULTANEOUS 1st RUNS IN
VARIETIES OF WARNER BROS. HI

GREAT WHITE WAY!

Warner

LIFE OF EMILE ZOLA"

isp • Erin O'Brien-Moore • Henry O'Neill • Morris Carnovsky • Louis Calhern)

HAVILLAND in "THE GREAT GARRICK"

oper • Lionel Atwill • Luis Alberni • Lana Turner • Marie Wilson)

E PERFECT SPECIMEN"

orton • Dick Foran • Beverly Roberts • May Robson • Allen Jenkins)

"WEST OF SHANGHAI"

rd Loo • Tetsu Komai • Gordon Oliver • Sheila Bromley • Vladimir Sokoloff)

NEW YORK!...FOUR DIFFERENT

S!...*EVERY ONE NOW AVAILABLE!*

Mallard Questioned In Anti-Trust Suit

(Continued from page 1)

last named matters were discussed less formally among industry attorneys.

The RKO general counsel estimated that the company's theatre interests reached a maximum of 175-180 houses in 1930-31. When George S. Ryan, plaintiff's attorney, pursued his questioning of theatre acquisitions by RKO in Texas and the south, Edward F. Clennen, chief attorney for the defendants, was prompted to interrupt with "Aren't you overlooking Australasia and New Guinea?"

"Are there conspiracies there, too?" Ryan countered.

"As much as anywhere else," was the reply.

The Morse & Rothenberg suit involves a charge that seven of the plaintiff's theatres were unable to obtain any run of product from the defendant distributors. Plaintiff's theatres are located in New England, New York and New Jersey. The taking of depositions and other preliminary work in the suit will be adjourned for two weeks following tomorrow's session.

Refuses Examination Plea

Supreme Court Justice Ferdinand Pecora yesterday refused to permit an examination before trial of Phillip Hodes and Robert Wolf in the "conspiracy" suit of Rock Beach, Inc., operators of the Gem Theatre in Far Rockaway, against Columbia, Paramount, Big-U Film Exchanges, Inc., RKO, U. A., and the Century Circuit.

Justice Pecora ruled, however, that if the plaintiffs could show that Hodes or Wolf were officers or employes of RKO, he would allow them to be examined. Rock Beach, Inc., claims that the major distributors "conspired" with Century in 1936 and that as a result pictures were exhibited at the Century Central Theatre in Cedarhurst one week before they were shown at the Gem.

Goetz Questioning Allowed

An examination before trial in London of Benjamin Goetz was ordered by Justice Aaron Steuer in the N. Y. Supreme Court yesterday in connection with the $350,000 suit brought by Eleanor Gates, a writer, against Liberty Pictures Corp., M. Henry Hoffman, Consolidated Film Industries, Inc., and John J. Dacey. The examination of Goetz was granted at the request of Consolidated whose petition stated that Goetz was vice-president in charge of its Hollywood office and had complete knowledge of all facts.

Miss Gates alleges that the advertising copy for Liberty's picture, "Once to Every Bachelor," stated that it was based on her story, "The Search for Spring." She claims that her name was used without consent and resulted in damage to her reputation. Consolidated was not originally named as defendant, but was brought in when Hoffman allegedly testified in an examination before trial that Consolidated handled the advertising for the picture.

To Renovate Astor

The Astor will close Oct. 31 and renovation of the theatre will be started in preparation for the opening of "The Hurricane" Nov. 9.

Fox Theatres to Pay Second 3% Dividend

(Continued from page 1)

termined claims from five per cent to eight per cent.

Based upon an agreed maximum award of $1,000,000 for Hiram Steelman, trustee in bankruptcy for William Fox, Weisman will set aside $80,000 for dividends, if the claim is finally allowed. The bankruptcy trustee is required to file a verified statement of his claim before Nov. 15. His claim is the result of damages allegedly arising from three transactions between the Chicago Title and Trust Co. with the Roxy Theatre; the Capitol Co. with the Fox San Francisco Theatre Corp. and Fox Theatres with Harold L. Arnold, Inc.

Lavarre-Warner Suit Dated

Trial of the $50,000 suit of William Lavarre, a screen writer, against Warners was set for Dec. 6 by Justice Phillip J. McCook in the N. Y. Supreme Court yesterday. The trial will be held before a jury. Lavarre claims that he was engaged by Warners in 1932 to write "new character stories" for Warren William and Barbara Stanwyck. He stated that he wrote "The Bedside Manner" for Warren William and that Warners used his story in a picture of the same name. The three stories he wrote for Barbara Stanwyck were "The Fated Woman," "Louisiana Lu" and "Yankee Girl" which Warners allegedly produced as "The Gambling Lady." He asks $25,000 for each picture.

Metro Wins Infringement

LAWTON, Okla., Oct. 27.—U. S. District Judge Edgar S. Vaught has awarded M-G-M $2,250 damages against Roy McAmis of Sayre, Okla., in the company's copyright infringement action. McAmis was charged with bicycling nine films from Sayre to Erick, Okla.

Flash Previews

"A Girl with Ideas"—Another society - girl - gets - into-the-newspaper-game story. Pleasing, if unpretentious fare.

"Ridin' the Lone Trail"—In which the stagecoach is being robbed too frequently until Bob Steele comes to the rescue.

"Vienna Burgtheatre"—From Austria comes this interesting but protracted yarn about the altruism of an old actor in favor of his younger rival.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Pep Club to Dance

Arrangements have been completed for the Paramount Pep Club dinner-dance in the new ballroom at the Hotel Astor tomorrow night.

A cocktail party will precede the dinner with dancing starting at 9 P. M. Music will be supplied by Isham Jones and his orchestra. More than 1,000 members and guests are expected to attend the dance.

Randforce to Open 52nd

Randforce tonight will open the Rainbow, its 52nd theatre in Brooklyn. The house seats 1,500 and will be managed by Irving Berman, who switches from the Meserole.

No Checks Taken

They don't accept checks at the Paramount — not even checks on the United States Government.

Three deputy U. S. marshals convoying a jury tried to get into the theatre Tuesday night and presented a check on the Treasury. When it was refused they went to the Capitol.

Sues for $600,000 in Alleged Conspiracy

(Continued from page 1)

notice of examination before trial which was served upon him.

The plaintiff claims that the defendants conspired to induce Universal to breach a five-year contract made in June, 1932, under which Tippett was to supply the raw film stock to Universal. It is alleged that late in 1932 Eastman Kodak offered to loan Universal $1,000,000 and that Consolidated offered a loan of $500,000 if the contract were broken. The plaintiff also asserts that Universal requested a $450,000 loan from it and that the contract was broken when the loan was refused. The Brulatour motion will be heard on Nov. 4.

Steve Broidy Feted

BOSTON, Oct. 27.—More than 150 attended the testimonial dinner to Steve Broidy, general sales manager of Monogram in New England, at the Hotel Statler tonight, and saw Broidy presented 200 shares of Monogram stock.

Edward Morey, sales head of Republic in this territory, was chairman of the affair, and was assisted by Maurice Wolf, president of the Boston Friars Club, and Louis Boas, local theatre owner. The Friars held open house following the banquet.

Leave for Chicago Meet

Charles Bunn and Bert Sanford of Erpi and Joe Hornstein, local independent theatre equipment dealer, left for Chicago yesterday to attend the three-day Motiograph convention which opens today at the Edgewater Beach Hotel there. New projection devices developed by Motiograph will be discussed and on exhibition during the convention.

"Souls" Gets $32,000

"Souls at Sea" finished a second week at the Paramount with approximately $32,000. The picture is now in its third week at popular prices. The Globe took in about $5,000 on "The Girl Said No."

"Zenda" Holdovers Gain

In 60 first run engagements "The Prisoner of Zenda" has been held over an average of seven days, United Artists states. In several other situations the film has played three extra weeks.

Expect $6,500 Opener

The Warners were calculating late last night that the opening day of "The Perfect Specimen" at the Strand would gross $6,500. This would be the biggest first day of any attraction to play the theatre since "G-Men."

Dimensions Set for I.A. Screen Credits

HOLLYWOOD, Oct. 27.—The I.A.T.S.E. symbol which will appear as screen credit in future productions in accordance with the agreement recently reached, will be of the same size as the Production Code Seal and will appear in the lower left hand corner of the screen title card, it has been decided by producers.

The American Society of Cinematographers will retain their screen credit.

Wilcox Leaves Sunday

Herbert Wilcox, producer of "Victoria the Great," which opens at the Music Hall today, will leave Sunday with Anna Neagle, for Washington, Boston, Chicago, Denver and Hollywood where they will appear on the Chase & Sanborn radio program. From Hollywood the producer and star will journey to San Francisco, then Dallas and New York.

Kuykendall at Salt Lake

SALT LAKE CITY, Oct. 27.—Ed Kuykendall, president of the M.P.T.O.A., speaking here today to the members of the intermountain T.O.O., stressed what he termed to be a "complete lack of enthusiasm for cancellation boards." He left tonight for Denver, expecting to be home by Thanksgiving.

Fined on Bank Night

MILWAUKEE, Oct. 27.—Abraham and Bertha Latts, owners of the Royal, were found guilty at Ashland today of conducting a lottery in the operation of Bank Night. They were fined $25 and costs each. The case had been adjourned five times.

Century Books "Spain"

Garrison Film Distributors has booked "Heart of Spain," a featurette produced by Frontier Films, Inc., into the Century starting today. The picture also is at the Teatro Hispano in Harlem.

Wall Street

Board Movement High

	Open	High	Low	Close	Net Change
Cons.	2	2	2	2	.....
Cons., pfd..	7¼	7½	7¼	7½	+ ⅛
E. K.	168	168	167⅝	168	—1½
E. K., pfd.	162½	162½	162½	162½	+ ½
G. T. E...	13½	13½	13½	13½	— ½
Loew	63	63	62	62½	.....
Para.	13	13⅛	12½	13	+ ¼
Para. 1.....	98⅜	99	98⅜	99	—2
Para. 2.....	12	12	11¾	11⅞	.....
Pathe	5⅞	5⅞	5¾	5¾	— ⅛
RKO	4¾	4¾	4⅝	4⅝	— ⅛
20th Fox ...	25	25½	24⅝	25½	.....
20th, pfd...	31½	31½	31½	31½	+ ¾
Univ., pfd.	32	32	32	32	.....
W. B.	8	8⅛	7⅝	7⅞	.....

Curb Changes in Fractions

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1½	1½	+ ⅛
Monogram	1⅞	1⅞	1¾	1¾	— ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	+ ⅛
Tech.	18¾	19⅜	18¾	19	+ ½
Trans-Lux	2⅞	3	2⅞	3	— ⅛
Univ. Pict.	3⅞	3⅞	3⅞	3⅞	— ⅝

Bonds Gain Lightly

	High	Low	Close	Net Change
Keith 6s '46.....	91¼	91¼	91¼	+ ¼
Loew 3½s '46.....	98¼	98¼	98¼	— ¾
Para. B'way 3s '55	63⅜	63⅜	63⅜	.....
Para. Pict. 6s '55	96½	96½	96½	+ ½
W. B. 6s '39.....	82⅝	82½	82⅝	+ ⅛

(Quotations at close of Oct. 27)

INTERNATIONAL PROBLEMS SOLVED!

Laughs, Music Replace War!

'THANKS' SAYS LEAGUE OF NATIONS!

AMPA's Diplomatic Coup Hailed!

AMPA Proudly Presents

INTERNATIONAL DAY

In the Gigantic Casino Room of the

INTERNATIONAL CASINO

Broadway at 45th Street

Thursday, Oct. 28, at 12:45

STARS! STARS! STARS! From stage and screen...from politics and business ...from London and Paris...from Sydney and Singapore...Guest list headed by Sir Gerald Campbell, British Consul General, Anna Neagle, star of "Victoria the Great", Herbert Wilcox, producer and director of "Victoria the Great", and a host of celebrities...Only $1.00 for AMPA members...For non-members $1.25.

NBC Is Considering N. Y. Transcriptions

NBC yesterday stated it has considered but has not yet decided to permit the airing of transcribed programs over its two New York outlets, WJZ and WEAF, a practice which has been instituted by CBS for WABC.

WABC, however, will only accept transcriptions up to 9 A. M., and in order to make available more early morning time to sell will open its broadcasting day an hour earlier than heretofore, at 6:30 A. M.

McDonnell Joins Recording

Advertisers' Recording Service, Inc., instantaneous recording company, has appointed Frank R. McDonnell sales manager. McDonnell has been in the sales promotional field of radio for the past few years, both at WHN and WINS, and before that was in charge of sales for Singer & Bryne, producers and distributors of advertising films. McDonnell was also, for nine years, a member of the firm of McDonnell & Co., stockbrokers.

Boston Orchestra Off Air

BOSTON, Oct. 27.—Although the concerts of the Boston Symphony Orchestra were featured over national hookups for three seasons, and since the group may not be on the air this season, a move to find a sponsor is reported to be under way. Edward A. Taft, chairman of the Friends of the Boston Symphony Orchestra, has declared that this year $30,000 is needed to pay the taxes on Symphony Hall, plus interest on the mortgage, and that $60,000 more will be needed to cover all other operating expenses.

Radio Education Meeting Set

The second National Conference on Educational Broadcasting will be held Nov. 29, 30 and Dec. 1 at the Drake Hotel in Chicago. Representatives of the Federal Radio Education Committee, the F.C.C. and the Office of Education Radio Project will attend. Educators and radio personages are included in the list of speakers.

Coca-Cola Renews on WHN

A renewal has been received by WHN from the Coca-Cola Bottling Co. The contract is for 13 weeks and the program consists of 15-minute Mondays through Fridays with "Singin' Sam" transcriptions. The D'Arcy Co. is the agency.

Ameche on Lux Show Nov. 1

Don Ameche, Charles Winniger and Ginger Rogers will appear in the Lux "Radio Theatre" production of "A Free Soul" Nov. 1 over CBS.

Marion Davies has been signed for a broadcast of "Peg o' My Heart" on this same series Nov. 29.

WICC Gets Jessel Program

"30 Minutes in Hollywood," the weekly Mutual revue headed by George Jessel, will be heard over WICC beginning this Sunday for the Crawford Laundry of Bridgeport. The program is a participation series.

"Damsel" on "Hollywood Hotel"

"Damsel in Distress," with Fred Astaire and Joan Fontaine, will be previewed on "Hollywood Hotel" over CBS Nov. 5. Burns and Allen will also appear on the program.

Wants Irishman

San Francisco, Oct. 27.—NBC's audience mail department here has a request for a "good Irishman."

Signed by a woman radio fan who says she is 57, a widow, and saws her own wood, the letter asks the web to broadcast for a "good Irishman who doesn't drink, is about 50, and has a small car."

WPEN Broadens Its Policy on Programs

PHILADELPHIA, Oct. 27. — John Iracci, president of WPEN-WRAX, today made public a new policy for the stations, to become effective Nov. 2. Heretofore the stations have used exclusively foreign language programs, but effective with the new policy they will add English programs and will build the talent lineup with a 12-piece house band and variety shows.

Beginning Nov. 2, the station will use the call letters of WPEN only, dropping WRAX.

Iracci recently signed Angelo Palangi to handle sports broadcasts, and George Lasker as station manager. The station recently was granted an increase in power by the F.C.C., and now has 1,000 watts.

"Melody Mysteries" For Lucky Strikes

The American Tobacco Co., for Lucky Strike Cigarettes, yesterday signed to present a new series titled "Melody Mysteries" on the Mutual network. The contract is for 13 weeks, over stations WOR, New York, and WNBF, Binghamton. Present indications are that the series will spread over a great number of Mutual stations at renewal time. The series is to begin Nov. 2, from 8 to 8:30 P. M.

The series has been a west coast presentation over the Don Lee network under the title of "Script Tease" and was brought here for auditioning purposes by Hal Hackett of Lord & Thomas, the agency handling American Tobacco. The show was auditioned Monday night with Richard Himber's band, Stuart Allan, vocalist, Basil Ruysdael announcer and Fred Uttel, em cee. This cast has been retained for the series.

The idea behind the show is to have members of the audience detect song titles in the lines of the script, for a cash and cigarette prize. Listeners will be offered similar prizes for submitting script ideas.

WHN to Have Cantor Program

WHN will carry the broadcast of the Eddie Cantor 25th anniversary ceremonies tonight from 12:30 A. M. to 2 A. M., via feed from CBS.

Radio Personals

HENRY DOUGHERTY and Alton Cook, both formerly of NBC's publicity department, have joined hands as independent publicity agents. Currently they are representing Jean Sablon and Senator Fishface . . . Jane Martin, of the "Let's Play Games" WOR session, has written a booklet bearing that title for distribution to listeners . . . Bobby Breen will appear on on the George Jessel Mutual series . . . Clem McCarthy and George Hicks have been assigned to broadcast a description of the bout between Pete Sarron and Henry Armstrong. The broadcast is tomorrow at 10:15 P. M. on the NBC-Blue . . . Because a majority of the better radio shows now are emanating from the west coast, local programs to which tickets once went begging are now being held in the presence of capacity audiences . . .

✚

Keith Kiggins, NBC manager of station relations, has been elected adjutant of the Advertising Men's Post of the American Legion . . . Marion Claire replaces Mario Chamlee as the guest on "Hit Parade" over CBS Oct. 30 . . . For the first time in three years, Richard Himber's band is being heard via CBS. Himber recently organized a new band, a completely separate unit from his orchestra heard for Lucky Strikes and Studebaker, and it is this band, appearing at the Essex House, which is now heard on CBS . . .

✚

Ruth Ford, niece of George Evans, the publicist, has arrived from Hollywood to settle here. She is a well known west coast stage and radio actress . . . Bess Johnson, the writers of "Hilltop House," and the members of the cast of the forthcoming network serial held a "get together" party at Miss Johnson's home yesterday . . . Mary Small has been booked for a week of personal appearances at the Earle Theatre, Philadelphia, opening tomorrow. Her NBC-Blue network broadcast that same evening will originate in the studios of WFIL . . . The Yacht Club Boys sail aboard the *Ile de France* today . . . "One scream, $5" is an item that appeared on a recent coast sheet on the "Fol low the Moon" series.

✚

Charles Vanda, CBS program director for the West Coast, is in New York conferring with network heads here. . . . Jacob Wilk, story head for Warners, will appear on Peggy Tudor's WOR program tomorrow at 10:15 A. M. . . . George Lottman, radio press agent, has returned from Hollywood. . . .

✚

Chicago Town Pump

CHICAGO, Oct. 27. — Thirteen new programs weekly will soon be broadcast by WIND over a direct line from WLW and WHN . . . Dr. Ray Lawson of northern Canada was a recent WLS visitor. Dr. Lawson, en route to England, stopped off to visit with some of the Barn Dance stars, his radio favorites . . . A deal for the exclusive broadcast rights to all home and out-of-town games of the Chicago Bears, pro football team, has been closed by WJJD. Jimmy Dudley will do the broadcasts for the seven remaining games . . . Jack Hurdle is producing the new "Jenny Peabody" show for CBS-WBBM, which is heard thrice weekly.

Finish Testimony in Segal, Smith Action

By BERTRAM F. LINZ

WASHINGTON, Oct. 27.—Final argument tonight brought to a close the disbarment trial of Paul M. Segal and George S. Smith before the F.C.C. after eight days spent in the taking of testimony on charges that the two attorneys misled the commission in the prosecution of applications for broadcasting facilities through the use of dummy corporations.

In view of admissions made during the presentation of the defense that the commission's regulations and the intent of the communications act to force full disclosure of pertinent information had been violated, it is expected the commission will be forced to impose some penalty.

Marx-Graham Action Settled out of Court

LOS ANGELES, Oct. 27.—Twenty-four hours before they were to go to trial on an indictment charging copyright infringement, Chico and Groucho Marx today settled for "in excess of $5,000" the Carroll and Garrett Graham claim of plagiarism against them in the alleged use of their material in a Marx NBC broadcast.

Loyd Wright, Marx attorney, would not divulge the exact amount of settlement.

Sidney Denies More Air Shows Planned

HOLLYWOOD, Oct. 27.—Louis K. Sidney today flatly denied that M-G-M was contemplating any radio show other than the General Foods program. He said that such a plan had not been discussed at any time.

"Pinto Pete" Starts on WNEW

"Pinto Pete in Arizona," new transcribed serial, has begun over WNEW, Sundays 12:15 to 12:30 P. M., for 26 weeks through the Allen C. Smith agency and the Williams G. Rambeau Co. Cystex, a drug product, sponsors.

Axton-Fisher Tobacco Co., through McCann-Erickson, has contracted for the morning and early evening sessions of the "Make Believe Ballroom" over this station. The contract for the morning show is for 52 weeks, and for the late show 33 weeks.

Fulton Lewis, Jr., to WOL

WASHINGTON, Oct. 27. — Fulton Lewis, Jr., newspaper columnist, has joined the staff of WOL here. He will be heard nightly over WOL in a 15-minute interpretation of the news, beginning this Monday.

Vicks Signs Wilbur Evans

Wilbur Evans, currently heard on the Vicks "Open House" series as a weekly guest, has been signed for the run of the series.

F. A. Mulgrew to Grombach

Grombach Prod., Inc., has added Felix A. Mulgrew to its sales staff. Mulgrew was formerly special assistant to U. S. District Attorney for the southern district of New York.

Use Women Announcers

MEXICO CITY, Oct. 27. — Four women announcers are being employed by two radio stations here. They are Mexico's first feminine air announcers.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 102 NEW YORK, FRIDAY, OCTOBER 29, 1937 TEN CENTS

Para. 9-Month Net Jumps to $6,696,000

An Increase of $3,408,776 Over Last Year

Paramount Pictures, Inc., yesterday reported that its combined estimated consolidated earnings and share of undistributed earnings of partially owned subsidiaries for the nine months ended Oct. 2 aggregate $6,696,000, after all charges except provision for Federal tax on undistributed profits.

This compares with a combined total of earnings and share of undistributed profits of partially owned subsidiaries amounting to $3,287,224, after applying $1,800,000 out of a special inventory reserve set up in 1935, during the same period last year.

The computation includes consolidated earnings of $5,276,000 and $1,420,000 representing the company's share in undistributed earnings of partially owned subsidiaries.

Paramount's estimated consolidated net earnings for the third quarter of the current year are $1,958,000, exclusive of approximately $440,000 representing Paramount's share as a

(*Continued on page 13*)

"Stage Door" Pulls $84,800, 3rd Week

"Stage Door," in its third week at the Music Hall, tallied more than was expected, winding up the final seven days with $84,800, or $4,800 more than anticipated by interests close to the theatre and distributor.

"Double Wedding" hit a mild $35,000 at the Capitol during its first week.

"Ali Baba Goes to Town" finished a first week at the Roxy last night with $53,500. The picture will be replaced Nov. 5 by "Heidi," Shirley Temple's latest.

Roadshows Planned For "Old Chicago"

Twentieth Century-Fox, convinced by advance previews that "In Old Chicago," is the outstanding film produced by the company since the advent of Darryl F. Zanuck, is preparing to roadshow the film in a wholesale manner throughout the United States.

Indications last night were that the attraction will be withheld from general distribution until the 1938-'39 releasing season.

Radio—Pp. 22-23

20th-Fox 39 Week Net Is $4,898,893

Is $447,042 Above Same Period Last Year

Twentieth Century-Fox Film Corp. yesterday reported a consolidated net operating profit of $4,898,893 after all charges, including normal Federal income tax, but not including provision for surtax on undistributed profits for the 39 weeks ending Sept. 25. This compares with a profit of $4,451,851 for the first three quarters of 1935.

For the quarter ended Sept. 25 the net profit after all charges, excepting provision for surtax on undistributed profits, was $1,143,410 compared with a second quarter profit of $1,687,885 and a profit of $1,682,661 for the third quarter of 1936.

On the basis of 956,740 shares of $1.50 cumulative convertible preferred stock outstanding Sept. 25, the consolidated net operating profit for the 39 weeks of 1937 amounts to $5.12 per share on preferred stock. After allowing for the preferred dividend for the first three quarters of 1937 totaling $1.12½ ($.37½ paid quarterly)

(*Continued on page 13*)

Trust Suit Probing Off Until Nov. 15

The taking of depositions in connection with the Morse & Rothenberg anti-trust action against eight major distributors and the Maine & New Hampshire and M. A. Shea circuits, which has been under way here for the past two weeks, is scheduled to be adjourned today to Nov. 15. The

(*Continued on page 16*)

Visits President

Will H. Hays, M.P.P.D.A. president, was one of two callers received by President Roosevelt at his Hyde Park residence yesterday. The other was Professor Nelson Brown of Syracuse University, who, White House aides said, had come to discuss reforestation. The purpose of Hays' visit was not disclosed.

At Hays' office here it was stated that the reason for the visit was not known. It was pointed out that Hays has been a Presidential visitor on other occasions which were presumably of an informal social nature.

Alger Report On RKO Setup Due Nov. 15

Special Master George W. Alger will not present his tentative report on the RKO reorganization plan until Nov. 15, he advised attorneys at a hearing yesterday which had been scheduled to receive the report. The delay is due to the fact that the RKO consolidated earnings statement for the first nine months of the year, which is expected to have an important bearing on the special master's report, was not available until yesterday, presumably making completion of the report impossible for another week or 10 days.

As indicated in MOTION PICTURE DAILY yesterday, RKO's consolidated net profit for the 39 weeks ended Oct.

(*Continued on page 16*)

Quality Test Is Suggested On British Low Cost Films

By BRUCE ALLAN

LONDON, Oct. 28.—The new Films Bill, presented yesterday to the House of Commons and referred to committee after its first formal reading, provides that a quality test, originally rejected in the Board of Trade's White Paper on the proposed legislation, has been invoked only on films costing less than £7,500 in labor costs, or £15,000 in total, for determination of eligibility for the distributor quota.

The provision stipulates that such films will be passed if they have "a special value for purposes of entertainment." The use of the clause, it is indicated in certain quarters, will depend largely on the spirit of the administration.

With virtually that single exception the measure as introduced in the House of Commons follows almost exactly the stipulations in the White Paper. The quota percentages remain the same as in the original plan, dropping from 20 per cent as at present

(*Continued on page 4*)

D. O. Selznick To Paramount, Coast Rumors

Seen Replacing LeBaron As Studio Head

HOLLYWOOD, Oct. 28. — David O. Selznick, according to unusually reliable sources here, will choose from among the many deals now under consideration that which will take him to Paramount as managing director replacing William LeBaron in charge of all production. LeBaron, it is said, is ready to leave the lot upon the expiration of his present contract, several months hence.

Under the terms of the reported offer to Selznick, he would produce personally four to six pictures annually and would receive a percentage on all profits under an arrangement similar to that of Louis B. Mayer and the late Irving Thalberg at M-G-M.

Unsubstantiated rumors here have LeBaron ready to form his own company. The producer, who is out of town, could not be reached for verification of the report.

Today's development indicated that Selznick is leaning more to the Paramount offer than to any of the other deals now being discussed in New York.

Asks a Ruling on Uncensored Films

Arthur Garfield Hays has requested the Attorney General of New York to rule on the question whether an uncensored version of a film can be shown to an invited audience which includes newspaper critics. His action followed a ruling of the New York County District Attorney that a screening of an uncensored version of "Club de Femmes" to critics and guests at the 55th St. Playhouse was illegal.

The District Attorney's ruling was given after the Motion Picture Division of the State Dep't of Education (the censor board) had complained

(*Continued on page 16*)

Convict Manager of Bank Night Fraud

Edward Zabowsky, assistant manager of the new 14th St. Theatre, apparently has discovered a way to cheat the house out of its Bank Night prize money. Yesterday Zabowsky was found guilty of conspiracy to defraud by three justices in Special Sessions

(*Continued on page 13*)

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RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: Via Lovanio 1; Vittorio Malpassuti, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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About 600 Attend Dinner for Cantor

HOLLYWOOD, Oct. 28.—About 600 guests representing the screen, stage, radio, society, religion and politics attended a testimonial dinner tonight at the Ambassador in honor of Eddie Cantor's 25th anniversary in the entertainment field. The affair was broadcast by CBS, coast-to-coast.

Joseph M. Schenck was chairman of the executive committee which also included Will H. Hays, Postmaster General Farley, Louis B. Mayer, Paul Muni and Gov. Frank F. Merriam.

George Jessel was toastmaster. Among the speakers were Dr. A. H. Giannini, Governor Merriam, Jack Benny, Mayer, Irvin S. Cobb, who presented a plaque to Cantor.

Others who went to the microphone were Deanna Durbin, Sophie Tucker, Martha Raye, Judy Garland, Bob Burns, Jimmy Durante and Bill Robinson.

Loew Signs Ed Gross

HOLLYWOOD, Oct. 28.—Ed Gross, formerly associate producer for Sol Lesser on the Bobby Breen pictures, today signed a contract as associate producer with David L. Loew Prod.

Insiders' Outlook

By RED KANN

THIS fair city is trembling with strategy. In lavish hotel and office suites on the East Side of the town, of course, assorted palavers are going full blast to determine a number of matters reported variously and at length in this and other publications. For instance, the United Artists deal. You might be curious about that. . . .

▼

It appears there are plans and about their detail you'll have to take our report since precious little talking is going on within reportorial ears. The 60 per cent now held by Mary Pickford, Charles Chaplin and Doug Fairbanks and tied up optionwise, by Sam Goldwyn and Alex Korda calls for $4,500,000 in cash before any transfer takes place. As reported, Chaplin wants his $2,000,000 on the line. Mary and Doug each will take 37½ per cent in stock. If and when that tidy little sum should be raised, the job would be only partially rounded out. There is the matter of making pictures and the financial well into which to dip to get the necessaries. . . .

▼

Coursing around in Goldwyn's mind is understood to be a desire to arrange a deal so that working capital in sufficiently impressive dollars can be lined up to permit him his future activities sans the necessity for continuing to pledge his personal credit whenever he wants another million, or two, or three. For a plan by which United Artists could and would have a liquid enough treasury to extend aid to its producers, Goldwyn is reported prepared, although only finally, no doubt, to unbend in directions where unbending currently does not appear to be in the cards. Shall we say, for the fun of it, a desire to assume complete control of the company? . . .

▼

Then Korda. In his mind, there is reputed to be a scheme for the purchase of the Pickford-Chaplin-Fairbanks interests by United Artists itself which then would seek to arrange with Prudential and/or others for the cash required to pay off the selling owner-members. Obviously, this would set up a picture wherein United Artists, the company, and not Goldwyn and Korda, the individuals, would be the borrower. How control would be determined under a plan like this is declared not to be definitely clear. Presumably, United Artists and its assets would constitute security for the loan. Presumably again, those making the loan might be willing to let Goldwyn take on authority and responsibility to well nigh any degree—within some semblance of reason—that he might desire. . . .

▼

The obstacle, and there is one, currently appears to be the law. The belief is afloat that a setup of this nature might be in violation of the stock corporation statutes of Delaware under which United Artists is organized. In that commonwealth, a corporation is not permitted to purchase its own stock except out of surplus. United Artists, on the one hand, has a surplus of $1,500,000 while requirements to lift the option run to $4,500,000. December 21, on the other hand, is the expiration date. If the option is not picked up within the present time limit, there is reason to credit the understanding an extension might be arranged, but at a stepping up of terms. The increase, and a compliment to the U. A. producers and the George Schaefer-Andy Smith administration, traces to the conviction reported running around in the minds of the Chaplin-Pickford-Fairbanks coterie that U. A. is enjoying a very profitable year. Ergo, their holdings are worth more. . . .

▼

Still another angle. The willingness of Miss Pickford and Fairbanks to accept stock for three-eighths of their holdings reputedly bears on Federal taxes and devices for savings in that direction if they accept the remaining five-eighths only in cash. This phase seems a trifle clouded in mist, but the report has it the possibility of tax savings does not prevail for them beyond this calendar year. This being true, it follows rationally enough that, if they extend the option beyond Dec. 21, their price goes up and they may insist upon cash. . . .

▼

Strategy is having a day of it in another significant direction, named David O. Selznick. These are times when it is very simple indeed to keep abreast of Selznick International negotiations. It can be done by lifting up a telephone or merely by sitting back for the telephone to ring. Thus, it was offered freely that Dave would not continue with U. A. if Goldwyn and Korda get control. It was offered as freely that his negotiations with RKO had collapsed. And, known to all and sundry, near and far, are his quickly conceded negotiations with Paramount and RKO. In other words, Dave, a smart fellow, is out to make a new deal. He has "A Star Is Born" and "The Prisoner of Zenda" behind him with "Nothing Sacred" coming up, and coming up with what advance word describes as a heluva bang. Very much in demand, therefore, is Selznick. . . .

▼

It comes about, then, that aside from his very substantial merit as a producer, Dave has a full appreciation of the dramatic timing of a story here and there. This has been happening in the last few days and it's all right, provided a little light is thrown into the intricacies of the tactics. This being what it is, we do not imagine you will mind a great deal if we day-dream on our own and suggest that surprise should not be too completely yours if Dave, after all that has been said, does elect to stay with United Artists. Not merely as a contributing producer, but under a second breakdown of the stock control under which Goldwyn and Korda both would give up not half of their 50 per cent but enough of their 50 per cent to make Selznick a minority partner. . . .

Paramount Theatre Has 11th Birthday

Next Wednesday, the Paramount theatre will begin celebrating its 11th anniversary. "Angel" has been booked as the film attraction with Tommy Dorsey and his orchestra on the stage with Helen Charleston and Stan Kavanagh.

During the past 11 years more than 500,000,000 persons have attended the theatre.

Predict Pathe Profit

Pathe will show an appreciable profit for the three-quarter period ended in September, it was indicated yesterday. The profit and loss statement for the nine months will be released either today or tomorrow.

The new plant the company is building in the Pathe News Bldg. will be ready in February, it was stated. Directors of the company at a meeting Wednesday approved the nine-month statement.

Wilby Takes 6 Houses

WEST POINT, Ga., Oct. 28.—L. J. Duncan has sold six of his theatres to George Wilby and his associates of Atlanta. Duncan disposed of his interests in Toccoa, Cornelia, Lavonia and Clarkesville by the transaction.

Duncan with his associates will continue to operate their circuit in the Chattahoochee Valley.

Spitz on Coast

HOLLYWOOD, Oct. 28. — Leo Spitz arrived here today and went immediately into conference with Samuel J. Briskin and others on the RKO lot.

Ocean City House Burns

OCEAN CITY, Oct. 28.—The Strand, Boardwalk theatre, was destroyed today. The loss is estimated at $50,000.

EDDIE CANTOR in "ALI BABA GOES TO TOWN" HELD OVER AT ROXY

AFTER BIGGEST WEEK ANY CANTOR PICTURE EVER DREW IN NEW YORK!

(But that's what you expect when Darryl F. Zanuck, your greatest maker of musicals, really goes to town with Eddie!)

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

WORLD'S LEADING COMEDIANS SAY "ALI BABA GOES TO TOWN" IS EDDIE CANTOR'S GREATEST PICTURE!



Purely Personal

ANNA NEAGLE, in the midst of a round of luncheons and attendant functions all week, went through three yesterday and last night. First, the luncheon at the Ampa, details reported elsewhere in this edition. Secondly was a reception by W. G. VAN SCHMUS tieing in with the premiere of "Victoria, the Great" at the Music Hall. Last night, HERBERT WILCOX, her producer, gave her a supper at the Ritz.

•

ALLEN RIVKIN left for the coast yesterday, following a conference here with his publishers on a book designed for fall publication. The same train carried west BILL FADIMAN of M-G-M, FRANK ORSATTI, ANTHONY VEILLER, ALBERT HACKETT and FRANCES GOODRICH.

•

ARTHUR REICK and KONSTANTIN GORIAN, two of the *Ile de France* arrivals and part of the contingent LOUIS B. MAYER signed up on his recent European jaunt, left for Hollywood last night by plane.

•

SCOTT DUNLAP, production head for Monogram, has delayed his departure for the coast until tomorrow. HENRI ELMAN, franchise holder, will accompany DUNLAP as far as Chicago.

•

JANET GAYNOR met the press in large numbers early last evening at a cocktail party arranged for her by Selznick International. The place was "21."

•

JULES LEVY is on the coast, from Hot Springs, and will call a regional sales meeting in San Francisco within the next two weeks.

•

EDITH MANDELL, secretary to MEYER BECK of United Artists, will leave Monday for Hollywood to be gone six weeks.

•

CHELLE JANIS, manager of Loew's Ziegfeld, has resigned, effective Nov. 5 and will join Transcontinental Press Bureau.

•

GREGORY DICKSON, press representative for the DISNEY studios, leaves for Hollywood today. The rail route for him.

•

ROBERT MUSEL'S and MICHAEL RAYMOND'S story, "Emergency Squad," has been purchased by Paramount.

•

CLINTON M. WHITE, G. B. assistant general manager, will leave Sunday on a tour of southern exchanges.

•

GEORGE GRIFFITH, JR., of Hoyts Theatres, Melbourne, Australia, is in town, staying at the St. Moritz.

•

ANN ROSENTHAL, Grand National legal adviser, will leave for Chicago today by air on a business trip.

•

ALICE DUER MILLER'S novel, "And One Was Beautiful," has been purchased by M-G-M.

•

SI SEADLER and OSCAR DOOB left for the M-G-M studios last night via American Airlines.

•

LITA GREY CHAPLIN will open Sunday at the State, Hartford, for four days.

•

Y. FRANK FREEMAN returned from Minnesota yesterday.

•

HARRY C. ARTHUR will arrive Monday from St. Louis.

•

ROBERT GILLHAM returned from the coast yesterday.

•

SI FABIAN returned from Albany yesterday.

•

RAY LEWIS and her son are in from Canada.

America Not Prejudiced on British Films, Says Wilcox

Herbert Wilcox, producer of "Victoria the Great," yesterday told members of the Ampa that there is no prejudice against British pictures in America, but "if there is a prejudice, it is against the bad films that are sent over." Wilcox was a guest at the International luncheon which was attended by more than 500.

"British production is probably at its lowest ebb," he asserted, "and it is a great tonic to make a picture which has been accepted here." He was referring to "Victoria the Great" without mentioning the name. Incidentally, RKO will distribute "The Rat," also a Wilcox production.

"I probably would not have been so fortunate if I had not fallen in friendly hands," he added. "There should be about half a dozen films sent over by British producers. The pictures should be scrutinized before being sent here and if this is done it will be far better for our entire industry.

Wilcox went on to pay tribute to RKO forces for the way they have handled the campaign on the Music Hall film. "I want to pay the highest compliment to the magnificent help I have received from RKO," he said. "By the way they worked on this picture you would think they had no Ginger Rogers and Fred Astaire films to sell." The producer also praised Ralph Rolan for his "extraordinary cooperation and help. RKO has done a great service for British films. If anything, it has done much to aid the British industry."

Wilcox held, in effect, that the American public was justified for its attitude on bad English-made films. He hoped that future pictures will be of a quality comparable to American product.

With the exception of introducing Wilcox and Anna Neagle, which was handled by Rolan, the meeting was conducted by Capt. Harold Auten, American representative for Greater Union Theatres, Ltd., of Australia.

Taking short bows were Charles de Grandecourt, author of "Victoria the Great"; Leslie Banks, Ned E. Depinet, Hugh Cochrane, Elsa Buchanan, Ramon Novarro, J. E. M. Carmel, Hunt Freeley, Ralph Poucher, Margot Grahame, Cecil Smith, Robert Appelby, Sam E. Morris, M. A. Schlesinger, C. C. Pettijohn and Arthur Lee.

Jeff Sparks, impersonator, was the first on the entertainment bill. He mimed Kate Smith, W. C. Fields, Lionel Barrymore, Edward G. Robinson and the late Enrico Caruso.

David Dow, representing the Australian government, said "to you in the American picture industry let me say that we have an industry that is coming along."

Douglas Cole then took a bow and was followed by Gus Van, who sang a series of songs which he called "Cavalcade of Broadway."

Sir Gerald Campbell, after a few swell gags, presented Miss Neagle a medal from the Black Watch in Toronto. He said he was in favor of bringing back a cheerful note in entertainment and that it was up to the film industry to do its share.

Leon Rothier, Metropolitan Opera singer, sang a selection from "Faust." After the introduction of the star and producer of "Victoria the Great," Katharine Hare and Hendrick Van Loon did an impersonation of Noel Coward and Gertrude Lawrence.

New Warner Talent Will Play in Shorts

HOLLYWOOD, Oct. 28.—Warners has inaugurated a system of having its new contract players appear in a series of trailer-short subject, exploiting their latest vehicdes. This plan was adopted following favorable response to Ronald Reagan's trailer on "Love Is on the Air."

Reagon will be "starred" in a series to be called "Ronald Reagan's Hollywood Adventures," and the next two pictures he will exploit are "Sergeant Murphy" and "Accidents will Happen."

"U" to Open Offices In Denmark, Norway

Universal will establish new distribution offices in Norway and Denmark in line with a move to expand the company's foreign representation, R. H. Cochrane, president, stated yesterday. The new offices will be located at Oslo and Copenhagen and will be opened on Jan. 1.

Gus Schaefer, Universal export manager, who is now in Europe, will remain abroad to establish the offices and select their staffs. The additions are Universal's 73d and 74th offices in the foreign field.

Open New "U" Exchange

CHICAGO, Oct. 28.—Several hundred exhibitors and other film men today attended the opening of the new Universal exchange at 1,301 South Wabash Ave. United Artists and Columbia are constructing exchanges in the same building.

K. C. Midland Taken

Herbert M. Woolf and M. B. Shanberg of Kansas City this week arranged to have the Midland Investment Company as owners, take over the Midland theatre and office building property in Kansas City, since the lease to Loew's made ten years ago had expired. The deal included a temporary arrangement for the future operation of the theatre by Loew's.

Plan Quality Test for Low Cost Pictures

(*Continued from page* 1)

to 15 per cent for the first year for exhibitors. During the 10-year period of the proposed bill the exhibitor quota will be 10 per cent for the first year of the new law, beginning April 1, 1940, and rising progressively to a high of 25 per cent.

For distributors the quota will run from 15 per cent in the first year to 30 per cent finally. The dropping to 15 per cent for the current season is to offset any possible disturbance. The present law expires in September, 1938, and the new legislation is expected to be made effective as of April 1, 1940. The separate short subject quota rises during the term of the law from five to 15 per cent for exhibitors and 10 to 20 per cent for distributors, according to the bill.

The bill reviews the various quota provisions since 1929, and suggests the possibility of modification after four years.

C.E.A. Fathered Clause

The quality clause, providing for review of quality to determine quota eligibility, was sponsored by the Cinematograph Exhibitors' Ass'n, but was rejected by the Board of Trade in the White Paper as being uncertain. The cost test, espoused by the Kinematograph Renters' Society (distributors), was approved. It provides that films costing £7,500 or more in labor costs alone, estimated at one-half the total production cost, would be entitled to registration for the distributor quota.

Under the new stipulation the quality test apparently would be applied to films whose labor costs are less than £7,500, to determine distributor quota eligibility. A film costing £22,500 in labor costs will rank double for quota purposes. No cost test is applicable to short subjects.

The measure, now in committee, will be brought out for a second formal reading on Nov. 4, then referred back to committee until Nov. 15, when it will be brought out again for general discussion, according to present plans.

To Ask New Council

At a conference of representatives of the Film Group of the Federated British Industries, the C.E.A. and six labor unions it was agreed that the Board of Trade should be approached with a request for a new body, the British Cinema Industries Council, instead of the films commission as suggested in the original Moyne Report. Under the plan the council would consider matters referred to it, and would not supercede the suggested advisory committee. The council also would have the power of publicizing matters brought before it. The general aim is the right of the British industry to appeal to an independent body if the films act in operation favors American interests.

The belief is expressed in some quarters that the British Government will concede to a stronger controlling body with a view to the necessity of maintaining British footage and providing against American control of production.



"conquest" colossal!

read the reviews! reap the harvest!

(continued)



"'conquest' definitely a ten best! outstanding screen entertainment!"

"Superb acting of Garbo and Boyer and magnificent production send this over big. Definitely a Ten Best, scoring on all counts. First, the brilliant performances of Greta Garbo as the Polish Marie Walewska, and of Charles Boyer as Napoleon. Secondly, the powerfully dramatic and romantic story. Never has Greta Garbo appeared more glamorous, and seldom has she approached the dramatic fire and emotional intensity that she literally pours out in scene after scene. It is a great love story, as well as a powerfully dramatic document. The production has everything that makes for outstanding screen entertainment." *—The Film Daily*

"You'll thrill to 'Conquest'." *—George Fischer, NBC*

"Don't fail to see this latest and greatest film effort of the great Garbo. In this sumptuously mounted Metro picture she will again enthrall you with her magnificent artistry."
—Gordon Fawcett, Fawcett Publications



"vast audiences will give picture smash returns!"

"A great screen tale, told with greatness, is Metro's multi-million production 'Conquest'. . . superlative are the performances of Greta Garbo and Charles Boyer, with support of the same high calibre down through the handpicked cast—the kind of co-starring delivery the public and the critics have a right to expect from the full surge of Garbo's and Boyer's finest artistry. Neither has ever before reached these heights of dramatic power, and the spell they lay will remain long in the minds of the vast audiences which will give the picture smash returns! . . . As great also is the direction of Clarence Brown." —*Variety, (Coast)*

"One of the best of the season." —*Alexander Kahn, United Press*

"Exciting love story every woman will understand. Boyer's performance establishes a new romantic high...I've never seen Garbo in a better performance."—*Ed Sullivan, N.Y. Daily News and Syndicate*



"'conquest' one of the finest pictures I have ever seen!"

"It is one of the finest pictures I have ever seen. Both Garbo and Boyer gave top performances . . . I don't see how any actor will have the courage to play Napoleon after Boyer's perfect portrayal. It is the finest performance I have ever seen on the screen."- *-Ruth Waterbury, Photoplay*

"'Conquest' is indeed that for M-G-M. This romantic portrayal of Napoleon and Marie Walewska is a new triumph for the ever glamorous Garbo and always inspiring Charles Boyer."
—E. J. Smithson, Hollywood Magazine

"Overwhelmingly magnificent and impressive, here, by all odds, is one of the greatest pictures ever produced. Its artistry and magnitude would alone assure its financial success; but it wisely incorporates those elements of popular entertainment demanded in epical pictures by audiences —spectacle, speed and, above all, sex. This triumph, will live long in the memory of patrons and showmen." *—Associated Publications*



"a sovereign victory . . . . a veritable triumph!"

"A sovereign victory for quality and prestige of the films may be predicted when 'Conquest', starring Greta Garbo and Charles Boyer, reaches the screens of the country...This picture gives new meaning to the worn-out adjective lavish, supporting cast, settings, costumes, everything has been combined to create a new and distinguished cinema achievement...Garbo is amazingly beautiful—singularly adept and subtle in her portrayal. Boyer's Napoleon is a veritable triumph of sincere and painstaking care and authority. Director Clarence Brown has brought the production to a fine and glowing fulfillment." *—Edwin Schallert, Los Angeles Times*

"The great Garbo is." *—Jimmy Starr, L. A. Herald-Express*

"'Conquest' superb. Garbo is lovely and fragile...Her performance is exactly right."
—Virginia Wright, L. A. Evening News



"'conquest' beyond anything the screen has ever known!"

"M-G-M's 'Conquest' magnificent... stirring story of Napoleon's romance with Polish countess one of the screen's finest offerings... Regal magnificence beyond anything the screen has ever known surrounds great Garbo and Charles Boyer in this romance of Napoleon and the glamorous Marie Walewska... Intense, vibrant and eloquent biographical play... A tour de force from every angle... M-G-M has gone beyond all precedent in the making of this majestic production... Will challenge world-interest... A stunning pageant of European history is unrolled with consummate artistry and, at its centre, two compelling figures live again. Garbo and Boyer, co-starred, draw companion portraits that touch real greatness and whose sympathetic appeal is powerful." —*Hollywood Reporter*

"For 'Conquest' superb is the word." —*Motion Picture Daily*

"A truly great picture in every sense, with Garbo and Boyer giving beautiful performances. Brown's direction is magnificent. Without a doubt it is one of the finest pictures ever produced." —*Elizabeth Wilson, Silver Screen*



"boxoffice all the way!"

"Picture is box-office all the way . . . It is great woman's picture . . . Make a note to see Greta Garbo in 'Conquest' . . . Pick of the pictures." *—Warren Stokes, Jay Emanuel Publications*

"Great Garbo's latest picture 'Conquest' will please all lovers of screen spectacles. Clarence Brown's direction is impressive throughout." *—Louella O. Parsons*

"Lavish, beautifully produced. Garbo excellent. Boyer, the best I have ever seen." *—Sheilah Graham, Nana Syndicate*

"Unusually fine picture." *—Robbin Coons, Associated Press*

"A great stirring drama with Napoleon and Walewska consummately brought to life by Boyer and Garbo." *—Harrison Carroll, King Feature Service*

"Best Garbo picture I have ever seen." *—Milton Parker, International News Service*



"m-g-m's
'conquest' the
best picture of this year!"

"'Conquest' the best picture of this or any other week this year. Most poignant historical love story every told or seen. A picture like this comes along to revive our childlike faith in the movies as an art and the best entertainment in the world. Garbo—in this—climaxes her career with a performance which forever establishes her as the Eleanora Duse of the screen. Boyer as Napoleon at last finds a role in which his tremendous powers and talent have full scope. Clarence Brown has turned out a fine picture. It will set Metro's trademark as the highest quality and give them priceless prestige for years to come. It's the sort of picture one can go and see two or three times with pleasure every time . . . so run, don't walk to the nearest entrance of any theatre which plays Garbo and Boyer in M-G-M's 'Conquest'." —*Lloyd Pantages, NBC*

in brief, it's time for new box-office records!

20th-Fox 39 Week Net Is $4,898,893

(*Continued from page* 1)

there remained a profit equivalent to $2.19 per share on the 1,729,352 shares of common stock outstanding.

These figures do not include any dividends from National Theatres Corp. in which 20th Century-Fox has a 42 per cent interest.

Gross income—from sales, rentals and dividends—was $40,497,574.28. Operating expenses, amortization and production costs totaled $34,428,854.45. Net operating profit before interest, depreciation and Federal income taxes was $6,068,719.85.

Keith's 39-Week Net In Gain to $663,946

B. F. Keith Corp. and subsidiary companies, for the 39 weeks ending Oct. 2, yesterday reported a net profit after all charges, except surtax on undistributed earnings, of $663,946.42, which compares with a net profit for the similar period in 1936 of $531,842.56.

Keith-Albee-Orpheum Corp. and subsidiaries reported for the same period net profit after all charges, except surtax on undistributed earnings, of $914,672.15, which compares with net profit for the same period in 1936 of $666,080.63. The 1937 net is equal to $14.22 per share on the 64,304 shares of seven per cent cumulative convertible preferred stock, comparing to $10.35 per share on the same stock in the corresponding period last year.

The B. F. Keith profit before provision for depreciation and income taxes amounted to $1,210,446.37, compared with profit of $1,065,828.30 in 1936. For Keith-Albee-Orpheum the profit before provision for depreciation and income taxes amounted to $1,681,778.67, compared with $1,371,558.34 last year.

Approve Hart Plea To Study UA Books

The right to inspect 12,000 distribution cards, contract ledgers and percentage books of the United Artists Corp. was granted to the William S. Hart Co. by Justice William T. Collins in the N. Y. Supreme Court yesterday.

Hart is suing for $500,000 damages allegedly arising from the block booking of his 1925 picture, "Tumbleweeds," with a dog picture, "Wild Justice." The first trial resulted in a verdict of $85,000 for Hart, but the judgment was set aside by the Appellate Division. Hart has also started suit in the U. S. District Court here for the return of $185,000 which U. A. retained as its distributor's share of the gross receipts.

Delay 306 Conference

Although it was expected that another meeting between representatives of Local 306 and major circuits would take place this week, no session was called. It is likely that both factions may get together next week to talk terms of the two-year contract, which will be retroactive to Sept. 1.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Barrier"

(*Sherman-Paramount*)

HOLLYWOOD, Oct. 28.—Much has been said and written in Hollywood about Harry Sherman's long and sometimes despairing dream of producing Rex Beach's "The Barrier." It is part of this seven-year-old legend that when, at long last, he got his chance, players and technicians shared the job with him as a mutual labor of love. This kind of publicity is highly suspect in a sometimes unsentimental industry. But the picture that Sherman and his fellow toilers have turned out is fine enough, strong enough and big enough to suggest that this was not publicity at all, but a plain recital of circumstances happily conspiring to bring showmen a salesworthy and immensely satisfying piece of merchandise. In common with all Beach stories, this one is unrestricted as to appeal. As directed by Leslie Selander from Bernhard Schubert's screenplay, the picture is equally suitable for the largest and the smallest theatre in the greatest and the smallest communities.

Acting honors, of which there are more than enough to go around, go to Leo Carrillo for a characteristically rousing performance of the French Canadian trapper, to Jean Parker for a finer portrayal of the supposed half-breed heroine than any she has achieved previously, to Robert Barrat for a powerful delineation of her hunted foster parent, in the course of which he brings spontaneous applause for one of the most sustained speeches in recent film history, and to Otto Kruger as a polished Klondike gambler. Andy Clyde scores decisively on the humor side, and James Ellison is complete master of the narratively restricted romantic lead.

The well-remembered story opens with Miss Parker as the supposed half-breed daughter of Barrat who has been hiding out from the law for 18 years operating a store in an Alaskan settlement. When gold is discovered in the community he, with Carrillo as his trapper friend, Ellison as his daughter's soldier sweetheart, Kruger as the girl's real father, now turned gambler, and Addison Richards, his aide, stake out claims. Carrillo teaches Miss Parker manners so that Ellison will be proud to marry her. But Ellison hesitates to propose marriage because of the supposed Indian strain. Bloodshed and death enter the store before a happy ending is worked out.

Two songs by Jack Stern and Harry Tobias are worked into the picture without detracting from the vigor of the Beach plot. George Barnes' photography makes pictorial poetry of the mountains and streams against which most of the action transpires.

Running time, 93 minutes. "G."

"A Girl with Ideas"

(*Universal*)

HOLLYWOOD, Oct. 28.—Another racy newspaper yarn, replete with fast dialogue, occasionally really amusing, and numerous situations which go from slapstick upward to good effect, "A Girl with Ideas" is pleasing, if unpretentious, screen fare.

Wendy Barrie is the rich girl with ideas, and Walter Pidgeon and Kent Taylor, the two newspaper men, are old friends, rivals for the girl and engaged in a continuous effort to double-cross each other. George Barbier and Dorothea Kent fill in the top spots on the cast listing effectively.

Sylvan Simon directed for laughs and comedy situations, and succeeded reasonably well in attaining his goal. The film has pace and continuous movement, involving a fictitious kidnaping, the invasion of a newspaper office by a group of society girls, a handful of fist fights and like maneuvers.

Miss Barrie wins a huge libel verdict from publisher Pidgeon and he presents the paper to the girl, whose father, Barbier, is seriously opposed to her operating a scandal sheet. Taylor is retained as managing editor against his will by virtue of his contract, and proceeds to violate his verbal agreement with Pidgeon to run the paper into the ground so that the latter may buy it back at a low price.

From that point Pidgeon tries to make the paper a laughing stock with his fake kidnaping of Barbier and similar stunts, while Taylor comes out on top in each of their battles, until Pidgeon beats him to the girl and he and Taylor go back into the newspaper business together.

Running time, 65 minutes. "G."

(Additional Reviews on Page 16)

Para. 9-Month Net Jumps to $6,696,000

(*Continued from page* 1)

stockholder in the combined undistributed earnings for the quarter of partially owned, non-consolidated subsidiaries. Including this share, the combined estimated earnings for the quarter aggregate $2,398,000. This compares with a combined total of $2,260,764 for the third quarter last year, after the application of $200,000 of the special inventory reserve.

The Paramount statement for the quarter is viewed with interest within the trade because the exhibitor "buyers' strike" against the company, sectionally, was in effect during two of the three months covered by the third quarter report. That "strike" is now in progress of settlement and should benefit fourth quarter earnings, which may also reflect substantial cash receipts from the proposed settlement for $2,150,000 of recovery actions instituted by the Paramount trustees.

Earned 67 and 85 Cents

After deducting dividends of $298,103 on the company's outstanding first and second preferred stock for the third quarter, earnings per common share for the period would be equivalent to 67 cents on the basis of consolidated net, alone, and 85 cents on the basis of consolidated net and the company's share in undistributed earnings of partially owned subsidiaries. For the nine months period, the earnings per common share would be $1.78 on the first basis and $2.36 on the combined basis.

Convict Manager of Bank Night Fraud

(*Continued from page* 1)

and was paroled for sentencing on Nov. 12.

Zabowsky, according to the charge, discovered that a number of theatres purchase Bank Night tickets from the same firm and are given the winning numbers in advance. Thereupon, he got three little girls, one his sister, to go to the St. Marks Theatre and present the winning ticket. The manager became suspicious and when the police appeared the girls confessed.

Delay Talk on Games

An informal meeting scheduled yesterday by C. C. Moskowitz, Nate J. Blumberg and Harry Brandt to discuss the local games and giveaway situation was put off indefinitely. Blumberg could not attend the session and hence the other two parties decided not to talk unless the third was present.

Georgian Indicted In Bank Night Case

STATESBORO, Ga., Oct. 28.—H. H. Macon, operator of the Georgia and State, was indicted today by a Bulloch County Grand Jury on a charge that he conducted Bank Nights.

The indictment says the drawing "was a scheme and gift enterprise for the hazarding of money which is contrary to the laws of Georgia."

WORLD'S FASTEST TICKET BO



NOTE TO THEATRE OWNERS

The giant Newman-Budd chopper-box is manufactured exclusively by Newman Bros. Inc., Cincinnati. 'Hopper' is divided into eight compartments which come into place automatically at designated hours. This is the fastest known way to keep a continual check on the record business you can expect from productions like 'The Perfect Specimen', 'Zola' at popular prices, 'The Great Garrick', 'It's Love I'm After', 'Submarine D-1', and the other great forthcoming

WARNER BROS. PICTURES

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JOAN BLO

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They *had* to do it to handle the

43 Admissions Per Minute!

2580 In An Hour!

At the Grand Opening of

ERROL FLYNN in FECT SPECIMEN

DELL

HUGH HERBERT • EDWARD EVERETT HORTON
DICK FORAN • BEVERLY ROBERTS • MAY ROBSON
ALLEN JENKINS • Directed by MICHAEL CURTIZ

Screen Play by Norman Reilly Raine, Lawrence Riley and Brewster Morse and Fritz Falkenstein • Story by Samuel Hopkins Adams • A First National Picture

Alger Report On RKO Setup Due Nov. 15

(Continued from page 1)

2, was reported to the special master as being $1,543,511 after all charges but before provision for Federal surtax. The statement includes interest amounting to $583,665 on the extended indebtedness of RKO, as well as the expenses of the reorganization trustee. Of this amount, $961,980 is credited to profits from theatre operations. Picture company operations resulted in a loss for the third quarter, but a profit for the nine-month period is maintained by RKO subsidiaries in this group, nevertheless.

The consolidated profit of $1,543,511 for the nine months compares with a profit of $1,316,922 for the same period last year.

Alger's tentative report will be available to attorneys identified with the reorganization about a week in advance of the Nov. 15 hearing to provide them an opportunity for studying it before the hearing, at which time it will be discussed for the purpose of determining whether or not "errors or omissions" have been made. Thereafter, Alger will prepare his final report, and hearings on this may be set prior to the submission of the report to Federal Judge William Bondy. Hearings on the reorganization plan and the special master's final report will also be held before Judge Bondy before the plan is further revised or confirmed.

No Changes Revealed

Alger gave no indication at yesterday's hearing of the changes in the reorganization plan, if any, which would be suggested in the tentative report. The assumption is that the report has been completed in all respects except those relating to the availability of new money to the reorganized company, an important point on which the nine-month financial statement has a hearing.

O. C. Doering, Jr., of counsel to the Irving Trust Co., RKO trustee, reported to Alger that the effect of the recent transfer to Stadium Corp. of the Orpheum Circuit assets will be to make available to RKO approximately $250,000 in cash through dividends from Stadium. Attacked by Orpheum creditors, the transfer of assets has been upheld by the U. S. Circuit Court of Appeals and the time in which appeals may be taken to the U. S. Supreme Court expires within the next few days. Doering also reported that the probable maximum amount of allowable claims against RKO is now $21,028,104.

20th-Fox Changes Titles

HOLLYWOOD, Oct. 28.—Three forthcoming films shortly to go into production at the 20th Century-Fox studios have had their titles changed. "Career in C Major," "Jo and Josette" and "Kentucky Moonshine" will be known respectively as "Women are Dangerous," "Josette," and "Moonshine over Kentucky."

Quits G. B. Exchange

LOS ANGELES, Oct. 28.—Paul de Auto, manager of the G. B. exchange here, has resigned.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Portia on Trial"

(*Republic*)

HOLLYWOOD, Oct. 28.—Any audience should watch "Portia on Trial" with the same degrees of interest and attention as did the preview gathering. The reasons are simple and understandable. Primarily the picture from all angles is intelligently developed and presented human interest entertainment. Although continually serious yet not without many occasions of humorous comedy, "Portia" is devoid of any traces of forced theatricalism or artificial stimulation.

The means which "Portia on Trial" adopts to establish it as a film that should be talked about are a sound, logically constructed story, good acting in which Frieda Inescourt, Clarence Kolb, Heather Angel, Neil Hamilton, Ruth Donnelly, Walter Abel, Barbara Pepper and Anthony Marsh are outstanding; also by the pointed dialogue which is contrasted by sufficient action, quality production and thoughtful direction.

As the story is related it becomes known that Miss Inescourt, a woman lawyer, is the mother of Marsh, who is the heir to a powerful newspaper empire and the grandson of the politically potent Kolb. Marsh's father, whose marriage to Miss Inescourt had been immediately annulled by Kolb's influence, is killed by Miss Angel. Ruth Donnelly, her secretary, forces Miss Inescourt to assume her defense. In a dramatically staged trial she permits Miss Angel to admit premeditated murder. She does so to get Kolb on the stand. Then she forces from him the admission that if things had been different years ago she would have stood trial for Hamilton's murder rather than Miss Angel. Establishing justifiable homicide, Miss Inescourt secures an acquittal.

The screenplay by Samuel Ornitz was adapted from Faith Baldwin's story by Edward E. Paramore, Jr. It is a splendid example of concise, compact and meaningful writing. Without wastes or a superabundance of wordage it holds to the plot without deflection. Wisely George Nichols, Jr.'s direction technique allows the story to tell itself via the characterizations, dialogue and actions of the leading and supporting players.

Lack of name strength may preclude the possibility of "Portia on Trial" from becoming a general top picture, but it has human interest entertainment. In many localities it may prove worthy of being a front runner. At any rate exhibitors can assure their patrons it is an attraction worth their time and money.

Running time, 70 minutes. "G."

Looking 'Em Over

"Ridin' the Lone Trail"

(*Republic*)

Blood and thunder, plenty of fisticuffs afoot are bountifully supplied in this western. Bob Steele is featured. He does not sing but uses his fists to exciting advantage and generally injects action in the scenes where he appears. The audiences will enjoy it to the limit.

A mining company has been having bad luck in the delivery of its gold to a railroad station in stagecoaches. Steele with a clever ruse arranges to have himself appointed a deputy. He also gets himself a job on Frank Ball's ranch, where a white horse that is being used by the raiders is periodically stolen. The horse is the property of Claire Rochelle, Ball's daughter. The ranch hands are at a loss to explain how the nag is spirited away on these occasions. But Steele locates the outlaws and is taken prisoner. Soon after he turns the tables and with the aid of Steve Clark he runs them to earth following a highly thrilling chase in which many shots are fired and the gang is annihilated. The leader of the band is revealed to be Ball's foreman, Ernie Adams. Later, of course, there is the proper romantic fadeout.

Charles King, Lew Meehan, Julian Revero and Hal Price round out the supporting cast with effective performances. Sam Newfield directed.

Running time, 56 minutes. "G."

"Victoria, The Great," which opened yesterday morning at the Radio City Music Hall, was reviewed on Sept. 17.

"The Perfect Specimen," now being shown at the Strand, was previewed by wire from the coast on Sept. 25.

"Ali Baba Goes to Town" at the Roxy, "Double Wedding" at the Capitol, "The Great Garrick" at the Rivoli and "Souls at Sea" at the Paramount are holdovers.

Trust Suit Probing Off Until Nov. 15

(Continued from page 1)

recess is being taken to permit the preparation of a stenographic report of the hearings up to this point.

No witnesses were heard at yesterday's session and none is scheduled for appearance today. During the two weeks past the depositions of only Gabriel L. Hess, E. A. Schiller, Felix Jenkins and William Mallard have been obtained of a score or more being sought by George S. Ryan, plaintiff's attorney.

The Morse & Rothenberg action asks triple damages of $2,100,000. It was filed in Federal court at Boston and alleges inability to obtain any run of major company product for seven of the plaintiff's theatres, all of which are in competition with the defendant circuits.

Orders Examination in Suit

An examination before trial of Joseph R. Rosenbloom and Harry Krieger, defendants in a suit filed by the Intrastate Theatre Corp., formerly known as Warner Bros. Theatres, Inc., was ordered by Justice Pecora in the N. Y. Supreme Court yesterday. The testimony will be taken on Nov. 9 at the Supreme Court. Intrastate is suing to recover $5,875 which was deposited as security on the 1931 lease for the Dellinger Theatre in Batavia, N. Y. The theatre was destroyed by fire on Columbus Day of 1935. The balance of the October rent, $434 which was prepaid is also claimed. The defendants allege that the lease was induced by fraud and that the fire was caused by the negligence of the plaintiff.

Seek to Examine N. S. S. Heads

Warners will ask Justice Steuer in the N. Y. Supreme Court today for an examination before trial of National Screen Service executives, defendants in a $1,000,000 suit. Those to be examined are Herman Robbins, president; Toby Gruen, vice-president and treasurer, and Sam Dembow, secretary. Warners claim that trailers for its pictures have been made by the defendant "without Warners' consent and over its protest." Trade names and trademarks belonging to Warners allegedly have been used. The plaintiff sets forth that these trailers "misrepresent, distort and disparage" the features which they seek to advertise. Besides $1,000,000 damages, a permanent injunction and an accounting are asked.

Asks a Ruling on Uncensored Films

(Continued from page 1)

that the screening was a violation of the law.

"Various questions of widespread importance to the industry are involved," says Hays. "If a private showing to invited people is against the law, the query at once arises as to whether an unlicensed film in its original version can be shown to anybody at any time. Will showing it to critics be against the law? If that isn't against the law, will it be contrary to law to show it to any one else? Does the law apply to anything but public performances? How can the censors lay down a law which prohibits the showing of an unlicensed film to critics, but which would permit to be shown to prospective buyers."

"Sing," with Bowes Group, Chicago Lead

CHICAGO, Oct. 28. — The Oriental, with "Something to Sing About," grossed $27,000, which was $9,000 better than average. The Major Bowes Anniversary Unit on the stage helped.

The Chicago with "The Prisoner of Zenda" as the attraction was credited with the best business for that theatre in weeks. The gross was $38,700, which was $6,700 over the normal mark.

The Garrick, with "High, Wide and Handsome," did well, as did the State-Lake with, "Think Fast, Mr. Moto."

Total first run business was $139,600. Average is $121,000.

Estimated takings:

Week Ending Oct. 21:

"PRISONER OF ZENDA" (U. A.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Evans Ballet and Revue. **Gross:** $38,700. (Average, $32,000)

"HIGH, WIDE AND HANDSOME" (Para.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $7,000. (Average, $6,500)

"SOMETHING TO SING ABOUT" (G. N.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Major Bowes' Unit. **Gross:** $27,000. (Average, $18,000)

"SATURDAY'S HEROES" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Fred Waring and Band. **Gross:** $19,500. (Average, $19,000)

"THINK FAST, MR. MOTO" (20th-Fox)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $14,400. (Average, $13,000)

Week Ending Oct. 22:

"BACK IN CIRCULATION" (W. B.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $8,000. (Average, $6,500)

"MADAME X" (M-G-M)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $10,600. (Average, $11,000)

"BROADWAY MELODY OF 1938" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $15,000. (Average, $15,000)

"Wore Red" Fair in Lull at New Haven

NEW HAVEN, Oct. 28.—None of the first runs reached a better than average level. "The Bride Wore Red" and "My Dear Miss Aldrich" just hit the $8,000 mark at Loew's-Poli, although the bill led off to an excellent weekend.

"The Prisoner of Zenda" and "Love is on the Air," brought back to the Roger Sherman for a second week after an intervening bill, also stayed at par, taking $4,600. "Lancer Spy" and "Wild and Woolly" dropped somewhat under the College line.

Total first run business was $18,100. Average is $20,200.

Estimated takings for the week ending Oct. 22:

"LANCER SPY" (20th-Fox)
"WILD AND WOOLLY" (20th-Fox)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $2,000. (Average, $2,800)

"THE BRIDE WORE RED" (M-G-M)
"MY DEAR MISS ALDRICH" (M-G-M)
LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $8,000. (Average, $8,000)

"PARTNERS IN CRIME" (Para.)
"WINE, WOMEN AND HORSES" (W.B.)
PARAMOUNT—(2,348), 35c-50c, 5 days. **Gross:** $3,500. (Average, $4,800)

"PRISONER OF ZENDA" (U.A.)
"LOVE IS ON THE AIR" (F.N.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4.600. (Average, $4,600)

"Horizon" and Durbin Film Aid Twin Cities over Bumps

MINNEAPOLIS, Oct. 28. — "Lost Horizon" and "100 Men and a Girl" pulled the Twin City houses out of a poor week with both pictures doubling grosses to take the lead.

The former took $12,000 at the Minneapolis Orpheum where $6,000 is average and went into the State for a second week. After tripling business the first week at the Century, Deanna Durbin's latest about doubled the usual $3,500, and stayed for a third week at the Minneapolis Century. "Gangway" at the Minneapolis World and "Big City" at the St. Paul Orpheum made takes slightly over normal.

Total first run business in Minneapolis was $32,900. Average is $27,000. Total first run business in St. Paul was $13,500. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Oct. 21:

"THE BRIDE WORE RED" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $7,500. (Average, $10,000)

"LOST HORIZON" (Col.)
ORPHEUM—(2,900), 25c-55c, 7 days. **Gross:** $12,000. (Average, $6,000)

"100 MEN AND A GIRL" (Univ.)
CENTURY—(1,600), 25c-55c, 7 days, 2nd week. **Gross:** $6,800. (Average, $3,500)

"SATURDAY'S HEROES" (RKO)
"DANCE, CHARLIE, DANCE" (F. N.)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $4,500. (Average, $5,500)

"GANGWAY" (G. B.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $2,100. (Average, $2,000)

St. Paul:

Week Ending Oct. 21:

"THE BRIDE WORE RED" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $4,500. (Average, $5,500)

"BIG CITY" (M-G-M)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,000)

"BORNEO" (20th-Fox)
"PRAIRIE THUNDER" (F. N.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,800. (Average, $2,000)

Week Ending Oct. 20:

"HIDEAWAY" (RKO)
"LOVE UNDER FIRE" (20th-Fox)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"100 Men" Is Sensation in Hub, $21,000

BOSTON, Oct. 28.—"100 Men and a Girl," on a dual with "Idol of the Crowds," was a sensation at the RKO Memorial. The $21,000 take was $9,000 over normal.

"Big City," with "The Women Men Marry," was strong in two places, Loew's Orpheum, where it went $8,000 over the line on a take of $20,000, and Loew's State, where the $16,500 gross was up by $5,500.

It was a big week all along the line. "Wife, Doctor and Nurse," with a stage show headed by Dorothy Stone and George Raft for two days, reached $31,000, up by $9,000.

Total first run business was $127,000. Average is $97,000.

Estimated takings for the week ending Oct. 15:

"THIS WAY, PLEASE" (Para.)
"THEY WON'T FORGET" (W.B.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"100 MEN AND A GIRL" (Univ.)
"IDOL OF THE CROWDS" (Univ.)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $21,000. (Average, $12,000)

"BIG CITY" (M-G-M)
"WOMEN MEN MARRY" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

"BIG CITY" (M-G-M)
"WOMEN MEN MARRY" (M-G-M)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $16,500. (Average, $11,000)

"WIFE, DOCTOR AND NURSE" (20th-Fox)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Dorothy Stone, George Raft Monday & Tuesday. **Gross:** $31,000. (Average, $22,000)

"THIS WAY PLEASE" (Para.)
"THEY WON'T FORGET" (W.B.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"MUSIC FOR MADAME" (RKO)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: "Broadway Music Hall Frolics." **Gross:** $19,000. (Average, $22,000)

"TWO WHO DARED" (G.N.)
"HERE'S FLASH CASEY" (G.N.)
HUB—(930), 20c-30c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"Life Begins" Gets $10,500, Kansas City

KANSAS CITY, Oct. 28.—Good bills, cool weather, and the American Royal Livestock and Horse Show combined to make the week one of the best this fall for first runs. Comparative showings were led by "Life Begins in College" at the Tower where the take was $10,500, compared with $7,000 par. The picture moved to the Uptown for a second go.

"Stage Door" and "Bulldog Drummond Comes Back" gave the Mainstreet $11,600, $3,600 over the line, and both pictures went to the Newman for a second week.

Big money was earned by "Double Wedding" and "Counsel for Crime" at the Midland.

Total first run business (excluding the Empress) was $45,400. Average is $35,500.

Estimated takings:

Week Ending Oct. 21:

"STAGE DOOR" (RKO)
"BULLDOG DRUMMOND COMES BACK" (Para.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $11,600. (Average, $8,000)

"DOUBLE WEDDING" (M-G-M)
"COUNSEL FOR CRIME" (Col.)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $15,700. (Average, $11,500)

"HIGH, WIDE AND HANDSOME" (Para.)
"MUSIC FOR MADAME" (RKO)
NEWMAN—(1,900), 25c-40c, 7 days, 2nd week for No. 1 picture. **Gross:** $3,900. (Average, $5,000)

"LIFE BEGINS IN COLLEGE" (20th-Fox)
TOWER—(2,200), 25c-40c, 7 days. Stage: Sid Page & His Pages of Fun; Shanghai-Wing Troupe, Billie Burns & Dennie White, and Sondra. **Gross:** $10,500. (Average, $7,000)

"WIFE, DOCTOR AND NURSE" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days, 3rd K.C. week. **Gross:** $3,700. (Average, $4,000)

Week Ending Oct. 22:

"SMASHING THE VICE TRUST" (Roadshow)
EMPRESS—(1,500), 25c, 7 days, 2nd K.C. week. **Gross:** $3,100.

"Wedding" Up In a Lull at San Francisco

SAN FRANCISCO, Oct. 28.—"Double Wedding," on a dual with "On Such a Night," was outstanding in a dull downtown week with a take of $17,000 at the Warfield. This topped normal by $3,000.

The only other first run to make an impression was "Stage Door," in its second week at the Golden Gate, where the $18,500 gross was above par by $2,500. "100 Men and a Girl," in a fourth week at the Orpheum, was still $500 up on a take of $8,500. "Dead End," got into the profit column at the Embassy and at the United Artists.

Total first run business was $92,000. Average is $82,000.

Estimated takings:

Week Ending Oct. 19:

"STAGE DOOR" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days, 2nd week. Stage, band. **Gross:** $18,500. (Average, $16,000)

Week Ending Oct. 20:

"DEAD END" (U. A.)
EMBASSY—(1,400), 15c-35c-40c-55c, 7 days. **Gross:** $7,000. (Average, $6,000)

"HEIDI" (20th-Fox)
"DANGER, LOVE AT WORK" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,000)

"100 MEN AND A GIRL" (Univ.)
"COUNSEL FOR CRIME" (Col.)
ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days, 4th week. **Gross:** $8,500. (Average, $8,000)

"THE BRIDE WORE RED" (M-G-M)
"WINE, WOMEN & HORSES" (W. B.)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $11,500. (Average, $13,000)

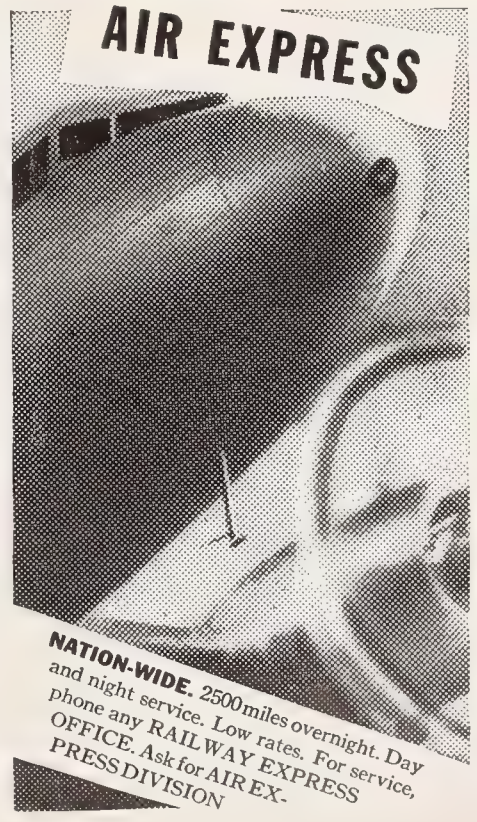
"DEAD END" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days. **Gross:** $7,600. (Average, $7,000)

Week Ending Oct. 21:

"DOUBLE WEDDING" (M-G-M)
"ON SUCH A NIGHT" (Para.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $17,000. (Average, $14,000)

Week Ending Oct. 22:

"UNDER FALSE FLAG" (Scandinavian)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $900. (Average, $1,000)



"DID I FIX IT, OR DID I

"One dame throws this guy down when I broke, see?... So I gets him another sw only this one's sweetie happens to be champ sword dueler . . . And is he jealous! . . . Boy, some fun and fightin'!"

DEEP-DOWN LAUGHS AND SKY-HIGH LOVE SONGS . . . *with John Boles in his most romantic singing form!*



JOHN BOLES

in

fight for

FIX IT!"

tells her he's ell number— the world's



JACK OAKIE

your Lady

with

IDA LUPINO

Margot **GRAHAME**

GORDON JONES · ERIK RHODES

BILLY GILBERT · PAUL GUILFOYLE

DIRECTED BY BEN STOLOFF

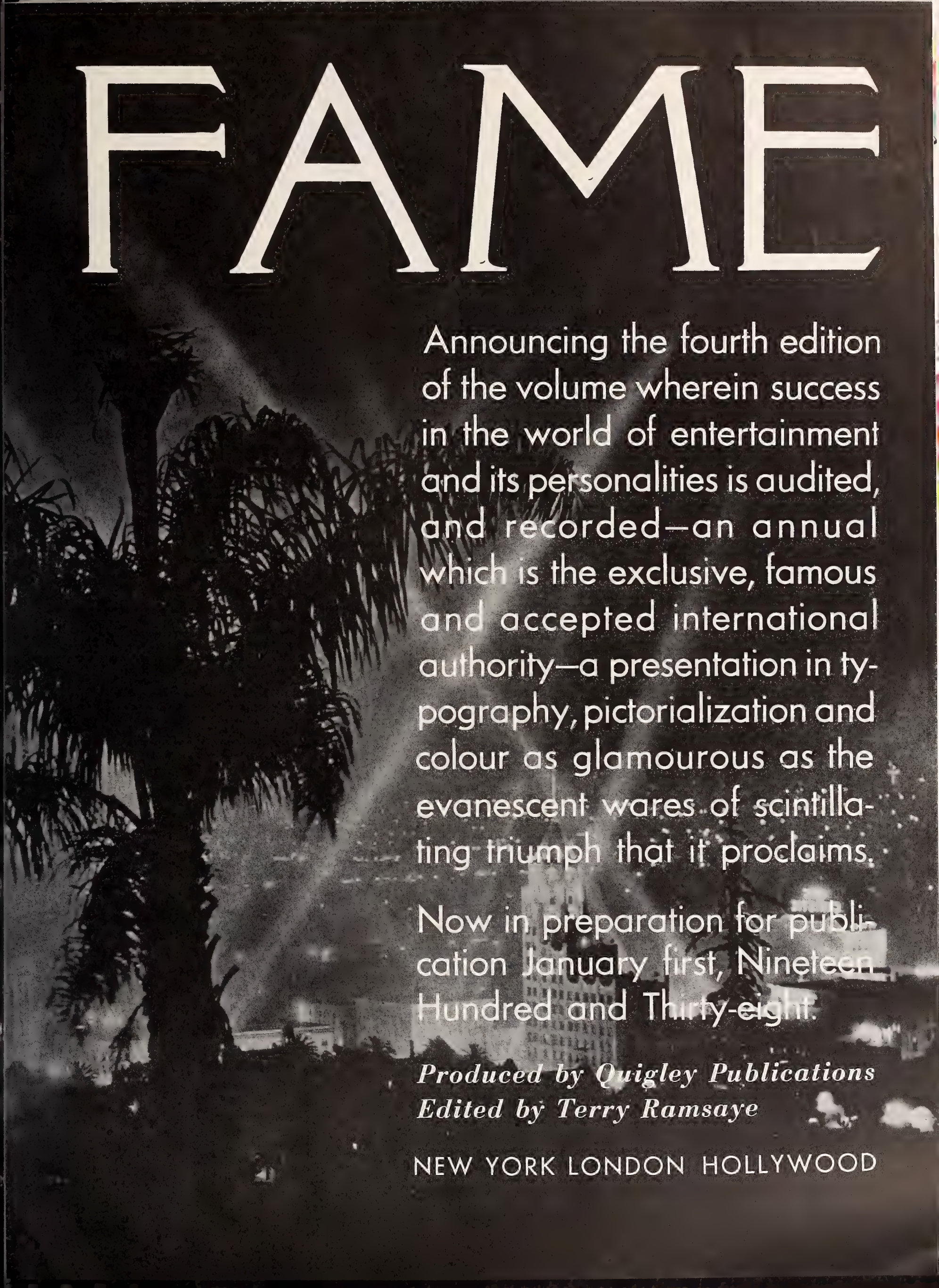
PRODUCED BY ALBERT LEWIS

Screen Play by

Ernest Pagano · Harry Segal · Harry Kusell

RKO RADIO PICTURES




FAME
Announcing the fourth edition of the volume wherein success in the world of entertainment and its personalities is audited, and recorded—an annual which is the exclusive, famous and accepted international authority—a presentation in typography, pictorialization and colour as glamourous as the evanescent wares of scintillating triumph that it proclaims.
Now in preparation for publication January first, Nineteen Hundred and Thirty-eight.
Produced by Quigley Publications
Edited by Terry Ramsaye
NEW YORK LONDON HOLLYWOOD

Radio Personals

TOM BELVISO, manager of the NBC music division, left last night for a visit to network offices in San Francisco, Hollywood, Denver and Chicago, to get a first hand picture of the musical and copyright activities of these offices . . . Amos 'n' Andy are flying here to spend a few days with the Campbell Soup Co. people, who will sponsor their show after Jan. 1. They will broadcast from Chicago Nov. 1, and the four next days from Radio City, before returning to the coast . . . Earl Carroll, Shirley Ross and John Trent will be heard over CBS on the "Hollywood in Person" programs Nov. 2 and 4 . . .

✚

Samuel H. Lacy, radio editor of the *Washington Tribune,* will arrive here Saturday for a brief stay. . . . Bob W. Orr, vice-president of Lennen & Mitchell, has been elected a director of the Cashay Corp. . . . Russ Morgan, the band leader, will be the honor guest at a party to be tendered him Sunday at Leon & Eddie's by the club owners. . . .Bud Hill of Kenyon & Eckhardt, Inc., is the father of newly arrived John J. Hill, 3rd. . . . Tom E. Dewey's crime-political talk on WABC Wednesday night followed Phil Lord's "Gangbusters" dramatization, and Gangbusters" suffered greatly in making the inevitable comparison. . . . Barbara Stanwyck will be a guest on the Chase & Sanborn show Sunday. . . . Myrt and Marge will celebrate their seventh year of broadcasting Nov. 2. . . . Morton Gould, the Mutual-WOR maestro, has signed a personal management contract with Irving Mills. . . . The local Communist political campaign over the radio will have cost the party about $9,000 by election day. . . .

Albany Town Pump

ALBANY, Oct. 28.—Hal Stern and his NBC orchestra are now playing the New Kenmore Hotel, Albany and being heard over the air . . . Cluett Music Stores in Troy and Schenectady have signed for a Sunday afternoon series with WOKO, Albany, the presentation giving radio aspirants a chance for audition, the air audience to vote . . . Nemi Sisters, accordionists, are now being heard over WABY . . . Harold E. Smith, general manager WOKO-WABY, all excited over his son cutting first tooth.

Billy Rose, former WGY announcer, now with WOKO . . . Ed Healy, local radio commentator in the *Knickerbocker Press,* giving terrific buildup to Larry Burke, Irish tenor, heard twice weekly midnight over WGY, Schenectady . . . WHAZ, experimental station at Rensselaer Polytechnc Institute, Troy, back on the air Monday nights.

Too Much Realism

St. Louis. Oct. 28.—Carleen Davis, WIL songstress, was seated in the audition chamber studying some lyrics when the silence was rent by a screech of brakes and terrifying crash. Carleen, recently recovered from a serious auto accident, promptly screamed and fainted.

The WIL engineers were testing out some sound effects transcriptions.

Omaha Town Pump

OMAHA, Oct. 28.—Prof. Edwin C. Puls is directing this year's Creighton University of the Air, which has resumed over WOW on a three-a-week schedule of 15-minute programs after a summer layoff. . . . Don Kelley and Arthur Faust of KOIL helped the local American Legion open its membership drive with their Curb Exchange, man-on-the-street program. . . . Russ Baker has resigned as WOW announcer and will return to New York seeking character parts. . . . Foster May's "Afternoon News Tower" over WOW now is sponsored by F. & F. Cough Lozenges. . . . Jettabee Ann Hopkins is mistress of ceremonies for the Associated Retailers' "Dress Up and Go" series on WOW. . . . Butter-Nut Melodies, a 15-minute program, is being sponsored Mondays through Saturdays over WOW by Paxton & Gallagher.

San Francisco Town Pump

SAN FRANCISCO, Oct. 28.—Roger Burke, whose dance orchestra is aired nightly via MBS from Sir Francis Drake Hotel, and Melba Sharp, United Air Lines stewardess, are engaged . . . Thomas Wilmot, former continuity writer for Joe Penner, has joined the KYA staff as writer-producer . . . Harry LeRoy has joined KGGC as special features announcer . . . Olive West, 80-year-old character actress, heard in KPO's "Hawthorne House Memory Lane," has retired, will sail for New York via the Panama Canal . . .

Stage Green Bay Radio Show

GREEN BAY, Oct. 28.—Several thousand people attended the two-day Radio Show staged by WTAQ at the Columbus Club Auditorium here. The event, WTAQ's first, is planned as an annual affair.

Leading makes of radios were displayed. Several broadcasts were presented direct from the stage. W. C. Wester, head of the radio sales department, was in charge.

NBC Opens Morning Hours to Sponsors

Following in the path of WABC, which recently opened its morning facilities to "canned" offerings, NBC will make available to sponsors of electrically transcribed programs the morning hours up to 9 A.M. over WEAF and WJZ. The innovation becomes effective immediately.

To obtain more time, both stations will begin broadcasting an hour earlier than heretofore, at 6:30 A.M.

KPO, NBC outlet in San Francisco, which, like WEAF and WJZ, has been barred to transcriptions, also will be made available for disc shows up to 9 A.M., Pacific Time.

Regular card rates will apply, and time will be sold to advertisers only in unit periods. Requests for options have been received already from several agencies. The NBC Thesaurus and transcription department will be at the disposal of clients.

The decision to open WEAF, WJZ, and KPO for transcriptions was made several days ago, although as late as Wednesday of this week the network stated it had not yet formulated an opinion in the matter.

KTMS Will Join NBC Coast Blue Network

KTMS, Santa Barbara, Cal., will join NBC as a supplementary outlet available to the Pacific Coast Blue network Oct. 31. The addition of KTMS will bring the total number of stations associated with NBC to 140.

KTMS operates with a power of 500 watts, and is owned and operated by the News Press Publishing Co. The network rate will be $120 per evening hour.

KGO Adds Several Accounts

SAN FRANCISCO, Oct. 28.—"Tales of California," dramatizations of early California history sponsored by Pacific Gas & Electric Co., have been renewed for 13 weeks on KGO.

Other new KGO accounts include "Silver Serenade," transcribed musicale for the Oneida, Ltd., Tudor Silver Plate; Grace and Eddie, transcribed comedy for Pacquin's Hand Cream; more than 300 spot announcements for Lea & Perrins, Inc., and Table Products, Inc.

Enlarge "Six-Star Review"

General Mills will continue "Six-Star Review" on WMCA with several additions to the program. Mae Murray will give advice to the lovelorn. David Bernstein will answer bridge questions, Waite Hoyt will discuss baseball, Ken Strong will give predictions on football scores, Larry Winn will sing, and Frankie Basch will act as the roving reporter of the air.

Norman Jay on Politics

PHILADELPHIA, Oct. 28.—Norman Jay, publisher of *Radio Press,* has been signed by the Republican Central Campaign Committee for nightly political broadcasts over KYW. Jay recently completed a 13-week series of news comments over WFIL.

Wendell Barcroft Joins WREN

KANSAS CITY, Oct. 28.—Wendell Barcroft is the latest addition to the WREN staff, joining as news editor and special events announcer. He comes from KGGF, Coffeyville, Kan.

Get A.F.M. License, Recorders Are Told

Phonograph recording manufacturers, meeting yesterday with the A.F.M., learned that union musicians hereafter will be available only to companies licensed by the federation. The license will be similar to the one now being prepared for transcription interests although the context of the instrument will apply, naturally, to the recording business.

Yesterday's meeting culminated the A.F.M. drive to bring about a more equitable employment of union musicians in the allied radio, transcription and recording fields. The federation thus far has negotiated with independent stations, network affiliates, key stations, transcription groups and, as of last evening, recording people.

The federation will meet today with NBC and CBS heads to sign the agreement for network stations which was formulated recently. The agreement is for stations in New York, Chicago and Los Angeles.

It is expected that the federation's international council will disband tomorrow. A sub-committee, however, will be formed and will remain here to act for the federation.

MacDonald Forecasts Wait for Television

CHICAGO, Oct. 28.—Eugene F. MacDonald, Jr., president of the Zenith Radio Corp., told stockholders this week that television for practical use "is just around the corner for the stock salesman only." He said he did not believe the problems of television insurmountable, but that its practical commercial application appeared to be well in the future.

The way is now paved for Zenith to build an experimental television broadcasting station in Chicago. Stockholders have approved amendments in the articles of incorporation permitting the corporation to broaden its activities in the field of television. Application to build a station has already been made to the F. C. C.

MacDonald expressed the belief that television will come over telephone wires instead of by radio waves. He said he expects the A. T. & T. Co. will handle the transmission of television programs, with the public paying for the service as it does its phone bills. Radio manufacturers will probably restrict their activity to building television receivers, he said.

Williams Program Signed

BOSTON, Oct. 28.—Bill Williams, who came back to WBZ and WBZA of NBC last summer with his rapid-fire sports commentaries, has been signed for a series of six presentations weekly by Hanley's Ale. Williams hits the airways at 6:25 every evening but Sunday.

Atlantic Gets Cornell Game

The Cornell-Dartmouth football game, Nov. 13, will be broadcast over WNEW under the sponsorship of the Atlantic Refining Co.

pulling

it's head off!

81,900 WOR evening listeners wrote to a WOR sponsor in one week. *24,000 of these listeners responded in one day,* setting a new high for a single station one day mail count.

WOR

. . . For a successful drive for special holiday sponsors, order

"The Christmas Tree of 1937"

Complete in 25 Scripts

STAR RADIO PROGRAMS, INC

250 PARK AVENUE NEW YORK CITY

Hollywood Town Pump

HOLLYWOOD, Oct. 28.—KNX and the Columbia Pacific Network recently inaugurated a new program, "Columbia's Listeners' Digest," epitomizing the week's outstanding radio performances in comedy, song, drama and special broadcasts. It will be heard regularly on the coast Fridays at 10:15 to 10:45 P.M., P.S.T. It combines a variety show with the separate vignettes dedicated to the radio highlights of the week. The show was conceived and created by Charles Vanda, CBS West Coast program director. Wilbur Hatch is musical director.

Clarence Muse has been signed by General Mills to appear in 26 transscriptions of his own writing in the character of Uncle Aesop, who dramatizes the old fables for a group of children. The network presentation has not been decided upon yet. . . . Several weeks ago, Bob Mitchell, organist-pianist, was to accompany a singer who became too ill to appear on KHJ-Don Lee. So he presented a musical program, playing on the piano, the organ, the electric organ and the celeste. Now he is heard several times weekly on his own program, "The Four Keyboards," switching from one instrument to another. . . . General Foods has renewed its option on "House Undivided," script show on the Don Lee network, for another 13-week period. Principals of the show are Norman Field, Jane Morgan, Vangie Bielby, Cliff Carpenter, and Mary McIntosh.

✚

Frank Bull's "Sports Bullseyes," originally on just KHJ, has been extended to the full coast Don Lee chain under the sponsorship of Brown & Williamson Tobacco Co. . . . KHJ introduces "Linda's First Love," story of an average American girl in an average American town, Oct. 18, to run Mondays through Fridays for 15-minute periods. A contest, prizes for which will be watches, will be held for listeners to try to straighten out the character's tangled love affairs. . . . KFWB is presenting a series of weekly dramas on Tuesdays called "Heartbeat of the City," as part of the Community Chest drive. The plays are taken from the case files of the Chest's affiliated welfare agencies. . . . Harriet Parsons will soon present the entire cast of CBS' "Hollywood in Person" program in "Screen Snapshots," released by Columbia Pictures. . . . Bob Crosby's orchestras, opening Wednesday at the Palomar, will be aired by KEHE. . . . Making a record of some sort is the Hotel Knickerbocker, which is on the air one hour and 45 minutes daily on KMTR. Frank Robinson Brown handles the microphone for the four shows.

John Garber on Two Stations

PITTSBURGH, Oct. 28.—For the first time around here, a newscaster will go on simultaneously on two local stations under commercial sponsorship. He is John Garber, who will broadcast his comments at 9 o'clock each night for 15 minutes over both KDKA and WWSW. Gimbel's store is the account.

Payne Drops Plans For a Legal Battle

WASHINGTON, Oct. 28.—All plans of F. C. C. Commissioner George H. Payne for a legal test of the authority of the other members of the F. C. C. to bar him from participation in the disbarment proceedings against Paul M. Segal and George H. Smith, have been dropped, it was stated at his office here today. The commissioner last week went to New York to confer with his personal attorney as to his rights in the matter.

Commissioner Payne is now ill in this city.

Irving Reis Signed As Writer-Director

Irving Reis, for the last two years director of the "Columbia Workshop," sustainer on the CBS system, has signed a writing and directing contract with Paramount and will leave for Hollywood early in the new year. His radio series will be continued from that point under his direction.

Reis joined CBS as a radio engineer about eight years ago and subsequently drifted into program direction. He is familiar with Hollywood and, among other connections with the film industry, was in charge of the sound in "The Spanish Earth," documentary film stressing the Loyalist side of the Spanish civil war. In December, he proposes publishing a book on radio drama.

DeSoto Gets Jessel Series

Sponsored by DeSoto Motor Co., a new transcribed series featuring George Jessel and Will Osborne's orchestra will be presented over WOR from 6:45 to 7 P. M., beginning Nov. 2.

Another transcribed series featuring Conrad Thibault, Jane Froman and Don Voorhees' orchestra will begin on WOR the same day from 11 to 11:15 A. M. The series is titled "Magic Hour," and is sponsored by the United Drug Co.

Danya Joins WHN Program

Starting Nov. 1, Lamont Corlis & Co., will become a participating sponsor for Danya hand lotion on Ida Bailey Allen's "Homemakers' Exchange" over WHN, Monday, Wednesday and Friday mornings. The contract, for 26 weeks, was placed by J. Walter Thompson.

"Radio Playhouse" Sold

SALT LAKE CITY, Oct. 28.—KSL's longest running dramatic offering this week becomes the property of Z.C.M.I. Wholesale Hardware Co. The series is "Radio Playhouse," and it is now in its third year as a commercial dramatic show.

WHKC Mobile Studio Housed in a Trailer

COLUMBUS, Oct. 28.—A mobile studio, with a small piano, signal system and complete equipment, housed in a specially constructed automobile trailer, said to be the only outfit of its kind, soon is to be put into use by WHKC, MBS outlet, and division of the United Broadcasting Co. Finishing touches are being put on the 100-watt short wave transmitter to be housed in the auto which will pull the trailer. Power for the transmitter will be generated by a small gas engine.

UBC stations will have exclusive use of the trailer-studio, and will be used in WKRC's search for talent in Columbus and central Ohio, as well as for auditions, stunt and feature shows and programs of a civic nature.

Harvard on the Air Again

BOSTON, Oct. 28.—Harvard University will again broadcast classroom lectures by international short-wave radio over W1XAL, endowed in part by the Rockefeller Foundation. Harvard last year presented lectures in English literature, economics, government, history, Greek literature, Italian literature, German literature, astronomy, and the fine arts.

Anticipating a further expansion of broadcasting, the university has installed permanent radio equipment in Sanders Theatre, New Lecture Hall, the Memorial Church, Emerson Hall, Jefferson Laboratory Lecture Room and Paine Hall of the Music Building.

KDYL Sets Announcer Rules

SALT LAKE CITY, Oct. 28.—Laying down a policy for all KDYL announcers, the production department of the station has prepared and published an Announcers' Handbook. the book is intended to give neophytes a detailed knowledge of station policy concerning all announcements. Sections are devoted to ad lib, electrical transcription rules, emergency announcements, music restrictions, program failures, substitutions, remotes, complaints, studio regulations, etc.

Don Lee Gets 25th Station

LOS ANGELES, Oct. 28.—The Don Lee Broadcasting System has acquired its 25th station—KELA, halfway between Centralia and Chehalis, Wash. It will be taken over Oct. 31.

Charter WGTM, Inc.

RALEIGH, N. C., Oct. 28.—WGTM, Inc., with principal offices at Wilson, N. C., has been chartered by the state to own and operate a commercial radio station. The authorized capital stock is $15,000, with the full amount subscribed by Ben Farmer, H. W. Wilson and David W. Isear.

It Can Happen Here

London, Oct. 28.—Temperamental Arturo Toscanini stormed out of the BBC studios here today and declared he would not go through with a concert scheduled for next week when he failed to obtain a desired execution of a passage in Beethoven's Ninth Symphony from the BBC symphony orchestra.

BBC officials, however, stated that the maestro would be back for rehearsals, and would make the scheduled broadcast, which is to be short-waved to America and rebroadcast by NBC.

New Shows On the Air

"Tish"

The Federal Radio Theatre-sponsored "Tish" series, based on the Mary Roberts Rinehart stories of that title and presented over CBS, loses none of its flavor in the transposition from printed page to oral offering. The story Wednesday evening was definitely entertaining and well acted by the WPA cast.

The redoubtable spinster, aided and abetted by her companions, Lizzie and Aggie, came to the aid of a husband who has been imposed upon by a lazy wife who fakes illness, in Wednesday's adventure. By wrapping a sheet about herself in the dead of night, Tish scares the supposedly hopelessly paralyzed invalid into electrified action and locks her up in a seldom-used servants' cottage in the rear of the main dwelling. The husband is brought to a window outside the cottage, where, unobserved, he may witness his wife's amazing physical and gastronomic recovery. He asks the penalty for wife beating at the close.

The dramatization was ideally written, and the dialogue was better than any we have heard in a long spell of listening. The Leith Stevens score helped the production materially.

"Tish" is presented over CBS Wednesdays from 9:30 to 10 P.M. as a sustaining series. BANNER

"Stella Dallas"

Since this serial is a continuation from the point where the film of the same name left off there is little doubt that local listeners who found entertainment in theatres will likewise do so at their dials. Stella Dallas, her trials, hardships and happinesses will be appreciated.

Tetley's Tea sponsors the program which is heard over WEAF only Mondays through Fridays, from 12:30 to 12:45 P.M. Blackett-Sample-Hummert is the agency. P.

"Music for Schools" Set

"Music for the Schools," a new series of broadcasts designed to assist in the formation and the technique of high school bands and orchestras, will start over WOR Nov. 3 from 2:15 to 2:30 P. M., and weekly thereafter at that time. The program will be under the supervision of Alfred Wallenstein, musical director of WOR. The band will be Leo Freudberg's.

To Discuss Motor Advances

Sales managers of five motor companies will describe new products displayed at the Automobile Show in a series of broadcasts over CBS. W. C. Cowling of the Ford Motor Co.; Harry G. Moock of Plymouth; W. R. Tracy of Hudson; Ward H. Canaday or David R. Wilson of Willys-Overland, and another sales manager, not yet chosen, will be the speakers.

WIL Gets New Recorder

ST. LOUIS, Oct. 28.—WIL has added to its facilities recording equipment for cutting instantaneous recordings. The equipment is RCA's, and the installation was made by Chal Stoup, chief engineer of WIL.

Ascap to Plead Its Case with Publicity

Ascap will endeavor to lighten its legislative woes by an extensive public relations program designed to make the public the friend and ally of the organization, Ascap officials advised the semi-annual membership meeting of the society, held at the Astor yesterday.

The Ascap spokesman attributed the effectiveness of the organization's antagonists in having anti-Ascap legislation introduced in 23 states and enacted in five of them to the fact that the society's membership of less than 1,100 leaves it politically impotent. Thus, it was felt, the society needs a friendly public to aid it in warding off political attacks which its own lack of national influence cannot do effectively. Details of the new public relations program were not disclosed by Gene Buck who presided.

Union Plan Dropped

The society's earlier plan of seeking an affiliation with the American Federation of Musicians, or of applying for an A. F. of L. charter as a labor organization in its own right, is dormant now and was not discussed at the meeting. The meeting paid tribute to the memory of the late Nathan Burkan, Ascap general counsel for many years, and sent a congratulatory message to Eddie Cantor, who is observing his 25th year in show business. A report revealed that the society's membership now consists of 927 writer members and 119 publisher members.

On the dais in addition to Buck were E. C. Mills, general manager; John G. Paine, chairman of the administrative committee; Louis D. Frohlich, counsel; Louis Bernstein, vice-president; Shelton Brooks, Joseph Weldon Johnson, John Abbott, Irving Caesar, Joseph Young, Fred E. Ahlert, Charles Wakefield Cadman, George Fischer, Mrs. Edward MacDowell, Mrs. Ethelbert Nevin, Mrs. Harry B. Smith, Otto A. Harbach, Edward B. Marks, Jack Mills, Mrs. Mel B. Kaufman, Mrs. Nola Arndt, Mrs. Charles K. Harris and Saul Bernstein.

Wall Street

Recovery Wave Hits Board

	Open	High	Low	Close	Net Change
Col.	15	16	15	16	+ ¼
Cons.	2	2	1⅞	2	.....
Cons., pfd.	8¼	8¼	7¾	7⅞	+ ⅜
E. K.	173	173	168	169	+1
E. K., pfd.	162½	163	162	163	+ ½
G. T. E. .	143⅜	147⅞	143⅜	147⅞	+1⅜
Loew	64¾	64¾	62⅛	63¾	+1¼
Para.	14½	14⅝	13⅝	14½	+1½
Para. 1.....	102	105	100½	104	+5
Para. 2.....	13¼	13⅜	12⅜	13¼	+1⅜
Pathe	6⅝	6⅝	6	6⅜	+ ⅝
RKO	5⅛	5½	4⅞	5½	+ ⅞
20th Fox ..	26½	26½	24¾	25⅝	+ ⅜
20th, pfd. .	32½	32½	31⅝	31⅝	+ ⅛
Univ., pfd..	32	32	32	32	.....
W B.	9¼	9¼	8⅜	8⅞	+1

Curb Issues Increase

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1½	1½	+ ⅛
Monogram	1¾	1¾	1¾	1¾	.....
Sonotone ..	1¾	1⅞	1⅝	1⅝	— ⅛
Tech.	21⅞	22	20¼	20¾	+1¾
Trans-Lux	3⅛	3⅛	3	3	.....
Univ. Corp.	2	2	2	2	.....
Univ. Pict.	4½	4½	4½	4½	+ ⅝

RKO Bonds Spurt 13 Points

	High	Low	Close	Net Change
Para. Pict. '47...	80	80	80	+1
RKO 6s '41	100	100	100	+13
W. B. 6s '39.....	84	83½	84	+1⅜

(Quotations at close of Oct. 28)

The Newsreel Parade

Movietone News
Vol. 20, No. 14
(20th Century-Fox)

No matter how many of those sweepstakes winner clips they put into newsreels they always seem to be interesting. The latest issue of Movietone News has three of them, each telling of the winner's happiness and trying to convey an idea of what will be done with the money. Actors could study the unaffected technique of emotional expression with profit.

Ed Reek is credited with supervision of automobile show scenes. They're smart. Radiator angles, moving mechanisms, highlight touches make an ordinarily dull subject bright and interesting.

The football shots are good as usual—especially one made in brilliant California sunshine. War Admiral's comeback is well handled, both pictorially and in Ed Thorgersen's comment. An apple picking and throwing contest, with comment by Lew Lehr, is mildly funny.

Vyvyan Donner's fashion stuff is outstanding. The styles might be last year's so far as this reviewer knows, but the method of presenting good looking models in informal poses around a piano and the fine lighting effects put these shots in a class by themselves.

Running time, 9 mins. J.

News of the Day
Vol. 9, No. 212
(M-G-M)

Done in the "March of Time" style, the longest and most important clip of this number of the reel pictorially reports the tragic episode involving the death of some 50 people through the use of a new prepared medicine. Seen are the nurse, last known person to have taken the medicine, the chemical analysis in the Chicago laboratories of the American Medical Ass'n and the mustering of forces by the U. S. Food and Drug Bureau to take the material out of circulation. It is handled in extremely effective fashion.

Another striking feature of the reel is the filming of New York in the Broadway area from a plane by night. Said to have been done with a new type of film, the results are extraordinary. The rest of the reel is made up of a study of the new method of teaching deaf children to talk in Philadelphia, an amusing clip of the beekeepers' convention in Washington, flashes of the latest sweepstakes winners, good for a laugh as usual, new versatile tractors in use in the middle west, and the automobile show, with a glance at the smart lines and trick gadgets of the 1938 cars.

Running time, 9 mins. A.

Paramount News
No. 25
(Paramount)

The usual routine clips with highlights on local sweepstake winners supply a few comedy moments. The automobile show is limited to one model and lacks completeness in detail.

War Admiral comes through after a foot injury last summer to win the Laurel, Md., stakes. Tear gas bullets are on display at Pontiac, Mich. Machine guns in operation with the specially prepared bullets indicate a new method of halting bank robberies.

Natives of Plymouth, Mass., enact the first Thanksgiving feast. Farmer Brown and his stingless bees are shown at the Capitol during the international meeting of beekeepers. Then comes three winners of the Irish sweepstakes with a humorous touch provided by Michael Di Pietro and his family in Brooklyn.

Bruce Barton, advertising man, describes what he thinks are "silly laws," and Paramount gives its impression of a few ideas contained in the antiquated laws still enforceable in many sections of the country.

Gabriel Heatter, Bob Carter, Joseph Boley, Mark Hawley, John D. Seymour, Gregory Abbott and Sydney Walton, commentators, all take a hand in the narration.

Running time, 9 mins. O.

Pathe News
Vol. 9, No. 29
(RKO)

The seven items in the makeup of this reel manage to be generally interesting in view of the scarcity of events that would have more pictorial appeal.

The war in China is the lead clip. The fall of Hopei into Japanese hands is shown accompanied by scenes of artillery in action and the parade of Nipponese troops through the ancient city. Sweepstakes winners follow doing their customary bits in the customary self-conscious fashion. The Automobile Show provides the cameraman with an opportunity to experiment with unique angles and film various models at the controls of the exhibits. In Pontiac, Mich., an inventor of a new tear gas shell demonstrates his projectile which is intended to eliminate the injuries resulting from the former metal cartridge. In Washington the remarkable machinery for computing the forthcoming unemployment census is shown and explained. A new type of tractor is put through its paces in Indianapolis, going so far as to scare a traffic policeman as it tears through town and makes a turn on the proverbial dime. Sporting life is evidenced when War Admiral captures a race down in Laurel, Md., 'way in front.

Running time, 10 mins. P.

Universal Newsreel
Vol. 9, No. 610
(Universal)

Skillful and significant editing went into the highlighting Chinese-Japanese war clips in this number of the Universal reel. In sharp contrast are shown the blazing inferno which was a Shanghai factory, the bursting of shells along the waterfront, the activities of Japanese mop-up squads at their work in the streets, against the completely peaceful-appearing everyday activity along the Bund in the International Settlement, only a few blocks away.

There is excellent pictorial value in the pictures of the first hunter field trials at Aurora, Ont., and in the annual turkey "roundup" at Corvallis, Ore. There is high comedy, funny by reason of the complete naturalness of the "actors" in the clip recording the unbridled happiness of Michele Di Pietro of Brooklyn, sweepstakes winner.

For the rest, the reel contains clips of the grape harvest in Guasti, Cal., a corn husking contest in Tarkio, Mo., the huge bonfire at Eugene, Ore., with which college students offered sacrifice of wood to the gods of football, and a few shots, well developed, of the 1938 automobile show in New York, all of which make for diversification and interest.

Running time, 9 mins. A.

Short Subject

"March of Time"
(RKO)

A high order of general interest and dramatic reenactment, coupled with an episode of historical significance are inherent in this, Issue No. 3 of "March of Time." The generally expected high level of execution and subject matter which characterize the successive issues of the reel are maintained in this latest release.

The first episode centers about the activities of the U. S. Secret Service, whose lawful duty is the safeguarding of the President, but whose chief duty is running down counterfeiters. In dramatic reenactment, the work of the Federal sleuths is illustrated with the case of William Watts, one of the ablest and smartest of counterfeiters, who defied detection for four years but was finally cornered.

Of unusual interest is the story of how the citizens of Manchester, N. H., faced with ruin when the great Amoskeag Mfg. Co., textile plant, went into bankruptcy, formed a committee, based on the idea of diversification of industry for the city, bought the plant, and leased parts of it to varied industries. The result is returned prosperity for the city.

Of international significance is the sequence on Algeria, France's great and productive colony in north Africa. With Fascist Italy, Spain and Germany pinning France and endangering its lifeline across the Mediterranean, and Algeria's native population just now being stirred by Fascist agitators, the Popular Front government of France has a serious problem on its hands in Algeria. The sequence serves admirably to point up the situation in highlight, at the same time establishing a picture of the current Fascist axis in Europe.

Running time, 20 mins. "G."

Movietone Man Has Close China Escape

Eric Mayell, Movietone News representative, had a narrow escape Wednesday when a Japanese tank crew turned its machine gun on a party of British soldiers attempting to rescue fleeing Chinese, according to word received here.

Mayell was standing near an outpost with Brigadier General Telfer-Smollett and was forced to run for cover.

Hold Rites for Kerwin

OLD SAYBROOK, Conn., Oct. 28.—Funeral services for Judge Thomas P. Kerwin, former Saybrook exhibitor, were held here today.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 103 NEW YORK, SATURDAY, OCTOBER 30, 1937 TEN CENTS

E. M. Asher, "U" Producer, Dies Suddenly

Passes Away Following Paralytic Stroke

HOLLYWOOD, Oct. 29.—Several hours after receiving friends congratulating him upon his apparent recovery, E. M. Asher, one of Universal's most active producers, succumbed at 1:30 A. M. today at Cedars of Lebanon Hospital from the effects of a paralytic stroke.



E. M. Asher.

He was 50 years old and leaves a son, William, 16, and daughter, Betty, 20. He was stricken Tuesday and yesterday hospital attaches reported him in satisfactory condition. Last night he had visitors from the studio in his room. He sank into a final coma later and failed to rally.

The funeral will be held here Monday morning at the Wee Kirk o'

(*Continued on page 3*)

Submit Picture Plea In Czech Trade Pact

By BERTRAM F. LINZ

WASHINGTON, Oct. 29.—With Fred L. Herron of the Hays office unable to get to Washington because of the pressure of other business, the scheduled discussion of the film situation in Czechoslovakia was today eliminated from the program of the hearings which are being held by the Committee for Reciprocity Information on the proposed reciprocal trade agreement with that country.

The film organization has filed a

(*Continued on page 3*)

RKO Drops Plan for Studio Radio Show

HOLLYWOOD, Oct. 29.—RKO's tentative plans for a studio radio show have been abandoned. Studio executives estimate that the present radio plugging on other programs through use of RKO players and music is exceeding

(*Continued on page 4*)

More Radio—P. 4

Probe of "U" Is Denied by Court

N. Y. Supreme Court Justice Samuel I. Rosenman yesterday denied a motion for a peremptory writ of mandamus to permit the Murita Trading Corp. to inspect the books and records of Universal Pictures Corp., Inc., "to determine the advisability of instituting proceedings for the dissolution of the corporation." He stated that the inspection would be granted, however, if Murita could prove at a trial that it is a stockholder under the Delaware law and that it is acting in good faith.

The petitioners hold 160 shares of eight per cent first preferred stock of Universal which was purchased in July, 1936, and claims to represent 10 per cent of the outstanding first preferred stock. Universal Pictures which produces shorts, comedies and newsreels, is a Delaware Corp. and a subsidiary of the Universal Corp., also chartered in the same state.

Justice Rosenman declared that "an inspection will not be granted to facilitate speculative schemes or gratify idle curiosity." It was pointed out that no charges of mismanagement had been made.

Willard S. McKay, vice-president and general counsel for Universal, stated that an effort had been made by the petitioner to have its stock purchased at the call price of $110 plus accrued dividends, but that the offer

(*Continued on page 3*)

Music Publishers To Discuss Moves

With songwriters refusing to be bound to any agreements between the Songwriters' Protective Ass'n and Music Publishers Protective Ass'n in regard to recordings, Harry Fox of the Fox Music Publishing Co. will call a meeting Wednesday at the M. P. P. A. of all publishers to decide on acceptance of the S. P. A. agreement without binding individual writers.

John Schulman, counsel for the S. P. A., and A. M. Wattenberg, War-

(*Continued on page 4*)

Union Investigation To Start in Calif.

HOLLYWOOD, Oct. 29.—The State Assembly Interim Committee appointed recently to make a study of capital and labor relations in California will launch an investigation of the film industry union situation starting probably some time next week, MOTION PICTURE DAILY learned today. It is understood that one large union has filed several sensational affidavits.

Process servers are about to scour the industry to serve summonses.

Quiet for Weeks

A ranking Paramount executive yesterday admitted readily enough that negotiations had been under way for David O. Selznick to join that company. He added:

"However, I have heard nothing about it for weeks. We know, of course, negotiations have been continued elsewhere, but it's all quiet insofar as Paramount is concerned."

The executive is in a position to speak with complete authority.

Pathe Nine-Month Profit $276,486

Pathe Film Corp. reports a profit of $276,486.70 for the nine months ending Sept. 30, after depreciation, Federal income tax and other charges. The company figures it is not liable for the surtax on undistributed profits.

This compares with a profit of $24,-687.22 for the same period last year.

The income from film developing and printing sales was $910,599.20; from film rental, $85,806.84, and from other operations, $9,012.23. The total was $1,005,417.27. Deductions for sales and service, producers' participation and amortization advances and

(*Continued on page 3*)

G. T. E. Quarter Net Improves to $257,805

General Theatres Equipment Corp., and subsidiaries, except Cinema Building Corp., J. M. Wall Machine Co., Inc., and Zephyr Shaver Corp., have reported a net profit for the September quarter of $257,805 after provision for estimated normal Federal income taxes.

Because of the exercise of warrants, the company had outstanding on Oct. 1,600,922 shares of stock, compared with 542,634 shares on June 30. In the preceding quarter of this year the

(*Continued on page 3*)

Four A Council Will Meet on November 4

The fall meeting of the council of the Associated Actors & Artistes of America, the parent A. F. of L. union for theatrical talent, is scheduled for Nov. 4. It will be the first meeting of the board since Frank Gillmore relinquished his active duties as head of Actors' Equity Ass'n to devote the bulk of his time to the Four A's.

Kenneth Thomson, executive secretary of the Screen Actors' Guild,

(*Continued on page 4*)

CEA to Press Its Demand on Quality Test

To Continue Opposition to Cost Clause

By BRUCE ALLAN

LONDON, Oct. 29.—The Cinematograph Exhibitors Ass'n is pressing its original demand for inclusion in the proposed new Films Bill of a provision for the viewing or quality test to determine eligibility for quota purposes. It is continuing its opposition to the Government-approved cost test basis, and is expected to insist, if the latter is adopted on an appeal committee to hear objections to films costing above the £15,000 total minimum production cost for quota, but which are not entertainment.

This provision takes on considerable importance, since, if it is adopted, would in effect provide that films eligible on the cost basis may be challenged to a viewing or quality test.

The C.E.A. also intends to press its demand for the formation of a new British Cinema Industries Council, as was indicated in MOTION PICTURE DAILY yesterday. Such a council would be composed of representatives of the various branches of the industry as well as nominees of the Board of Trade. The Film Group of the Federated British Industries has indicated its support of this proposal.

The Kinematograph Renters' Society (distributors) will ask for an

(*Continued on page 3*)

Order Affidavits In Para. Indiana Suit

INDIANAPOLIS, Oct. 29.—Judge Robert C. Baltsell in U. S. District Court here today asked that both sides file affidavits in the Gary Theatre Co. application for a mandatory injunction to compel Paramount to deliver to the plaintiff's two Gary theatres 10 features allegedly contracted for last season but undelivered. The exhibitor

(*Continued on page 4*)

Rules All Games in Missouri Lotteries

KANSAS CITY, Oct. 29.—F. E. Reagan, Assistant Attorney General of Missouri, has handed down an opinion that places Screeno, along with Bank Night, Cash Night and similar chance games, in the category of lotteries.

Reagan's opinion came after a request by Conn Withers, Clay County

(*Continued on page 3*)

MOTION PICTURE DAILY

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N. O. Sees "River," Government Picture

WASHINGTON, Oct. 29.—The premiere tonight at the Strand, New Orleans, of the New Deal's latest film, "The River," to be followed by a series of "River Shows" at Memphis, Des Moines, St. Louis and Minneapolis prior to national release, was disclosed today by the Farm Security Administration.

The picture is claimed to be the successor to the Government's hit, "The Plow That Broke the Plains," and was written and directed by the same author, Pare Lorentz. It is a portrayal of the results of floods, forest land depletion and erosion. It was filmed in 14 states along the Mississippi.

Rename National Agency

National Theatres Agency, Inc., has changed its name to National Theatres Amusement Co., Inc., the agency being dropped because of the wrong impression created in the trade as to the purpose of the organization. National is the theatre subsidiary for 20th Century-Fox. S. R. Kent is president and Spyros Skouras operating executive.

Purely Personal

NAT STEINBERG, Republic franchise holder in St. Louis, and CHARLES STONEHAM, operator of three houses in the same city, will leave for the Mount City today after a week here. They said they came on to see "Manhattan Merry-Go-Round" and "Portia on Trial."

•

AL O. BONDY and his bride, DOROTHY GONDOLA, sail on the *Munargo* this morning for Havana and Nassau. They were married yesterday and held their wedding dinner, limited to family and a few intimates, at the Astor last night.

•

A. H. MCCAUSLAND, trustee's representative for RKO, is at the company's studio sitting in on the current discussions for the settlement of Sam Briskin's contract as head of RKO production.

•

GLADYS SWARTHOUT is completing negotiations for a villa in Florence, Italy, where she says she will open a school for poor but talented American singers who merit continental training.

•

GUS VAN has returned to New York to appear in a series of shorts to be produced by MILTON SCHWARZWALD for release through RKO. The first will go into work on Thursday.

•

LOUIS POLLOCK, advertising manager for Universal, was married to CLETA MACDONALD of Sidney, O., last August, but succeeded in keeping it secret until recently.

•

FLOYD B. ODLUM of Atlas Corp., was a visitor at Paramount yesterday.

•

A-MIKE VOGEL, chairman of the Managers' Round Table Club of *Motion Picture Herald*, has returned from the Coast. He used United Air Lines.

•

S. BARRET MCCORMICK has assigned FRED HODGSON to do advance work in Boston on the opening of "Victoria the Great" Nov. 3.

•

GEORGE S. RYAN and LOUIS ROTHENBERG left for Boston yesterday and are scheduled to return here in two weeks.

•

EDWARD SCHNITZER returned yesterday from Albany and Buffalo with a bad cold. He was away four days.

•

MIKE ROSENBERG of Principal Theatres, F. W. C. partner, is due Monday from the coast.

•

LOUIS MOLITCH, Horlacher Film executive, was in town from Philadelphia yesterday.

•

WALTER WANGER left last night for Boston by plane and will return Monday.

•

ARTHUR KOBER and IRA GERSHWIN will arrive Monday on the 20th Century.

•

JOSEPH M. SCHENCK will arrive from Hollywood by train today.

•

WINFIELD SHEEHAN leaves for Hollywood today.

•

CLARENCE M. TURLEY of St. Louis is in town.

•

ROBERT M. GILLHAM has returned from the coast.

Market Off

Bob Goldstein, taking stock of the week's activities, yesterday remarked:

"The market on cocktail parties was four points off on the opening this morning."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Living on Love"

(Radio)

HOLLYWOOD, Oct. 29.—Produced without ostentation or manifestly significant overhead, "Living on Love" is a reasonably brisk little comedy based on a novel situation which might have yielded more substantial results if labored over a little longer and honed down to finer cutting edge. As it stands, with James Dunn, Franklin Pangborn, Solly Ward and Tom Kennedy giving individual performances that somewhat overshadow the story, it is a suitable companion picture for the hardier type drama or melodrama of upper bracket dimensions.

Dunn is an impoverished artist living in a rooming house operated by Ward, who takes advantage of the fact that Dunn works nights to quarter Whitney Bourne, a likewise impoverished saleslady, in his room during the other circuit of the clock. Both resent this and each attempts, by means of vitriolic notes exchanged and other devices, to discomfit the other. They do not meet as co-tenants, but do meet outside, under assumed names, and fall in love. Fellow roomers, acrobats and others figure in the events which culminate in their mutual discovery of their real identities and there is a spell of rough-housing before the happy ending.

It is a Maury Cohen production directed by Lew Landers from a screenplay by Franklin Coen based on John Wells' novel. The setting is reminiscent of "Stage Door," but the resemblance stops there.

Running time, 60 minutes. "G."

Schreiber Sells His Five Detroit Houses

DETROIT, Oct. 29.—Jacob Schreiber today stated that he had sold his group of five Woodward Ave. houses to Jake Broder and a silent partner, whose identity could not be learned, and would shortly go to Arizona.

The houses are the Colonial, Blackstone, Majestic, Forest and Garden, with a total seating capacity of 3,757. The deal is one of the most important made in Detroit in years. It becomes effective Sunday, 21 years to the day after Schreiber opened his first house, the old Blackstone on Michigan Ave., which was demolished some years ago.

Schreiber is a unique character in the show business here. He is credited with "making" show business on Woodward Ave. He has been the storm center of a long feud with Ben and Lou Cohen, which grew out of his acquiring the lease on the Colonial while it was being operated by the Cohens.

Schreiber said he would remain in Arizona for six months to permit his wife, who is ill, to recuperate. Other than that he has no plans.

The amount involved in the deal was not made public, but was said to run into the hundreds of thousands of dollars.

Broder has operated candy concessions in Schreiber's and other local theatres for years and also is the owner of two ballrooms.

Skouras in London

LONDON, Oct. 29.—Spyros Skouras is here from Athens. He is planning to leave for Paris in a few days. His return to the United States is indefinite.

Charles Skouras, operating head of F.W.C., is planning to remain in town for at least another three weeks. He will return to the coast before his brother, Spyros, gets back from abroad.

Hatrick's Daughter Weds

LARCHMONT, Oct. 29.—Ruth Gwendolyn Hatrick, daughter of Edgar B. Hatrick, general manager of Hearst's film enterprises, is now Mrs. Gregory C. Draddy. The wedding took place yesterday at the Presbyterian Church here.

Sommerer Rejoins RCA

Harry L. Sommerer has rejoined the RCA Mfg. Co. at Camden, and will take over all sales and service activities pertaining to RCA Photophone reproducing and recording equipment. He will also direct the Hollywood plant from his headquarters in Camden.

"Zola" to Close Nov. 7

The Hollywood, currently showing "The Life of Emile Zola," will close Nov. 7. The theatre will remain dark for three or four weeks until "Tovarich" is ready. The take for the eleventh week was in the neighborhood of $10,000.

Pep Club Holds Dance

Several hundred members of the Paramount Pep Club and their friends gathered at the Astor Hotel ballroom on the roof last night for the annual dance.

CEA to Press Its Demand on Quality Test

(*Continued from page* 1)

extension of the proposed double quota provision on the basis of an increased quota value being applied proportionately to increased cost. The proposed double quota clause now provides that films costing £22,-500 in labor costs alone may count double for quota purposes.

The trade attitude toward the bill as presented to the House of Commons probably will be reflected at the second reading of the measure in Commons, Nov. 4. It is now in committee. The trade reaction is expected to be indicated more specifically in the offering of amendments while the bill is in committee.

To Discuss "A" Film Plan

LONDON, Oct. 29.—The Kinematograph Renters' Society (distributors) and the Cinematograph Exhibitors' Ass'n will hold a round table conference on the recently formulated plan of the K.R.S. providing that "A" features should be sold only on a percentage basis, to which the C.E.A. has registered vigorous opposition.

British Technicians Hit Foreign Workers

LONDON, Oct. 21.—R. A. Butler, Parliamentary Secretary to the Ministry of Labor, on Nov. 2 will receive a deputation from the Ass'n of Cine Technicians in regard to the employment of foreign technicians in British studios.

The A.C.T. asserts that unemployment on the technical side is worse than for several years, 233 being out of jobs against 40 two years ago. It also asserts that labor permits have been granted to American technicians without proper regard to the statutory requirements that the engagement is essential and that it does not displace a British subject.

Rules All Games in Missouri Lotteries

(*Continued from page* 1)

prosecutor. Withers asked for an opinion on all chance games, specifying several, and Reagan pointed out that the Attorney General's office already has given opinions holding the others violate the state's lottery laws.

The free distribution of tickets entitling holders to participate in the distribution of prizes by lot or chance does not relieve Screeno from its lottery features, Reagan said. The distribution of the tickets stimulates patronage at the theatre and constitutes a consideration.

Sweepstakes Data Ordered

HAMILTON, O., Oct. 29—Southio Theatres, Inc., has been ordered by Judge M. O. Burns in Common Pleas Court here to furnish data covering operation of Sweepstakes at the Paramount in nearby Middletown, in compliance with one of three demands by counsel in the suit of Sarah Stein challenging the legality of the game.

Pathe Nine-Month Profit $276,486

(*Continued from page* 1)

operating and other expenses totalled $975,333.96, leaving a profit from operations of $30,083.31. Other income totalled $289,924.21.

The DuPont Film Mfg. Corp., in which Pathe owns a 35 per cent stock interest, had a net profit, after all charges, including Federal income tax, of $1,149,000 for the nine-month period. This compares with a profit of $861,000 in the corresponding period of 1936. The Pathe share of these earnings will be $402,000, as compared with $301,000 for 1936.

G.T.E. Quarter Net Improves to $257,805

(*Continued from page* 1)

net was $323,204, and in the September quarter of 1936, $255,768.

Sonotone Net $63,400

The preliminary report for the September quarter of Sonotone Corp., shows a net operating profit of about $63,400, subject to writeoffs of $15,-000 for year-end inventory adjustments. This compares to a net operating profit for the third quarter of 1936 of $350.

Two Men Shifted in Para. Foreign Field

Two promotions in the foreign sales force were announced by John W. Hicks, Jr., in charge of Paramount's foreign activities, on his return yesterday from a two-month trip abroad.

Louis Foldes, recently manager in Batavia, Java, has returned to Europe as district manager in charge of Hungary, Roumania and Bulgaria. A. Lichtschiendl, with headquarters in Vienna, has been named district manager with supervision over Austria, Jugo-Slavia and Greece.

New Trans-Lux House

Latest in the Trans-Lux circuit was thrown open to private preview last night. This morning the theatre, which is located at Madison and 85th St., throws open its doors to the public.

Following the private preview, a buffet supper was held at the Croydon.

East Side Theatre Opens

The Gramercy Park Cinema, a 600-seat house at Lexington Ave. and 23rd St., opened last night for an invited audience. The regular opening takes place this morning under a single feature policy with the scale tipped from 20 to 40 cents. Rapf and Rudin built it in association with Arthur L. Mayer.

Gendel Gets Three

Max Gendel, independent distributor, has acquired midwestern distribution rights to "Club de Femmes," "The Eternal Mask" and "Lower Depths." He leaves for Chicago today to establish a distribution office there for the films.

Brazil Bans "Road Back"

RIO DE JANEIRO, Oct. 29.—"The Road Back" has been banned by the Brazil censor at the request of the Ministries of Justice and Foreign Affairs. It was charged by Fascist newspapers that the film contained Communist propaganda.

Probe of "U" Is Denied by Court

(*Continued from page* 1)

had been refused. He also stated that access to records had never been requested and that all figures were available in statements filed with the S.E.C. and the Curb Exchange.

Murita contended that losses from November, 1929 to April 30, 1937, totaled $6,680,418 and that dissolution might be necessary to prevent impairment of the capital stock. The petitioner questioned the employment contracts of J. Cheever Cowdin, chairman of the board, for $1,750 weekly for five years; R. H. Cochrane, president, at $1,750 weekly for five years; Charles R. Rogers, vice-president, at $2,000 weekly for five years, and McKay, general counsel, at a weekly salary starting at $700 and later to be increased to $1,000. Cochrane stated in an affidavit that Universal is "about to turn the corner and that the next few months will see Universal on a profit making basis." He also observed that the new management which purchased Carl Laemmle's interest in April, 1936, inherited the losses.

Kleckner Talks Sound To Motiograph Men

CHICAGO, Oct. 29.—More than 80 Motiograph dealers and associates gathered here today at the Edgewater Beach Hotel for the company's first annual sales convention and heard President J. P. Kleckner describe the seven complete sound systems that will be sold to theatres in accordance with their seating capacities. He added that Erpi service would be sold through Motiograph dealers at Erpi rates.

Other speakers included Les Abbott, Fred Stong and J. P. Maxfield. During the afternoon sessions executives of Erpi were heard.

A banquet was held tonight.

The sessions will continue tomorrow with an explanation of the new sound head and Erpi's third dimensional sound system.

There is much talk here concerning a possible dealer setup similar to that of National Theatre Supply but it is believed that nothing will be done along these lines until later in the year.

Submit Picture Plea In Czech Trade Pact

(*Continued from page* 1)

brief with the committee in which it urges that the Government seek to obtain as a concession from Czechoslovakia, the elimination of the quota law and its accompanying restrictions, such as the pre-screening committee, the embargo on the entry of new companies into the market and the ban on advertising material.

The brief will be of value to the State Dep't in negotiating the treaty, since one of the major items on which concessions are sought in the trade agreements is the relaxation of the foreign restrictions on American films.

Rainbow Is Opened

The Randforce Circuit opened its new house in Brooklyn, the Rainbow, last night. License Commissioner Moss attended. Lew Lehr was master of ceremonies and Al Pearce and his gang entertained.

E. M. Asher, "U" Producer, Dies Suddenly

(*Continued from page* 1)

Heather with Rabbi Edgar Magnin officiating. Active pallbearers will be Dr. A. H. Giannini, Anthony McGuire, James Mulhauser, J. P. Normanly, Charles Stern and Jack Nemar. Honorary pallbearers will be Charles R. Rogers, Edmund Grainger, Dan Kelley, John M. Stahl, Leo Morrison, Bernard Toplitsky, Wilbur D. May, Carl Laemmle, Jr., Dr. Arthur Hoffman, Stanley Burchell, Henry Dalton, Frank Mastroly, Sid Grauman, Marc Lachmann, Gordon Crary and Alan Crary.

For the last six years Asher had been a first string producer for Universal. He was born in Susanville, Cal., Sept. 1, 1888. He entered the film business as a salesman and became, eventually, manager of the Turner Dankin Exchanges in California.

After a period with the Sol Lesser Enterprises, Asher joined Universal as co-producer of "The Cohens and the Kellys." The success of this Jewish-Irish picture caused him to join with Eddie Small to produce "McFadden's Flats" and "The Gorilla." The productions were made by Asher, Small and Rogers. Later they produced 12 Corinne Griffith starring pictures.

In 1930, Asher returned to Universal City as a producer.

Asher was one of the best and most successful of Universal's producers, making on an average of eight productions a year. His most recent pictures were "The Man Who Cried Wolf" and "Some Blondes Are Dangerous." He was scheduled to produce "More Than Love" and "Let's Be Candid" at the time of his death.

Wall Street

Board Gains Continue

	Open	High	Low	Close	Net Change
Col.	16½	18½	16¼	18	+2
Cons.	2	2⅛	2	2⅛	+ ¼
Cons., pfd..	8	8⅞	8	8¾	+ ⅞
E. K.	170	173	169	169	.....
E. K., pfd.	162¾	163	162¾	163	.....
G. T. E. ..	14¾	15¼	14¾	15	+ ⅛
Loew	63¾	65½	63¾	64	+ ¼
Loew, pfd..	105	105	105	105	+1⅛
Para.	14⅞	15¾	14¾	15¼	+ ¾
Para. 1.....	109	110	107¾	109½	+5½
Para. 2.....	13⅜	14¼	13⅜	13¾	+ ½
Pathe	6½	6⅞	6½	6⅞	+ ½
RKO	5½	5¾	5⅜	5⅝	— ⅛
20th Fox ..	25½	26⅜	25½	26⅜	+ ¾
20th, pfd....	32	32½	32	31½	+ ⅞
Univ., pfd..	35	35	33½	35	+3
W. B.	9	9½	9	9¼	+ ⅜

Curb Issues Rise

	Open	High	Low	Close	Net Change
G. N.	1⅝	1⅝	1½	1½	.....
Monogram	1⅞	2	1⅞	1⅞	+ ⅛
Sonotone ..	1⅝	1¾	1⅝	1¾	+ ⅛
Tech.	21¾	21¾	21	21	+1
Trans-Lux	3⅛	3⅛	3⅛	3⅛	+ ⅛

Bonds Show Advance

	High	Low	Close	Net Change
Loew 3½s '46.....	99	99	99	.....
Para. B'way 3s '55	63¼	63	63¼	.....
Para. Pict. 6s '55	97	97	97	+ ½
Para. Pict. '47....	81	80	80	.....
RKO 6s '41.....	100	100	100	.....
W. B. 6s '39.....	85	84	85	+1

(Quotations at close of Oct. 29)

Hearings Started on High Power Channels

WASHINGTON, Oct. 29.—Hearings on the disposition of the so-called "good will" high frequency broadcasting channels set aside a year ago by President Roosevelt in anticipation of possible Government broadcasting opened today before the F. C. C.

Five of these frequencies were allowed by international convention for use in the western hemisphere. In view of the approaching Cairo conference, fears have been expressed that if the frequencies were not used an effort would be made to deprive the United States of them.

One of the frequencies has been allotted to CBS and the commission's hearings are concerned with applications for the other four which have been filed by National Broadcasting, General Electric and World Wide Broadcasting.

It is expected that the hearings will run for several days.

Shouse Quits KMOX; Taking Crosley Post

CHICAGO, Oct. 29.—James D. Shouse today resigned as manager of KMOX and was succeeded by Merle S. Jones. Shouse is expected to become vice-president of Crosley Radio Corp. in charge of WLW and WFAI. He has been engaged in the radio field since 1930.

Paul S. Wilson has succeeded Jones as manager of Radio Sales, Inc., for CBS.

Indianapolis Series Of Concerts Planned

The Indianapolis Symphony will offer 10 concerts exclusively over the Mutual network, beginning Nov. 19, from 5:15 to 6 P. M.

Three concerts will be broadcast Fridays, and seven Saturdays, with Mutual's Indianapolis affiliate WIRE feeding the show to the network. Fabien Sevitzky will conduct.

WFIL Plans Education Unit

PHILADELPHIA, Oct. 29.—Following the recent use of radio as an educational medium during last month's infantile paralysis epidemic in Chicago, WFIL here has set plans for a new Educational Division. Donald Witycomb, the station's general manager, has named Margaret Schaeffer, production director, to head the new department. The Philadelphia Board of Education has promised full cooperation with the studio officials and plans for twice-weekly vocational series have already been completed.

WBT Wins Civic Award

CHARLOTTE, Oct. 29.—WBT has been awarded a plaque of recognition and appreciation by the Charlotte Junior Chamber of Commerce for civic contributions to the city during the past year.

The award was made chiefly for WBT's raising of $35,000 for relief of sufferers in the Mississippi flood disaster last year.

Otis Back on Radio Job

COLUMBUS, Oct. 29.—Lehman Otis, former radio editor, *Columbus Citizen,* has been reassigned to that post, following resignation of Virginia Lamont. Otis was a feature writer on the *Citizen* until his reappointment.

Nicol Soon to Have 3rd Quebec Station

MONTREAL, Oct. 29.—Jacob Nicol, French-language newspaper owner, will soon have two more radio stations in operation.

Work has been completed on a 100-watt outlet at Three Rivers and Yvan Deseve has been named director. It will function with Nicol's paper, *Le Nouvelliste,* with CHLN as its letters. At Rimouski CJVR is nearing completion and Paul Tremblay, formerly with CBM, Montreal, will be in charge. This will be a 1,000-watt station and will operate with Jean Brillant.

Nicol already owns CHLT, 100-watt station at Sherbrooke.

Galipeau in CHLP Post

MONTREAL, Oct. 29.—Georges Galipeau, former reporter on *La Patrie,* is now head of the press relations department of CHLP, the paper's air outlet.

Fred Smith Resigns To Start Own Firm

Fred Smith, publicity director of Batten, Barton, Durstine & Osborn, has resigned from the agency to enter business for himself to handle public relations and promotion.

Succeeding Smith as publicity director is Oliver P. Newman.

Smith will open offices about Nov. 15. In addition to handling publicity and promotion, he will do free lance writing, and possibly he may edit a weekly newspaper magazine section for a syndicate, he says.

WIP to Train New Talent

PHILADELPHIA, Oct. 29.—WIP has formed a dramatic association. Out of slightly over 900 applicants, the station chose 50 who will be instructed in all phases of broadcasting, including dramatic work, script writing, sound effects, etc.

Bravo!

Convinced that the program can create sufficient good will and listener interest to offset the usual commercials, the sponsors of "Metropolitan Auditions of the Air" beginning this week will eliminate the "middle" commercial previously offered, and are reducing the length of the opening and closing commercials.

Ask Permit to Build Station in Illinois

WASHINGTON, Oct. 29.—Application for authority to build a broadcasting station to operate on 1,500 kilocycles with 100 watts night, 250 watts day, has been filed with the F.C.C. by Kathryn B. Gosselin of Aurora, Ill.

The commission announced that it had received other applications, including requests from KPAC, Port Arthur, Tex., now under construction, for a change of frequency from 1,230 to 1,350 kilocycles; WPRA, Mayaguez, P. R., in course of construction, to change frequency from 630 to 780 kilocycles and increase power from 250 watts to 1,000 watts night, 2,500 watts day; KXL, Portland, Ore., for change of frequency from 1,420 to 1,110 kilocycles and increase of power from 100 watts night, 250 watts day to 5,000 watts night and day, and Piedmont Broadcasting Corp., Salisbury, N. C., to change power requested in its construction permit from 100 watts to 100 watts night, 250 watts day.

KGB Silent Three Hours

SAN DIEGO, Oct. 29.—KGB, Mutual-Don Lee outlet, was off the air for over three hours. The trouble was due to a burned out transformer.

RKO Drops Plan for Studio Radio Show

(*Continued from page* 1)

any possible breaks that a direct studio-radio tieup could provide.

It has been found easier to exploit the studio's music on various programs when cooperation in obtaining players from the lot is facilitated. RKO recently signed Frank Healy, radio publicity and exploitation man, to handle all radio contacts.

Four A Council Will Meet on November 4

(*Continued from page* 1)

chartered by the Four A's, is expected here from Hollywood early next week to attend the session. In addition to effecting an administrative realignment of the Four A's which will make it more active in theatrical unionism, the meeting is scheduled to redefine jurisdictional questions involving the numerous allied theatrical unions.

Edith L. Christenson, new executive secretary of Chorus Equity Ass'n, outlined plans for the organization of talent in the presentation and night club fields to a special meeting of the association yesterday, and was given a vote of confidence by approximately 50 members present. Miss Christenson succeeds Dorothy Bryant in the Chorus Equity post. Mrs. Bryant, who resigned recently after 18 years with the association, was paid a tribute by the members at yesterday's meeting.

Order Affidavits in Para. Indiana Suit

(*Continued from page* 1)

was asked to file by Saturday and Paramount was given until Wednesday to submit its papers.

Paramount contended at the hearing that none of the pictures designated by the complainant was completed by Aug. 1 and, according to the provisions of the contract, were excluded from last season release for that reason. Completion of the pictures was made impossible, it was stated, by delays in production resulting from a Hollywood influenza epidemic during the year which incapacitated stars, directors, technicians and other production personnel, and to studio labor difficulties.

Louis Phillips of the Paramount home office legal staff attended the hearing.

Music Publishers To Discuss Moves

(*Continued from page* 1)

ner music company attorney, have been representing all publishing houses.

Music publishers have insisted on an agreement binding on writers as well as publishers for 13 years. At a recent meeting the songwriters refused to be bound individually to the deal. The publishers then agreed to increase the writers' share from 33 1/3 to 50 per cent on everything but publication royalties.

The S. P. A. and M. P. P. A. recently signed a 10-year renewal agreement with Ascap, starting 1940 when the current pact expires.

Radio Personals

CHUCK GAY, radio editor of the *Dayton News,* visiting here in search of copy . . . Raoul Marlo, formerly of CBS and WOR, has formed his own firm, Marlo Enterprises, Inc., with offices in the RKO Bldg. . . . Neatest station folder received in some time is Adrian James Flanter Associates piece for KGVO's "It's Barn Dance Tonight" series, Missoula, Mont. . . . Miriam Hopkins is set for "Silver Theatre" this Sunday. She will be heard in an original written for her by Faith Baldwin . . .

✚

Leighton Noble is quitting George Olsen's band to go out on his own . . . John Kelvin will make his first air appearance in more than a year when he begins a series with Don Alberts' orchestra via WHN Sunday . . . Al Pierce will introduce a new character Tuesday on his CBS Ford series, Hector "Swivelhips" Smith, football hero . . . It's Mr. Richard Himber in the newspaper ads . . . Joy Hodges will do guest shots on the air after "I'd Rather Be Right" opens here . . .

✚

Chicago Town Pump

CHICAGO, Oct. 29.—Bowman's Dairy will go back on the air next week with a program of recordings, time and weather announcements and comment by Bob Hawk, over WGN . . . Carl Doty, formerly with NBC here, has joined the sales staff of WOAI, San Antonio . . . Betty Ito, a Japanese radio actress, plays the part of an American girl raised in China, in the Don Winslow dramatic serial . . . Marek Weber and his orchestra will broadcast over NBC from the Stevens Hotel . . . Sheila Graham, Hollywood gossip gabber, is off the "Vanity Fair" show for the time being . . . Gene Arnold, veteran radio artist, was guest of the Cornell University Club last week . . .

Ted Maxwell with NBC in San Francisco is a Chicago visitor . . . Eddie House, CBS artist, launched his new boat this week and plans a tour around America to the Pacific coast this winter . . . Les Tremayne is back from hunting rabbits in Northern Wisconsin. . . .

✚

Oklahoma City Town Pump

OKLAHOMA CITY, Oct. 29.—Charles M. Dibrell, KVSO, Ardmore, station engineer, has gone to New York City for a vacation. . . . Leslie Beck, KTOK chief announcer, is now dividing his time between announcing and selling time on the air. . . .

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 104 NEW YORK, MONDAY, NOVEMBER 1, 1937 TEN CENTS

Report Radio Almost Free Of False Ads

Few Complaints Made by Trade Body in Year

By BERTRAM F. LINZ

WASHINGTON, Oct. 31.—False and misleading advertising has practically been eliminated from broadcasting, only 1,275 out of a total of more than 439,000 continuities examined by the Federal Trade Commission during the fiscal year ended June 30, last, requiring investigation, it was disclosed by the commission in its annual report.

In only 12 cases, it was stated, did the commission issue formal complaints during the year. Most of the cases investigated were found not to require action and of those in which the commission found cause for complaint, all but a dozen were settled by stipulation.

Under the commission's procedure, every individual station submits all continuities for a 15-day period four times a year, while the national and regional networks report weekly, sub-

(*Continued on page* 14)

Additional developments in radio on pages 14-15.

Alperson Sets FWC Deal; Will Go West

With 16 pictures finished and a deal for the entire season's lineup with F.W.C. either closed or about to be signed, Edward L. Alperson, president of Grand National, is now planning to leave for Hollywood by Wednesday.

The next James Cagney film has been set and will be announced in a few days. The story will bring Cagney back into his rough and tumble character.

Alperson denied there is any difficulty financially with the company and that no additional finances are being sought.

Classification Seen Delaying Wage Pact

Differences over the classification of 10 theatres are reported to be holding up consummation of negotiations between major circuit representatives and Local 306 men on a two-year pact, retroactive to Sept. 1.

Local 306 is said to be insisting

(*Continued on page* 15)

No Reduction In Short List Despite Duals

Output This Season Is 5 Greater Than Last

With 75 to 85 per cent of the country now said to be playing double features, a sizeable increase over last year, there is no reduction in the number of shorts being produced by major companies. According to the number of releases being offered major circuits, the short subject output for 1937-'38 will be five more than last season. This does not include the nine that United Artists is scheduled to release in place of the Disneys.

The total number of 714 two-reelers and singles for the current season as compared to 709 last year does not include the newsreels which M-G-M, 20th Century-Fox, Paramount, Universal and RKO add to their short subject sales. Major circuit buyers are at a loss as to what to do about the shorts. However, they go hand in hand with the feature lineup and cannot be discarded unless paid for without being played. This happens in numerous cases.

The tendency of major producers is

(*Continued on page* 7)

Mahoney Film Shown Here Over Weekend

A brief production depicting the highlights of Judge Jeremiah T. Mahoney's public career was exhibited in numerous metropolitan neighborhood houses over the week-end. The subject runs about 500 feet, or approximately one-half reel. It was produced by the commercial film department of Pathe and approximately 50 prints were made. The subject was said to be available for spot bookings in the metropolitan area beginning last Thursday. It is sponsored by the citizens' independent committee for the election of Mahoney, an active

(*Continued on page* 7)

Jack L. Warner Back Today on Queen Mary

Jack L. Warner, vice-president in charge of production for Warners, will arrive today on the *Queen Mary* from England after conferring with Irving Asher, British production head for the company, on the new program at Teddington Studios. Under the plans discussed, 16 pictures will be made there next season with the possibility of two or three designed for international distribution.

Asher will sail from England on

(*Continued on page* 7)

It'll Be Duals

Omaha, Oct. 31. — Omaha exhibitors differ with Sam Goldwyn, who says double features can be ended by making pictures so long—two hours or more—that no manager can present another film.

Theatre men here have double-billed such pictures as "Romeo and Juliet," "Lost Horizon" and "The Good Earth," each of which is extremely long.

They say their patrons won't patronize single bills.

Hitch Is Reported In Laboratory Deal

Joseph O'Donnell, who is believed to be representing William Fox, is reported to be ready to drop a deal made some time ago to acquire the Kromocolor Laboratory at Paramus N. J.

Although no official confirmation could be secured yesterday, William Krimsky, Newark attorney and co-receiver for the property, told MOTION PICTURE DAILY that there has been a slight delay in the consummation of the transaction. He said there was a question as to some details and he had every reason to believe that

(*Continued on page* 15)

No Richey Successor Plan of Allied Unit

DETROIT, Oct. 31.—Allied of Michigan will not name a successor to H. M. Richey, who resigned some weeks ago from his post as general manager of the unit to become associated with Cooperative Theatres of Michigan.

At the first board meeting since the recent convention here, it was decided that Allied would carry on with Pearl Sprott, for many years Richey's secretary, as business manager, and with the officers and directors looking after legislative matters.

This is revealed in a statement just issued by Ray Branch of Hastings,

(*Continued on page* 15)

Briggs, Carr Named On Monogram Board

O. Henry Briggs, president of Pathe Film, and Trem Carr, head of Trem Carr Prod., were elected to the Monogram board at the last meeting of the directors. This makes a total of seven, the other five being W. Ray Johnston, president of Monogram, Sol A. Rosenblatt, Scott R. Dunlap, J. A. Sisto and William Rhinelander Stewart.

Dunlap will arrive in Hollywood today from New York. He spent a

(*Continued on page* 7)

Schenck Here To Talk New British Plans

List May Be Raised to 12 Features Yearly

Expansion of production activities in England will be discussed and decided upon by 20th Century-Fox this week, it was stated Saturday by Joseph M. Schenck, chairman of the board, upon his arrival from the coast.

In an exclusive interview with a MOTION PICTURE DAILY reporter, Schenck said that the purpose of his trip east was to discuss the British production situation with Sidney R. Kent, president, and the board of directors.

At present Robert T. Kane is producing four to five British films under the name of New World Films. He is now working at Denham Studios. Under the plans to be considered by the 20th Century-Fox board is the possibility of increasing the number of English-made films to 12 a year. The boost in the yearly output presumably is designed to take care of quota regulations. Most of the pictures will be made for international release and not limited to England.

Asked whether talent will be sent from the coast to England, Schenck said that this was up to the board and whatever it decided would be done.

Meeting the 20th Century-Fox

(*Continued on page* 15)

Technicians Fight English Film Bill

LONDON, Oct. 31.—Technicians and workers in the film industry, declaring that "fundamental issues have not been faced," have registered strenuous opposition to the new Films Bill as introduced in the House of Commons. The groups are seeking amendments to the bill and will press for them in committee.

In a memorandum six labor organizations state that 10,000 members engaged in film production contend that

(*Continued on page* 7)

Kuykendall Attacks Ascap, Score Charge

DENVER, Oct. 31.—In a talk before a meeting here attended by about 100 exhibitors, Ed Kuykendall, national president of the M.P.T.O.A., lashed out at Ascap practices, score charges, extended runs, and declared that officials of the Dep't. of Justice had

(*Continued on page* 15)

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Heywood-Wakefield 9-Month Net Gains

BOSTON, Oct. 31.—The Heywood-Wakefield Co. earned $414,535, or $4.72 per share for the first three quarters of this year as against $401,212, or $4.49 per share for the first nine months of last year.

The company has retired $275,000 in bank loans which now total $625,000, Richard N. Greenwood, president, stated.

Producing Firm Formed

HOLLYWOOD, Oct. 31.—Hollywood Prod., Inc., has been formed here with Oscar Horn, president of Hollywood Studios, Inc., Harry Schenck and S. Geneen, as officers. No production schedule or release plan have been announced.

Gets Religious Film

Davide Caloagni, president of Integrity Film Corp., has closed a deal for acquisition of the United States rights to a new version of "St. Therese, the Little Flower," produced in Paris.

Purely Personal

HARRY FOSTER, European representative of the William Morris agency, will reach Hollywood today, to scout talent for foreign film and stage productions.

•

DICK MERRILL, GERMAINE AUSSEY and J. WORONSKY, the latter a Scandinavian theatre owner, arrive today on the *Queen Mary*.

•

ERIC W. SCHUMACHER, an importer, has been appointed to represent Zeiss-Ikon in this country on film matters.

•

MIKE ROSENBERG of Principal Theatres is due from the coast today. He'll spend about two weeks here.

•

BEVERLY JONES, associate producer of The March of Time, is en route to a Bermuda holiday.

•

WILLIAM K. WELLS, veteran actor and writer, has been signed by Educational to write two-reelers.

•

HARRY C. ARTHUR is back from St. Louis.

•

. . . Cincinnati

JAMES GEAR, assistant manager of the RKO Paramount, suburban, and ELWOOD JONES, assistant manager of the RKO Palace, have switched positions.

HERMAN J. BERNFELD, theatre editor of the *Cincinnati Enquirer*, has returned from a vacation in Hollywood.

JOE GOETZ, assistant division manager and booker for RKO Midwest, has been discharged from Christ Hospital, and is back at his desk for a few hours daily.

•

. . . Oklahoma City

FLOYD WILLIAMS, for 10 years manager of the Electric at St. Joseph, Mo., is manager of the new Pix opened here recently.

WALLACE W. RUCKER, formerly G. B. representative here, has been transferred to the Dallas office. WILSON THEDFORD, from Dallas is now in charge here.

MILDRED SELL, secretary to J. O. ROHDE, Warner branch manager, who has been ill for the past three weeks, is recovering and is expected back at the office in 10 days.

•

. . . Omaha

A. (TED) MENDENHALL, Paramount branch manager, is at Methodist Hospital where he underwent an operation to cure an arm ailment.

PHIL MARSCHOENE of the Marschoene Circuit is recovering at his home in Wayne, Neb., after a long sickness.

REGINA MOLSEED, RKO's second booker, and D. V. MCLUCAS, United Artists branch manager, are directing Film Row's Community Chest campaign as co-chairmen. They will appoint sub-chairmen to have charge of each exchange's collection.

W. W. TROXELL, former Omaha film salesman, and his son have purchased the DeWitt at DeWitt, Neb., from HARVEY KREUSCHER. This gives them an interest in or control of six houses.

Legion Approves 13 Of 15 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved seven of the 15 films for general patronage, approved six for adults, classed one as objectionable in part, and condemned one. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Borrowing Trouble," "Federal Bullets," "Galloping Dynamite," "Look Out, Mr. Moto," "Non-Stop New York," "Submarine D-1," "Valley of Terror." Class A-2, Unobjectionable for Adults: "High Flyers," "Living on Love," "Night Club Scandal," "Obligacion de Asesinar" (Spanish), "Perdoname Hijo" (Spanish), "Vienna Burgtheatre" (German). Class B, Objectionable in Part: "Ali Baba Goes to Town." Class C, Condemned: "Club de Femmes" (French).

F. J. Harris Named To Arrange Dinner

PITTSBURGH, Oct. 31.—Frank J. Harris has been appointed head of the committee on arrangements for the testimonial dinner to be tendered Ira H. Cohn, local 20th Century-Fox manager. The affair will be held Dec. 6 at the William Penn.

On Dec. 6, Cohn will celebrate his 17th year in the business and his ninth year as local branch manager for the company.

Other committee members include E. C. Grainger, J. B. Clark, Harold Cohen, Nick Dipson, J. B. Clark, Mike J. Cullen, Harry Feinstein, Mark Goldman, J. P. Goring, William J. Walker, John H. Harris, George Sallows, Harry Kalmine, Lawrence Katz, Morris Rosenberg, Karl Krug, John J. Maloney, Claude Robinson, Michael Manos, Kaspar Monahan, Edgar B. Moss, John T. McGreevey, Samuel Neaman, George M. Purcell and A. N. Notopoulos, C. C. Kellenberg is general chairman.

Raises Damages in Suit

Irving Gielow was granted permission by Federal Judge John W. Clancy in the U. S. District Court on Saturday to raise his claim for damages against Warners from $500,000 to $2,000,000. Gielow originally filed suit for $500,000, which he claimed was the profit from the picture, "Flirtation Walk." After starting the action Gielow stated he discovered that the picture earned $1,500,000 and that two shorts, "Merry Melodies No. 3 and No. 6," which earned $500,000, were also based on songs from the picture. The complaint alleges that "Flirtation Walk" is an infringement of Gielow's dramatic composition of the same name and the songs, "I Can't Believe" and "Mr. and Mrs. Is the Name," are also plagiarisms. Trial of the suit was stayed for three months.

Imperial Deal with Roos

HOLLYWOOD, Oct. 31.—Correcting erroneous reports, Harry Schenck, manager of Hollywood Studios (Talisman), has said that the deal he negotiated with Imperial Pictures, Inc., for three pictures was not for himself, but for Lynn Roos, veteran cameraman-director, who plans three pictures to be made for the most part in the Malayas, with native casts. Interiors will be filmed here. Titles have not been selected yet.

Universal Will Start 7 Within Two Months

HOLLYWOOD, Oct. 31.—Charles R. Rogers, executive vice-president in charge of production at Universal, said yesterday that seven pictures would be placed in production during the next two months.

The first will be "More Than Love," with Kent Taylor in the top role, Ted Sloman directing and Edmund Grainger producing in place of E. M. Asher, who died Friday. Supporting Taylor will be Larry Blake and Nan Grey. It will start Nov. 3.

The following week, "Mad About Music," starring Deanna Durbin, a third Bob Baker western, and the second Crime Club feature, will be started.

"Flash Gordon's Trip to Mars," serial with Buster Crabbe borrowed from Paramount for the title role, and Jean Rogers supporting, and "Mountains Are My Kingdom," with Noah Beery, Jr., in the top spot, will start during the week of Nov. 15.

Nov. 22, "Synthetic Gentleman" will be in work. "The Rage of Paris," first vehicle here for Danielle Darrieux, will get under way Dec. 1. Others scheduled to start before the first of the year are "The Winners' Circle," "The Eye of the Needle," "The Nurse from Brooklyn" and "The Crime of Dr. Hallett."

Motiograph Meeting Has Second Session

CHICAGO, Oct. 31.—Motiograph, Inc., opened the second day of its three-day sales meeting here yesterday, with plans for new financing being the first subject under discussion.

C. W. Conroy and Bert Sanford, Erpi executives, delivered talks on service to the assembled sales force at yesterday's session. Private conferences will occupy the delegates during the final day of the meeting.

Making Imperial Film

HOLLYWOOD, Oct. 31.—Frank Donovan is producing under a temporary title, "Ain't Love Grand," for Imperial release. He is negotiating for the release of a series of six features he will produce for Imperial.

Wall Street

Fractional Board Activity

	Open	High	Low	Close	Net Change
Col.	18	18	18	18	.....
Cons.	2¼	2¼	2⅛	2⅛	.....
Cons., pfd.	8⅝	8⅞	8⅝	8⅞	+ ⅜
E. K.	169	169	168	168	—1
G. T. E.	15⅜	15⅜	15⅛	15⅜	+ ⅜
Loew	64⅛	64⅜	63⅞	64⅜	+ ⅜
Para.	15⅛	15⅝	15⅛	15⅝	+ ⅜
Para. 1.	108½	111⅝	108½	111⅝	+2⅛
Para. 2.	3	3⅛	3	3	— ⅛
Pathe	6⅞	7⅜	6⅞	7⅜	+ ½
R. K. O.	5⅝	6⅜	5½	6⅜	+ ¾
20th Fox.	25¾	26	25⅝	26	— ⅜
W. B.	9⅜	9½	9	9½	+ ¼

Little Curb Change

	Open	High	Low	Close	Net Change
G. N.	1½	1⅝	1½	1⅝	+ ⅛
Sonotone	1¾	1¾	1¾	1¾	.....
Technicolor	20½	20⅞	20½	20⅞	— ⅛
Trans-Lux	3⅛	3⅛	3⅛	3⅛	.....
Univ. Corp.	2¼	2¼	2¼	2¼	+ ¼

RKO Bonds Gain 3 Points

	High	Low	Close	Net Change
Loew 3½s '46	99	99	99	.....
R. K. O. 6s '41	103	100½	103	+3

(Quotations at close of Oct. 30.)


HERE THEY COME!
THE FOUR HORSEMEN OF HILARITY!

THE DARNDEST THING IN ALL MOVIE

MERRY-GO-

Produced by

B. G. de SYLVA · CHARLES R. ROGERS

EXECUTIVE VICE-PRESIDENT
in Charge of Production

IT'S WACKY!
IT'S DAFFY!
IT'S GOOFY!
IT'S GIDDY!

They're Here!

THE 4 HORSEMEN OF HILARITY!

—to make the country "screwy-conscious"!

EVERYTHING HAPPENS IN THIS LAUGH-LOADED COLOSSUS OF COMEDY! Boys meet girls . . . Plots thicken and nobody cares . . . Villains meet their fate as you howl! . . . Girls are merry and beautiful . . . Music plays . . . The world hums!

HISTORY!

HIT SONGS!
"I'm In My Glory" "More Power To You" "You're My Dish" by JIMMY McHUGH and HAROLD ADAMSON who gave you "Where Are You?"

OF 1938

ROUNDUP

NEW UNIVERSAL

presents A TEN STAR FUN FROLIC

with **BERT LAHR • JIMMY SAVO**
BILLY HOUSE • ALICE BRADY
MISCHA AUER • JOY HODGES
LOUISE FAZENDA • JOHN KING
BARBARA READ • DAVE APOLLON
AND HIS ORCHESTRA

Screen Play by Monte Brice and A. Dorian Otvos • Original story by Monte Brice and Henry Myers • Directed by Irving Cummings

FOR MERRY-GO-ROUND OF 1938 A NATIONAL CAMPAIGN SO ALL OF AMERICA'S MILLIONS WILL KNOW THE HAPPY NEWS ! ! !



MILLIONS will see the full page ad in LIFE magazine !

MILLIONS will see it in LOOK magazine !

MILLIONS more will see the ads in all fan magazines !

MILLIONS more will hear the nightly RADIO renditions of the swell new song-hits by JIMMY McHUGH and HAROLD ADAMSON . . . "I'm In My Glory", "More Power To You", "You're My Dish

Joy Hodges, who gladdened the hearts of millions of radio listeners on her Jimmy Grier and Ozzie Nelson orchestras programs, is the song-beauty sensation of the picture, in her romantic episodes with John King, the redoubtable "Ernst" of "The Road Back".

from the
NEW UNIVERSAL
of course !

No Reduction In Short List Despite Duals

(*Continued from page* 1)

to make longer features, which again has the circuits stymied when it comes to booking single and double-reel subjects.

According to a comparative analysis, Paramount has eliminated 12 singles, Vitaphone six doubles, while Universal has increased its two-reelers by 13 and dropped as many singles.

Parts of Pennsylvania, Texas, the south and Chicago have not yet embraced the double feature movement, it was stated.

Last season, major distributors sold 119 doubles and 590 single reelers. For the current selling period, 150 doubles and 564 one-reelers are on the major company schedules.

During 1936-'37, Columbia sold 26 doubles and 101 singles; 20th Century-Fox, 42 and 58; Paramount, one and 112; Vitaphone, 36 and 104; RKO, 36 and 39 in addition to 13 "March of Time" subjects; Universal, two and 65; U. A., 18 Walt Disneys; M-G-M, 12 and 80.

For the new season, the following are being sold: Columbia, 26 two-reelers and 100 singles; 20th Century-Fox, 42 and 58; M-G-M, 12 and 80; Paramount, one and 100; Vitaphone, 30 and 104; RKO, 24 and 39 in addition to 13 "March of Time" reels and 18 Walt Disneys; Universal, 13 and 52 in addition to two special double reelers; U. A., nothing so far.

Technicians Fight English Film Bill

(*Continued from page* 1)

the bill ignores the unemployed and does nothing for technicians, who are described as "the very life blood of the industry."

They have proposed amendments to the bill abolishing the double quota, calling for quota percentages of 20 per cent for distributors and 15 per cent for exhibitors, the exclusion of directors' fees, story costs and star compensation from the determination of minimum negative costs of films for quota purposes, the inclusion of a fair wages clause, no more than one foreign technician, including the director, on any quota film, and the inclusion of a representative of the employes on the suggested Film Advisory Commission.

Mahoney Film Shown Here Over Weekend

(*Continued from page* 1)

organization in the New York mayoralty campaign.

Among the theatres in which the reel received weekend bookings were a number of RKO neighborhood first runs in the metropolitan area. For these it helped to establish a non-partisan local political record, inasmuch as it was dated in for Friday and Saturday, immediately following a two-day booking accorded The March of Time's production on Mayor LaGuardia's public career. The latter production also played the Music Hall and Embassy in earlier engagements.

Looking 'Em Over

"Mystery of the Hooded Horseman"

(*Grand National*)

LINCOLN, Neb., Oct. 31.—One of the lesser Tex Ritter tries. On paper and for ad purposes, the title carries much more import than the story as it unfolds on the screen. The song department provided three ditties, "Ride, Ride, Ride," "A Ridin' Old Paint" and "I'm a Texas Cowboy." The first, written by Fred Rose and Michael David, is strained, but it is used for the tag tune.

Extreme slowness of movement stalls interest in a tale of hooded men who are seeking to terrorize ranch and mining men from property which is rich in ore unknown to the present owners. Ritter, in company with Horace Murphy, as a stooge, arrives on the scene to get entangled with the sheriff, Earl Dwire, for threatening local citizens Charles King and Forrest Taylor, a couple of hoodlums, which makes it bad all around. Ritter finally unmasks the gang. This provides him with an "open sesame" to the arms of Iris Meredith, whose father has been knocked off by the terrorists.

Performance in many cases is below par, which is a reflection on the persistence of the director, or absence of an adequate shooting budget. Many of the scenes are obviously the one-take variety. General mistakes such as easily seen shots in the air instead of at the target during chases are frequent to keep the quality extremely low.

Edward L. Finney is the producer and Ray Taylor director. Edmund Kelso contributed the story and screenplay.

Running time, 60 minutes. "G."

"Vienna Burgtheater"

(*European Films*)

There is considerable merit in this importation from Austria, which has the value for American audiences of a simple story, making knowledge of the German dialogue quite unnecessary to understanding, several excellent performances and good technical quality.

On the other hand, however, it is inordinately long, and would be vastly more successful in holding audience attention if it had been more closely knit, or tightened up in several spots.

Made by Forst Film Prod., in Vienna, and directed by Willy Forst, the film is featured by the outstanding performance of Werner Krauss as a famous Austrian actor of the late 19th Century, who falls in love with a young girl, then renounces his love to assist the young dramatic student with whom she is in love. Excellent sequences picture Krauss on the stage in bits from "Faust" and two plays of Schiller.

The young actor becomes involved in a near scandal when the assistance rendered him by a wealthy baroness is misconstrued by her husband, and his discharge from the theatre follows. But answering the girl's pleas when he realizes she does not love him, Krauss stops the young man as he is about to commit suicide, gives him renewed hope, and brings about a reconciliation with his fiancee.

Running time, 105 minutes. "G."

(Additional Reviews on Page 11.)

Briggs, Carr Named On Monogram Board

(*Continued from page* 1)

week here conferring with Johnston on the new production program. Pathe Film has $200,000 in Monogram, while Carr has been acting in an advisory capacity on production. However, Carr has been producing a number of John Wayne westerns for Universal. There is no indication that he will rejoin Monogram in a production berth.

Brazil Bans "Sabotage"

RIO DE JANEIRO, Oct. 31.—The Brazilian censor, following its action in banning "The Road Back," Universal film, also has banned "Sabotage," a G. B. film which was shown in the United States under the title of "A Woman Alone." The British film was banned, according to the censor, because it upsets public order and teaches comspiracy and terroristic technique.

Jack L. Warner Back Today on Queen Mary

(*Continued from page* 1)

Nov. 17 to confer with Warner in Hollywood on plans for sending over production personnel and talent. Asher will remain in the U. S. for several weeks. He will be accompanied by his wife, Laura La Plante.

Warner will spend the next two days conferring with Albert Warner and Gradwell L. Sears on the releases for the next three months. Sears returned from the coast over the weekend. Prior to his departure from Hollywood, Sears announced that "Tovarich" will open in 150 simultaneous situations during Christmas Week.

Midwest Closes Apollo

KANSAS CITY, Oct. 31.—Fox Midwest has closed the Apollo, its special policy suburban house, after a three-week test of stage plus first-run pictures at 25c-40c.

Short Subjects

"Sunday Night at the Trocadero"

(*M-G-M*)

Set in the famous Hollywood night spot, this short presents Reginald Denny as a candid camera photographer who snaps many well known film names in various comic situations. The humor of the piece is heavily drawn. However, there is entertaining singing and dancing and a parade of semi-nudes. It manages to be pleasant. Running time, 20 minutes. "G."

"Popular Science J 7-2"

(*Paramount*)

A new motor car, police dogs trained to lead the blind, a rocking bed for the sick, a visit to a "gemological" institute and new ideas in women's stockings are offered in this issue of the subject. The reel is done in color with the usual excellence of taste and will find a good audience. Running time, 10 mins. "G."

"Stockholm Pride of Sweden"

(*Fitzpatrick-M-G-M*)

The city known as the Queen of the Baltic is photographed to perfection here. The camera catches interesting customs and scenes in the city and closes with fine shots of sailboats underway. It is done in excellent color and up to standard. Running time, 9 mins. "G."

"Paramount Pictorial P7-4"

(*Paramount*)

Feminine headgear made from native materials in the Bahama Islands opens this short. It is followed by scenes of huckleberry harvesting in Oregon and a documentary bit on the theme of "Steel Never Dies." The items are pleasant variety and interestingly done. It will fit anywhere.

Running time, 10 mins. "G."

"Pick Your Favorite"

(*Rice-Paramount*)

Scenes of the myriad sporting activities from mountain climbing and sailing to fishing off Montauk Point are flashed briefly in this Sportlight as Ted Husing delivers a rhymed commentary that comes off rather well. The result creates a nice mood by the pleasant aspects of the various activities. It is well filmed and should have good reception. Running time, 10 mins. "G."

"Protek the Weakerist"

(*Fleischer-Paramount*)

Another reliable cartoon with Popeye, his can of spinach, Bluto and a pair of dogs. Popeye is out walking Olive's Pekinese and he meets Bluto with a ferocious bulldog. The usual conflict occurs and with the trusty vegetable Popeye and his pooch comically and spectacularly conclude the affair. Running time, 7 mins. "G."

Renew King Contract

The contract of Jean Paul King as commentator for News of the Day, the newsreel released by M-G-M, has been renewed for one year.



TAKE A GOOD

LOOK

AT THE NOTICES....

AND ANOTHER OO AT THE NAMES....

Le

Bette Davis Oli

PATRIC KNOWLES · ERIC B

THEN FEAST YOUR EYES ON THE TITLE....

It's LOV

..And You See Why Exhibitors Are Grabbing fo

Directed by Archie L. Mayo • Screen Play b

"A box-office delight!"— *Film Daily*

"Spells box-office of the first water! Hilarious . . . Howard and Davis at their best!"— *Hollywood Reporter*

"Should not fail to score one of the outstanding box-office triumphs of the season!"— *Variety Daily*

"Exhibitors can prepare to dust off that SRO sign and brace themselves for landslide business!"— *Box Office*

"It convulsed the preview audience!"— *Motion Picture Daily*

"The audience laughed long, loudly and often enough to convince the most pessimistic hearer that something extremely funny was going on!" —*Motion Picture Herald*



slie Howard via DeHavilland

LORE · GEORGE BARBIER

E'm After

A'-Dates as Fast as They Can Get 'Em from **WARNER BROS.**



asey Robinson • Original Story by Maurice Hanline

Mexican Firm Plans Most Elaborate Film

By JAMES LOCKHART

MEXICO CITY, Oct. 29.—What promises to be the most pretentious film made in Mexico by Mexicans, "The Conquest of Mexico" is being prepared for production in the near future by Gabriel Soria, youthful director, who heads the company that produced the popular "Ora Ponciano" ("Come On Now, Ponciano").

The new picture is to trace for the first time in the films the fall of the Aztec Empire. The scenario, which is being prepared by Marcus Goodrich, is based upon accounts of the conquest by Bernal Diaz del Castillo, one of Cortes' soldiers, and by Prescott, the American historian.

A large company is being recruited for the picture which will be made on sites here and in the surrounding community that figured in the conquest, and is to cost 1,000,000 pesos (about $280,000), the greatest outlay for a film made by Mexicans. Soria has gone to New York to purchase special technical equipment for the making of the picture. He plans also to seek several leading Mexican players there for parts in the film.

Mexican Films Gaining

MEXICO CITY, Oct. 25.—Mexican pictures are making a strong bid for prominence amid the avalanche of importations from Hollywood. Seven large local theatres are currently exclusively exhibiting as features pictures made by Mexicans in Mexico.

Hungary Increases Use of 16mm. Film

By ENDRE HEVESI

BUDAPEST, Oct. 19.—The use of 16mm. films has increased to a marked extent recently in Hungary, not only for educational purposes in the schools, but for small communities where no theatres are available to the population. The educational films are being produced by the Magyar Film Iroda, and projectors are turned out by the Telephone Factory, Ltd.

A large local laboratory, Kovacs and Faludi, has obtained the rights to reduce to 16mm. practically all features produced in this country. The result is a vigorous struggle, since Magyar and the Telephone Factory have the projectors, but educational films only, while Kovacs and Faludi have the films but no projectors. An agreement between the two factors is expected in the near future.

Swedish Film Unit Goes to Antarctic

STOCKHOLM, Oct. 21.—Svensk Filmindustri has sent a film expedition to the Antarctic. It will travel on board the big Norwegian whaling steamer *Cosmos II* which a couple of days ago left Norway together with a whole flotilla of smaller craft, in all 20 vessels. The expedition consists of 20 people with Tancred Ibsen as director and four cameramen and two soundmen together with actors contracted by S. F. The steamer will return next spring. The idea is to film scenes for a dramatic feature and also to make films of an educational and documentary nature.

Control of Distribution by Australian Government Seen

By CLIFF HOLT

SYDNEY, Oct. 6. (*By Air Mail via London*)—The suggestion has been put forward here that the Federal Government will give serious consideration to the advisability of regulating the distribution of available films between Hoyts and Greater Union Theatres, following the now definite statement that the theatre operating deal between the two circuits will not be renewed on its expiration at the end of this year.

At the moment, however, the most important consideration is as to which Government is in power next year. Always eager to protect local industry and local capital, Labor may be persuaded easily that the 20th Century-Fox influence in Hoyts represents a definite threat to the future of Greater Union Theatres, since, by reason of its American theatre circuit, it is said 20th Century-Fox can do much to influence those companies doing business with them on the coast to sell to Hoyts in preference to Greater Union.

Labor governments especially are ever ready to listen to propaganda against American film companies and as Greater Union Theatres will undoubtedly beat the big drum about the "stranglehold tactics of the American film combines," the prospects of active political participation in the matter of film supplies will not be out of the question if the Lyons Government is defeated.

In a statement by Norman B. Rydge, the Greater Union chief says that it has been hinted that if his company operates independently from 1938 onwards, adequate supplies of film will be denied to the company's Australian-owned theatres.

"Statements," he said, "have already appeared in the overseas press that all the good film has been tied up against Greater Union Theatres. I do not want to discuss this question here, but all I can say is that our Australian Government have always protected Australian industry and will not stand by and allow such a vast organization as ours to be forced out of business. No Government, I am sure, will hesitate to introduce legislation to protect, if necessary, the jobs of our large army of men and women employes, and the interests of about 5,000 Australian investors."

An extraordinary feature of the proceedings is that whereas Hoyts have allegedly cornered all the important film for next year, no official announcement has been made by either Hoyts or any one distributor that contracts have actually been signed.

Eckhardt Leader of Chicago Chest Drive

CHICAGO, Oct. 31.—Clyde W. Eckhardt, branch manager of 20th Century-Fox, has been named chairman of the amusement division of the Chicago Community Chest drive. With Eckhardt on the committee are John Balaban, Edward Silverman and Aaron Saperstein.

To start the drive Eckhardt secured pledges from the members of his exchange which came through 100 per cent.

Others assisting in the drive are: Tom Burke, Pete Shayne, James Coston, Joe Weiss, James Donohue, John J. Garrity, Julius Goodman, Gene Rich, Aaron Jones, Jr., Ben Lasker, Morris Leonard, Jack Miller, Tony Owen, Lou Reinheimer, Jack Rose, Joe Stern, Jack McPherson, E. Montemurro and Emma Abplanalp. The above mentioned will serve as team captains of the various divisions of the industry here.

The amusement industry is asked to raise $24,000 out of the $3,550,000 being sought by the chest this year. So far this week 73 per cent of those contacted had pledged their support.

Joe Goldberg Recovering

CHICAGO, Oct. 31.—Joe Goldberg, theatre equipment dealer, is recovering from an auto accident which occurred several weeks ago. Goldberg has left the hospital and is now at home. It will be several weeks before he will be able to return to work.

Mrs. Michael Gaining

ALGONA, Ia., Oct. 31.—Mrs. H. B. Michael, manager of theatres at LuVerne and Whittemore, Ia., is in a local hospital recovering from an auto accident.

Oklahoma's Theatre Construction Gains

OKLAHOMA CITY, Oct. 31.—Theatre construction is gaining in this territory and reconstruction and remodeling has shown a steady pickup.

Among the new spots are: Hydro, Hydro, Okla., 300 seats; Tower, Tulsa, under construction, 500 seats; Cabin, Stigler, Okla., 300 seats, and Pix, Atoka.

Remodeling and reequipping are under way at the following: Thompson, Healdton, Okla.; Thompson and Princess, Tishomingo, Okla.; Oklahoma, Hobart; Emerson, Hartford, Ark.; Tower, Palace and Main Street, Tulsa; Thompson, Wilson, Okla.; Opera House, Apache, and Bijou Binger.

"Dynamite" Postponed

"Dynamite," originally scheduled by Grand National for James Cagney, has been put off permanently. Instead, Cagney probably will do another musical. He is now conferring with E. L. Alperson on his next story.

Drop N. O. Star Rating

NEW ORLEANS, Oct. 31.—After a fight of several years standing, the *Item* and *The Tribune* have discontinued the star rating of productions in downtown houses. Theatre managers claimed criticisms by inexperienced persons hurt their business.

Seek Free Sound Track

LONDON, Oct. 23.—Application has been made to the Import Duties Advisory Committee to place on the free list sound track negatives in a foreign language. The concession would benefit specialized theatres playing "art" films from the Continent.

Czechoslovak Firm Shows Profit Gain

WASHINGTON, Oct. 31.—The A-B Motion Picture Studios, Prague-Barrandov, Czechoslovakia's largest and only permanently occupied establishment, showed a new profit from 1936 operations of 247,000 crowns, as against 282,000 crowns in 1935, according to a report to the U. S. Dep't of Commerce from Assistant Trade Commissioner Theodore J. Hadraba in Prague.

The dividend declared was increased from 10 to 12 per cent—20 to 24 crowns per share—in view of the smaller allocations to reserves.

Gross earnings of 4,500,000 crowns in 1936 were higher than those of 3,700,000 crowns in 1935 by almost 22 per cent.

During 1936, 25 sound feature pictures and five sound versions were produced, as against 19 sound features and six sound versions a year earlier.

(One crown equals $0.035 U. S. currency at the present rate of exchange.)

Czechoslovakian Aid Given for 11 Films

WASHINGTON, Oct. 31. — The Czechoslovak Ministery of Finance has granted guarantees on 11 domestic features since the Government guarantee plan on local productions was introduced in October, 1936, according to a report to the U. S. Dep't of Commerce from Assistant Trade Commissioner Theodore J. Hadraba at Prague.

The amount involved in the guarantees was not disclosed.

The plan calls for the Government guarantee on approved Czechoslovak features up to 50 per cent of the calculated cost, within a total available amount of 10,000,000 crowns (about $350,000).

British Blank Film Imports Show Gain

LONDON, Oct. 23.—Official figures show an increase in the importation of blank film into England in the eight months from January to August, and a decrease in the importation of exposed film. The comparative figures on blank film for the period show 45,806,934 feet in 1937; 42,594,428 in 1936, and 42,127,174 in 1935.

The exposed film import comparison shows 13,709,102 feet in 1937; 15,296,379 in 1936, and 13,603,583 in 1935. Exports of exposed film for the same period show the following comparison: 1937, 14,752,445 feet; 1936, 14,831,600; 1935, 18,789,365. Reexported from England during the period were: 1937, 5,033,563 feet; 1936, 7,234,840; 1935, 3,580,521.

Peru Firm Releases First

WASHINGTON, Oct. 31.—The first production of the recently organized Peruvian company, Amauta Films, Ltd., "La Ballarina Loca," was released early in August, according to a report to the U. S. Dep't. of Commerce from Assistant Trade Commissioner David M. Clark, at Lima. The gross receipts during the first three days were 17,000 sol (approximately $4,250) and that to date the picture has cleared about 40,000 sol (approximately $10,000).

Variety Club

Detroit

DETROIT, Oct. 31. — The week's luncheon-meeting of the Variety Club was in charge of Monogram, with S. K. DECKER, JACK SAXE and BILL FLEMION getting out the largest crowd of the year. More than 125 barkers and their guests enjoyed the program. EDDIE GOLDEN, Monogram general sales manager, came from New York and made a one-hour speech in one minute, thereby setting a record.

BUDDY ROGERS, appearing at the Fox in person, attended and made a brief talk. The speaker of the day was TOD ROCKWELL, former All-America quarterback on the Michigan team and at present football expert of the *Detroit Free Press,* who explained the change being made in the Michigan grid system. Door prizes, tickets to the Lions-Green Bay Packers football game and the opening Detroit Red Wings hockey game were won by JAKE HIRSHFIELD and FRANK HOWARD.

Work of remodeling the clubrooms is progressing rapidly and the new quarters are expected to be ready shortly.

Pittsburgh

PITTSBURGH, Oct. 31.—BILL ZEILOR has gone to Bermuda for a two-week vacation.

Members who served in the war are planning to organize an American Legion branch, the same as in Cleveland.

NORMAN FRESCOTT will fly in from the coast to "m. c." the annual banquet Nov. 14.

ART LEVY tossed a cocktail party in the club rooms in honor of ROWENA GOLDSTEIN, whose mother operates a Northside house, and DR. TOWNSEND BAER, newlyweds-to-be.

JOE GINS' birthday will be celebrated at Family Nite.

Family Nite may be changed from Friday to Saturday, depending on the sentiment of the membership.

A large group went out to JOHN MALONEY's house for a dinner party on his birthday.

Washington

WASHINGTON, Oct. 31.—More than 250 persons attended a Bingo party sponsored by the ladies' auxiliary of Tent No. 11 at the Willard Hotel. The profits went to the free lunch fund for children, being raised by MRS. ARTHUR A. DETITTA and MRS. SAMUEL N. WHEELER.

ARCHIE D. ENGLE was the master of ceremonies, with MARK N. SILVER, the reader of the numbers, assisted by ARTHUR GODFREY.

Other assistants for the evening included HERBERT SAUBER, JOSEPH KALISKI, JOSEPH MAKOVER, WILLIAM E. S. WILCOX, HARRY S. BROWN, SAMUEL N. WHEELER, ARTHUR A. DETITTA and F. KEMP MOHLER.

Freed on Lottery Charge

KANSAS CITY, Oct. 31.—A Circuit Court jury at Neosho, Mo., has acquitted Hugh Gardner, operator of the Orpheum and Fotosho, of a charge of violating the Missouri lottery law. The basis of the charge was the giving of five $5 prizes on Dime Night.

Overseas Preview

"Return of the Scarlet Pimpernel"

(*London-United Artists*)

LONDON, Oct. 23.—Sequels are always subject to the handicap of comparisons, severe in proportion to the excellence of the original on which they are founded. "The Scarlet Pimpernel" was one of the best films ever turned out by London Films. The current offering does not, and in the nature of things probably could not, reach the same level, but it is box-office material with very considerable marquee values, and newcomer Barry Barnes certainly puts up a creditable show in the title part.

There are rather obvious story handicaps in the fact that the "Pimpernel," English fop aristocrat who makes a sideline of helping French aristocrats escape from the Revolution, was at the end of the first film known to the instruments of the Terror. That means that, when he is led back to Paris, to recover his kidnapped wife, he has to use a series of disguises. The situation created is inferior dramatically to that of the "Pimpernel's" identity being a mystery to his enemies. And some of Barnes' makeups would not deceive a really smart Terrorist.

The high spot of the production, leaving aside those frequent captures and miraculous escapes, is a picture of the convention which dethroned Robespierre, whose fall is seen to be due to the machinations of Sir Percy Blakeney, the "Pimpernel." This and a descent by the mob on the prison of La Force presents crowd work effectively on a large scale.

The story is, of course, very unsophisticated stuff, but of proved audience appeal. The guillotine, and the revolutionary tribunal which provided it with heads, are as picturesquely blood-chilling as in the original. Sophie Stewart is the Lady Blakeney, Margaretta Scott the actress who tricks the "Pimpernel" back to Paris, and Francis Lister is Chauvelin, chief of the secret service.

Running time, 90 minutes. "G."

ALLAN

Midwest Men Hunting

KANSAS CITY, Oct. 31.—Elmer C. Rhoden, head of Fox Midwest; Lon Cox, film buyer; Ed Haas, district manager; C. A. Schultz, executive head of Commonwealth Theatres, and Robert F. Withers, exchange manager for Republic, spent Wednesday, Thursday and Friday with Jim Owen, mayor of Branson, Mo., and exhibitor there on a float trip down the White River. The party planned to fish, and to hunt deer.

National Screen Moves

SEATTLE, Oct. 31.—National Screen Service will occupy new and larger quarters on Film Row here early in December, when Manager Jack Flannery will consolidate his two offices under one roof. The new National offices are at present occupied by Paramount. The latter exchange will move about Nov. 15.

Duke on London Screens

LONDON, Oct. 31.—Newsreel films of the Duke and Duchess of Windsor are being shown for the first time since the former's abdication. The scenes were of their recent visit to Germany. It is predicted that films of their forthcoming visit to the United States also will be shown.

Charter New RKO Unit

DOVER, Del., Oct. 31.—RKO Radio (Trinidad), Inc., has been chartered by Robert H. Dann and George Youngman.

National Theatres Agency Co., Inc., has changed its name to National Theatres Amusement Co., Inc.

To Rebuild at Bath

BATH, Me., Oct. 31.—The M. & P. circuit will rebuild the Columbia here. It was burned last Friday.

Hub Charity Party Set

BOSTON, Oct. 31.—The Film Post of the American Legion here will hold its annual charity dinner and dance at the Copley Plaza on Nov. 8. Kenneth Forkey, operator of a Boston house, will become the first theatre owner ever to be commander of the organization. The installation of officers will be one of the features of the function.

Gets First Omaha Page

OMAHA, Oct. 31.—The first full-page color cooperative advertising tie-up to be used in this city appeared in the Omaha *World-Herald.* It was the idea of Eddie Forrester, Omaha Theatre manager.

The page, in black, white and red, had 12 ads of local firms while the top and upper center section prominently displayed an Omaha ad.

Plans Long Vacation

DETROIT, Oct. 31. — Joe Portell, owner of the Virginia and Greenwood, will leave soon for a six-month trip to Florida and California. During his absence his theatres will be managed by Frank Wadlow, brother of Floyd Wadlow, who owns the Rialto at Wyandotte.

Skouras Runs Teaneck

Although the Fabian interests built the theatre, the Teaneck, Teaneck, N. J., is being operated by Teaneck Theatre, Inc., a Skouras Theatres subsidiary. The 1,100-seat house was opened last week. Skouras also is handling the buying.

On Six-Month Holiday

DETROIT, Oct. 31.—I. J. London, owner of several local theatres, has gone to Utah to spend six months on a large sheep ranch he owns there.

THEATRE ACCOUNTING

by

WILLIAM F. MORRIS

(Certified Public Accountant)

A system devised expressly for keeping a correct tabulation of receipts and expenses.

All the information required by the Social Security Act can be easily and quickly obtained both weekly and for longer periods as the total is accumulated.

TELLS ALL THE FACTS ABOUT YOUR BUSINESS EACH WEEK

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$3 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP

Rockefeller Center New York

QUIGLEY BOOKSHOP

ROCKEFELLER CENTER - - NEW YORK

GENTLEMEN:

Please send me WILLIAM F. MORRIS' THEATRE ACCOUNTING. Enclosed find remittance of $3.00.

NAME.....

ADDRESS.....

CITY .....

STATE .....

VICTORIA IS 'LL GRE

"WITHOUT DOUBT ONE OF THE FINEST OF THIS OR ANY YEAR!"

—William Boehnel, N. Y. World-Telegram

"SPONTANEOUS APPLAUSE WILL BE REPEATED AT EVERY SHOW!"

—Kate Cameron, N. Y. Daily News

"DEEPLY STIRRING PICTURE OF A QUEEN WHO WAS A WOMAN!"

—Bland Johaneson, N. Y. Daily Mirror

"ONE OF THOSE RARE GEMS OF A SCREEN YEAR!"

—Frank S. Bigent, N. Y. Times

VICTORIA THE GREAT

AT!

BOOMS THE NEW YORK PRESS . . . AS JOYOUS, CHEERING CRITICS SWELL THE CHORUS OF PRAISE THUNDERING 'ROUND THE WORLD! . . .

"BEAUTIFUL . . . ENTERTAINING . . . A HAPPY SENSE OF HUMOR!"

—Eileen Creelman, N. Y. Sun

"DEEPLY MOVING . . . ABSOLUTE AUTHENTICITY KNOCKS YOU DOWN!"

—Archer Winsten, N. Y. Post

"IMAGINATIVELY DOCUMENTED TALE OF LOVE AND DEVOTION!"

—Howard Barnes, N. Y. Herald Tribune

"MADE ON AN IMPOSINGLY LAVISH SCALE . . . IMPRESSIVE!"

—Rose Pelswick, N. Y. Journal & American

with

ANNA NEAGLE · ANTON WALBROOK · H. B. WARNER · WALTER RILLA

PRODUCED AND DIRECTED BY **HERBERT WILCOX** ·

Screen Play by Miles Malleson and Charles de Grandcourt
With Scenes in TECHNICOLOR • RKO RADIO PICTURE

NBC Acquires Property for Coast Studio

HOLLYWOOD, Oct. 31.—Consummation of the purchase of two city blocks at Sunset Blvd. and Vine St. and the immediate start of construction of new broadcasting studios were revealed yesterday by NBC executives. The property comprising five acres, is the site of the original Famous Players-Lasky film lot.

As now planned, the new studios will provide only for the immediate needs of NBC in Hollywood. One of the reasons for this is the fear that television, if and when practical, may render obsolete buildings and equipment, it is understood.

Much Like Film Units

The studios will be patterned after the film stage unit plan. Four large individual studios each seating several hundred persons and four other studios without audience accommodations will be included in the setup. The executive and administrative offices will be housed in a central office building with a lobby three stories high, with two main entrances at the corners of Sunset and Vine, where Hollywood's heaviest traffic flows. The auditorium studios will face on Sunset Blvd., with individual entrances. Others will be built as needed along Argyle Ave.

The new studios were designed and planned by O. B. Hanson, NBC chief engineer. The contract for construction has been awarded the Austin Co. Construction will begin within a few days.

KFSD Signs Optical Firm

SAN DIEGO, Oct. 31.—The Davis Optical Co. has been contracted by KFSD, local NBC-Blue outlet, for sponsorship of a 13-week series of Sunday afternoon programs. The series, under the direction of Leah McMahon, is in the form of a spelling bee with students from various high schools participating. The Walter Biddick agency of Los Angeles set the deal.

Block Gets Four Sponsors

Martin Block's "Make Believe Ballroom" on WNEW adds four sponsors this week. They are the Olson Rug Co., through Presba, Fellers & Presba; Lighting Electric Co. through the Scheer agency; Lever Bros. through Ruthrauff & Ryan, and the B. C. Remedy Co. through Charles W. Hoyt Co.

Gamba on NBC-Blue

A new series of musical programs featuring Gamba, a girl violinist, will be inaugurated over the NBC-Blue beginning tomorrow from 10:30 to 11 P. M. The program will be presented weekly at the same hour.

"Big Sister" to Celebrate

"Big Sister," dramatized over CBS under the sponsorship of Lever Bros., will inaugurate an anniversary gift offer Nov. 5. when the program celebrates its first year on the air. Ruthrauff & Ryan is the agency.

Report Radio Almost Free Of False Ads

(*Continued from page 1*)

mitting copies of commercial continuities for all programs wherein two or more stations are involved. Producers of recordings submit monthly returns.

During the fiscal year, the commission received 439,393 commercial broadcasts by individual stations and 30,983 by networks, and a total of 959,264 pages of advertising was examined by the staff, out of which only 24,558 broadcasts were found to require more than passing scrutiny.

In its examination of advertising, the commission's only purpose, it was explained, is to prevent false and misleading representations. It does not undertake to dictate what an advertiser shall say, but rather indicates what he may not say under the law. All active commercial stations are cooperating to an encouraging degree, the report stated.

Television Subject To Be Elstree Plant

LONDON, Oct. 23.—The third British studio to be televised in operation will be the Elstree plant of Associated British Pictures. Production scenes will go out on the Alexandra Palace transmissions from Nov. 23 to 26 inclusive.

The Noel Coward play, "Red Pepper," will be televised on Nov. 1 and Nov. 5. Demonstrations of new ballroom steps is another new television feature.

To Discuss New Laws on Air

COLUMBUS, Oct. 31.—The Barristers' Club, an organization of local attorneys, is presenting a 15-minute program of informal interviews and discussions on local and national legal problems over WHKC, 5:15 to 5:50 P.M., Sundays.

Outstanding members of the legal profession each week will discuss new laws as they are passed by the local, county, state and national governments.

KYA Adds New Accounts

SAN FRANCISCO, Oct. 31.—The California Ski Club of Oakland will sponsor weekly quarter-hour live talent shows on KYA, extending to Feb. 24. Other new KYA accounts include San Francisco Food Show, Gardner Nursery of Seattle, Dr. Frank McCoy of Oakland, Roberts at the Beach, Kit Kat Club, Maryland Pharmaceutical Co., Anti-Picketing Committee.

Park Joins KYW Sales Staff

PHILADELPHIA, Oct. 31.—Daniel C. Park, formerly with Hunt Brothers and Raisin, advertising agency here, has joined the sales staff of KYW. He has taken over the office of John N. Hinchey, recently resigned.

KGGC Business Gains

SAN FRANCISCO, Oct. 31.—New accounts using KGGC include Alka-Seltzer, Greenbrae Dairy, Gallenkamp Shoe Stores, and Art Haven Academy of Cultural Art.

Nature Fake

Bradley Barker is the radio actor who makes a considerable living imitating animals, chiefly dogs.

In the publicity questionnaire issued by NBC, Barker is asked to name his favorite song.

It's "Trees."

Warns on Mounting Cost of Air Talent

HOT SPRINGS, Va., Oct. 31.—Warnings against the mounting cost of radio talent and the practice of advertising agencies in bidding against each other for successful radio programs were among the chief topics at the Ass'n of National Advertisers convention, which closed here yesterday.

WFIL Adds New Account

PHILADELPHIA, Oct. 31.—WFIL has completed a working agreement with the Taylor Provision Co., Trenton, through the Carter-Thompson Agency of Philadelphia for a program of "Homemaking Highlights." The contract is for 13 weeks—six times weekly with Ann Taylor at the microphone. The station has recently bought its own recording apparatus and each Monday the following week's six programs are recorded and sent to WRC-Washington; WBAL-Baltimore; WRVA-Richmond, and WTAR-Norfolk.

WFIL has put its recording facilities to another use by recording WLW Line and Mutual commercials, and then rebroadcasting them at open periods, when WLW Line or Mutual time conflicts with previous commercials. The station is the local outlet for NBC-Blue and finds it quite a job to clear time for its three aligned networks.

Industrial Leaders on Program

Headed by Lamont DuPont, a group of industrial leaders are to be presented over CBS by the Carborundum Co., sponsors of "The Voice of Niagara." The first of this series of talks will be broadcast Nov. 6, and will expound industry's part in promoting the welfare of the American people. Others to be heard include Colby Chester, chairman General Foods Corp.; D. D. Davis, president General Mills; Frederick H. Frazier, chairman General Baking Co.; James H. Rand, Jr., president Remington Rand, and William A. Urvin, president U. S. Steel Co.

KJBS Programs Increase

SAN FRANCISCO, Oct. 31.—The world's "shortest crime drama" series is being sponsored on KJBS by Boyd's women's apparel shop, each Sunday. Other new accounts at the station include Doyle Packing, Chinese Clipper night club, Par Soap, Laundex, Inc., Carmen's Union, Division 1,004, and organized Labor Campaign Committee.

Start Experiment Station

MEXICO CITY, Oct. 29.—The only station operated by radio experiments, a 100-watt unit with a 7,104-kilocycle frequency, has been inaugurated here by the Mexican League of Radio Experimenters.

FCC Hearing Schedule Is Set for Week

WASHINGTON, Oct. 31.—The F. C. C. has set its calendar of hearings for the current week, as follows:

Nov. 1, before an examiner: Applications of C. Bruce McConnell for a 1,500-kilocycle station at Indianapolis, 100 watts night, 250 watts day; Carl Latenser for a 1,420-kilocycle 100 watt daytime station at Atchison, Kan.

Nov. 4, before an examiner: Application of Tri-City Broadcasting Co., Inc., for a 950-kilocycle, 1,000-watt station at Schenectady.

Nov. 4, before the broadcast division: Applications of Valley Broadcasting Co. for a 1,350-kilocycle, 1,000-watt station at Youngstown; Juan Piza, for a 1,500-kilocycle station at San Juan, P. R., 100 watts night, 250 watts day; William W. Ottaway for a 1,370-kilocycle, 100-watt daytime station at Port Huron, Mich.; WMBH, Joplin, Mo., for change of frequency from 1,420 to 1,380-kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts; KROY, Sacramento, for change of frequency from 1,210 to 1,340 kilocycles and increase of power from 100 watts to 250 watts night, 1,000 watts day.

Oregon Plea Due

Nov. 5, before an examiner: Applications of Louis P. Thornton for a 1,500-kilocycle station at Baker, Ore., 100 watts night, 250 watts day; Broward Broadcasting Co., for a 1,370-kilocycle station at Fort Lauderdale, Fla., 100 watts night, 250 watts day; Kentucky Broadcasting Corp. for a 1,210-kilocycle station at Louisville, Ky., 100 watts night, 250 watts day.

Nov. 5, before an examiner: Application of William C. Smith for a 1,310-kilocycle, 100-watt station at Bogalusa, La.

KQV Program Switched

PITTSBURGH, Oct. 31.—After four years of sponsorship by the Harris Department Store, Joe Villella's "Club Celebrity" has been taken over by S. H. DeRoy's, jewelers, on the same station, KQV. It will continue as a half-hour show every night in the week except Sunday. Inasmuch as the Harrises own a copyright on the title, "Club Celebrity," the DeRoy show will carry a new billing, that of the program's director. It's to be known in the future as "Club Villella."

Perry to WLW and WSAI

CINCINNATI, Oct. 31.—Norman Perry, recently with WIRE, Indianapolis, has joined the announcing staff of WLW and WSAI here. During the past summer Perry was a sportscaster for General Mills when that organization sponsored baseball broadcasts.

Dodge Gets Wes Carr Series

PITTSBURGH, Oct. 31.—Wes Carr's sustaining feature on WWSW, "Snapshots of Rhythm and Sports," has just been taken for 13 weeks by local Dodge dealers. It's a half-hour nightly at 11 P. M., with Carr's band furnishing the music and an announcer giving brief sports shots.

Radio Personals

JERRY MASON has resigned from the Tom Fizdale publicity staff . . . Sir Ernest MacMillan, conductor of the Toronto Symphony Orchestra, will conduct the Philadelphia Orchestra Nov. 8 . . . Frank Braucher, recently appointed vice-president in charge of sales at WOR, returns today from the convention of the Ass'n of National Advertisers, Hot Springs, Va.; Phil Spitalny's orchestra will appear at the Earle, Washington, the week beginning Nov. 5 . . . Burgess Meredith and Margalo Gilmore will appear in a radio version of "Ned McCobb's Daughter" on the Kate Smith series Nov. 4 . . . Walter O'Keefe bows off the air Nov. 10 . . . "Terry and the Pirates" succeeds "Dari Dan" this afternoon.

✚

Albany Town Pump

ALBANY, Oct. 31.—Robert A. Elliott, assistant to the general manager of Radio City for the past five years, has joined the sales staff of WGY, Schenectady . . . Neldon Vandenburg, blind WOKO-WABY (Albany) baritone, is also a great swimmer and diver despite his handicap . . . NBC's Red Network is carrying WGY's "Serenade in the Night" at 10:45 P.M., Tuesdays . . . Gene O'Haire, WGY sportscaster, is batting .768 for his first four weeks of football prognostication . . .

Sherb Herrick, son of the Appellate Division Court Clerk, is moving along well as one of WOKO's announcers . . . WABY now has a "Man in the Street" program with Bert Madden doing the quizzing from an eminence of 12 feet . . . Madden, a former stiltwalker, stands atop his stilts and attracts plenty of attention in Troy . . . WGY expects its new studio building to be completed by Christmas.

✚

Oklahoma City Town Pump

OKLAHOMA CITY, Oct. 31.—Bob Ellison, commercial manager for KFXR, in bed suffering from pleurisy . . . L. C. Colborne, formerly of the display staff of the *Daily Oklahoman* and *Times,* has joined the sales staff of WKY . . . Martin Krause, formerly of WIND, Chicago, and free lance announcer, has joined the WKY announcing staff . . . Buryl Lottridge, managing director of the Oklahoma network; Gayle Grubb, station manager of WKY, and Neal Barrett, manager of KOMA, have been appointed to the publicity committee of the first Farm Chemurgic Conference for Oklahoma.

✚

Pittsburgh Town Pump

PITTSBURGH, Oct. 31.—Stephanie Diamond of the WCAE staff is giving dramatic lessons to Paula Kelly, Dick Stabile's vocalist. . . . Janice Bell, from WHIO, Dayton, has joined the staff of WWSW. . . . Norma Jean Twigger, nine-year-old daughter of Norman Twigger, newscaster at WCAE, is back from a four-month visit with relatives in England . . . Walt Framer celebrated the 1,500th broadcast of his Show Shopper program on WWSW the other day.

The Rosenberg Sisters, who sing with Jeanne Galbraith as the Three Little Maids on WCAE, are now the Bergen Sisters.

New Shows On the Air

"Singing Cinderella"

"Singing Cinderella" is the title of the new Barbasol series, which introduced a new vocalist to network listeners in Mary Jane Walsh, whose infectious deliveries quickly should place her among the leaders in the contingent of feminine song favorites.

Her voice is small, but she sells it advantageously. Sentimental tunes are her forte, and her repertoire of love laments included "The First Time I Saw You," "Remember Me?" and "How Deep Is the Ocean?" Nat Brusiloff's band in support was rather washed out. Another instrument or two would serve well. Jean Paul King was his usual efficient self as announcer.

Listeners are offered five $50 prizes weekly for guessing the number of votes one of three reasons for using Barbasol will receive.

"Singing Cinderella" is broadcast from the studios of WOR Fridays from 8 to 8:15 P. M. and from 11:15 to 11:30 P. M. for the Mutual network. WHN and the stations of the WLW Line also carry the program. Erwin, Wasey is the agency.

BANNER

Add to Ayer Toronto Staff

TORONTO, Oct. 31.—J. M. Raymond and Wilfrid Monette have been added to the sales staff of N. W. Ayer & Son of Canada, Ltd. Raymond was for some years assistant general manager of Canada Dry Ginger Ale and a former director of the Ass'n. of Canadian Advertisers. Monette formerly was in charge of the Toronto office of the Canadian Advertising Agency.

KCKN Adds Film Program

KANSAS CITY, Oct. 31.—KCKN broadcasting station of the Kansas City *Kansan,* has added a new screen program, "The Movie Man," sponsored by Katz Drug Co. Fridays. Katz also sponsors the station's "Screenland Reporter," which has been on the air for some time. Both programs follow the screen gossip pattern.

KYOS Completes Studio

MERCED, Cal., Oct. 31.—KYOS has completed the erection of remote studios in Turlock, 28 miles to the north of the main studios in this city. The new studio will be the originating point of many local programs. If the move proves successful, other remote studios in nearby cities will be established.

Ten Eyck Has Radio Column

CINCINNATI, Oct. 31.—Sidney Ten Eyck, previously in the staff of WKW here, but now vice-president of WSMK, Dayton, will write a column, "Ten Eyck Scribbles," for the *Radio Dial,* local weekly listing programs and other pertinent air data.

Meade, Evans Join WTMJ

MILWAUKEE, Oct. 31.—Latest additions to the WTMJ announcing staff are Warren Meade, who has spent the last six years in radio work in Honolulu, and Bill Evans, formerly with WEBC, Superior, Wis.

Schenck Here To Talk New British Plans

(*Continued from page* 1)

executive at the station were his brother, Nicholas M. Schenck; Joseph Moskowitz and Bert Nayfack. Accompanying Schenck from the coast were Lew Wertheimer and Jay Paley, the latter an uncle of William, president of CBS. Paley said there was no significance attached to his trip.

Questioned on whether his trip had anything to do with the G. B. situation, Joseph M. Schenck said "absolutely no." His brother said he had forgotten about the company and that any reports to the effect that the old deal was being revived are erroneous.

Schenck and Wertheimer plan to remain here several weeks.

Hitch Is Reported In Laboratory Deal

(*Continued from page* 1)

they would be worked out satisfactorily.

O'Donnell purchased the property at a public sale with a bid of $105,000. He put up $21,000 in cash as a deposit.

Questions relative to the details will be adjudicated next Wednesday by Vice-Chancellor Lewis.

Krimsky further told MOTION PICTURE DAILY that the plant, now closed, is in good order and that the machinery and equipment is in excellent condition. He said that these facts were not being questioned by O'Donnell.

F. & M. Men Shifted

ST. LOUIS, Oct. 31.—Changes in the F. & M. publicity and advertising departments have been made necessary by the transfer of Homer Harmon from the Ambassador to the Roxy, New York.

M. L. Plessner goes from the Fox to the Ambassador. Jack Brashear takes the advertising post at the Fox. John Heflinger of the Ambassador service department has been promoted to the publicity department at the St. Louis and Phil Leslie of the St. Louis Amusment Co. has taken Brashear's old job at the Fox.

Franciska Gaal in Short

HOLLYWOOD, Oct. 31.—Herbert Moulton is producing a short subject at Paramount which will introduce Franciska Gaal to American audiences. The "discovery" of the actress, now appearing in "The Buccaneer," her subsequent training, and scenes with C. B. DeMille and Adolph Zukor will be included.

Ban Children Under Five

LONDON, Oct. 23.—Liverpool licensing magistrates have declared a new rule prohibiting the admission of children under five years to any theatre, unless it is in charge of a person over 14, who has charge of no other child. The rule will be opposed by the C. E. A.

No Richey Successor Plan of Allied Unit

(*Continued from page* 1)

newly elected president, which says in part:

"At the first board meeting since the recent convention perfect harmony prevailed and the spirit shown towards the future was great.

"Perhaps the most important decision made was one that should answer the anticipation that has held attention of the trade for several weeks. We want the industry to know that we feel capable of handling the affairs of the organization in the future without engaging anyone to fill the vacancy caused by Richey's resignation, other than retaining Pearl Sprott as business manager.

"We feel that she is entirely capable of administering and rendering service to our members and that when we are called upon to handle legislative matters, we have capable enough personnel to meet any and all situations.

"Several new plans will be adopted for the good and welfare of our members and we plan to devote a lot of time to regional work out in the state, where we can get the member's problems first-hand and administer relief quickly.

"We are thoroughly sold on our prospects for the future and will work hard to accomplish the results we are after. Our purpose will be one of hearty cooperation with any other unit that is striving for the same goal."

Kuykendall Attacks Ascap, Score Charge

(*Continued from page* 1)

suggested the industry work out its own fair trade practice agreement.

Introduced by A. P. Archer, president of the Theatre Owners and Managers of the Rocky Mountain Region, Kuykendall urged the moral and financial support of theatre men interested in equitable taxation, legislation and questions affecting the industry. He declared it was hard to formulate national policies on such matters because of petty jealousies among the exhibitors, and urged them to look at the matters from more than a local viewpoint.

Kuykendall left Denver today for Omaha. From there he goes to Kansas City, St. Louis, Oklahoma City and Dallas, where his nationwide tour of regional exhibitor organization headquarters is scheduled to end.

Classification Seen Delaying Wage Pact

(*Continued from page* 1)

that the 10 houses be put into the category of the Broadway de luxe units, while the circuits are reported to be demanding that they be listed as "A" neighborhood first runs. At least five Loew theatres are said to be involved in the controversy.

The stagehands local is also understood to be sitting in on the negotiations. In the event the 10 houses are classified as de luxe the scale for operators would be $2.55 instead of $1.86.

A meeting is scheduled for this week at which time it is hoped the classification argument will be finally decided.

THE WHITE HOUSE
WASHINGTON

October 22, 1937

My dear Mr. Talley:

I congratulate you upon the occasion of the twentieth anniversary of Movietone News and upon its record during that particularly interesting period. The years which have passed since the inception of Movietone News have witnessed not only the pioneer period of a new medium of intelligence but have seen that medium brought to a high degree of perfection.

Yours is a great and boundless field in which I trust you will ever go forward with increasing success and usefulness.

Very sincerely yours,

Franklin D. Roosevelt

Mr. Truman H. Talley,
Movietone News,
460 West 54th Street,
New York, N. Y.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 105 NEW YORK, TUESDAY, NOVEMBER 2, 1937 TEN CENTS

Warners Play Six Yearly on London Stage

Will Use Material Later For Its Pictures

By BILL ORNSTEIN

Warners will produce one play every two months in London in association with British producers, bring the shows to New York for presentation on Broadway and then make them into pictures, Jack L. Warner, production head for the company, declared yesterday upon his arrival on the *Queen Mary*.

"Blondie White," which opened recently in London, will be brought to New York in six weeks. Warners will put on the plays here without outside affiliations. The production executive said that the works of foreign writers are not controlled by the Dramatists' Guild contract.

Two English actors were signed to long-term contracts by Warner. They are Bruce Lester, leading man, and Paul Williams, character player.

Production plans for England call for 16 next season and Warner as-

(*Continued on page 2*)

Select Suit Against Warners Is Quashed

Federal Judge John C. Knox dismissed the "piracy" suit of Select Theatres Corp. against Warners in the U. S. District Court yesterday, but granted the plaintiff 15 days to file an amended complaint.

Select, which is the assignee of the Shubert Theatres Corp., claimed that its play, "The Audition," was "deliberately pirated" in the Warner picture, "Ready, Willing and Able." Judge Knox ruled that the complaint was defective because it failed to show that Select is the present owner of "The Audition." Damages amounting to $10,000, a permanent injunction and an accounting of the profits are demanded by Select.

"Firefly's" 9-Week Take Was $64,822

Approximately $64,822 was chalked up for the nine-week run, less three days, of "The Firefly" at two-a-day prices at the Astor. The picture bowed out Sunday night to make way for "Hurricane," which is slated to

(*Continued on page 8*)

Radio—Pp. 9-10

"Awful Truth" and "Zola" Leading Box-Office Parade

"The Awful Truth" and "The Life of Emile Zola" shared the top honors during the past week, a study of key city grosses at major theatres indicates. In the running and strong were "Life Begins in College," "Stage Door" and "Heidi."

"The Awful Truth" came close to the house record for the Earle in Washington, with $25,600, double the house weekend record at Warners' Hippodrome in Cleveland, and doubled the average for the week, was a smash at $24,500, over par by $10,500 at the Boyd in Philadelphia and was held over.

"The Life of Emile Zola" continued strong at the Metropolitan in Washington, held up well in Indianapolis, topped the week at the Century in Minneapolis, went $5,500 over the Pittsburgh Penn average to lead the city, almost doubled average at the Roger Sherman in New Haven and was held, and with "Music for Madame" led the parade in Milwaukee, with $10,000 at the Warner.

"Life Begins in College" and "The Prisoner of Zenda" were good, behind "Zola" and "The Awful Truth" in Washington. "Double Wedding"

(*Continued on page 8*)

Brower Returns with Footage from Africa

After spending five months in Africa, Otto Brower, director of "Stanley Livingstone" for 20th Century-Fox, returned yesterday on the *Queen Mary* with part of the technical crew and two doubles for the principal actors. The contingent left in the afternoon for the coast to resume work on the picture.

While in Africa, the crew shot 60,000 feet of film which will be reduced to two reels for the seven-reel feature. Osa Johnson, widow of the late Martin Johnson, and Sol Halpern, special effects cameraman, are

(*Continued on page 8*)

Educational-Guild Contract Form Here

Copies of the Screen Actors' Guild contract, revised to include a supplementary letter covering Educational's proposals for arbitrating in New York disputes under the contract which arise here, was received from Hollywood yesterday and forwarded to Educational by the guild's eastern office. Indications are that Educational will sign the contract tomorrow, following which the guild office here will concentrate on signing

(*Continued on page 8*)

Thank You, Sir!

Mailbag stuff from Ed Kuykendall, postmarked Salt Lake City:

"Having a grand trip. It pleases me to hear many nice things about *Motion Picture Daily*."

To Hear Film Bill Protests Tomorrow

LONDON, Nov. 1.—John Maxwell, head of Associated British Pictures, will head the joint deputation of the Cinematograph Exhibitors' Ass'n, the Film Group of the Federation of British Industries and the various labor groups, to the Board of Trade, relative to suggested amendments to the Films Bill, now in House of Commons committee.

The deputation, which probably will be heard on Wednesday, will present the all-British case on the bill, stressing the need of an appeals committee, provision against American control of production and the protection of British employes.

The six labor unions which have

(*Continued on page 8*)

Studios Hold Pace With 38 Shooting

HOLLYWOOD, Nov. 1.—Production remained at an even keel this week, with 38 pictures before the cameras, eight having started and eight having finished. Fifteen are being prepared and 65 are being edited.

Those started are: Columbia, "State Penitentiary;" M-G-M, "Benefits Forgot;" Monogram, "Romance of the Rockies;" Paramount, "Bluebeard's Eighth Wife" and "Gun

(*Continued on page 10*)

See Bank Night as Ended in Nebraska

OMAHA, Nov. 1.—Omaha theatre officials have indicated that, in face of the Nebraska Supreme Court ruling recently that Bank Night is an unlawful lottery, they probably will not try to revive it. They have 40 days in which to ask for a rehearing.

Evert Cummings, chairman of the Omaha Bank Night committee and

(*Continued on page 10*)

Selznick Also Dickering to Stay with U.A.

Discuss Possibility of Share in Financing

David O. Selznick, according to official sources close to the situation, definitely has been discussing an extension of his contract with U.A., in addition to negotiations with other companies, during his stay here. Under the terms of his present agreement with U.A., the producer has two more pictures to deliver after the release of "Tom Sawyer."

Several talks have been held between Selznick and parties interested in the purchase of U.A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford, it was stated. The possibility that Selznick will participate in financing the $4,500,000-$6,000,000 deal was discussed, it was declared.

"Selznick is an important producer on the U.A. roster," the official source said, "and we would like to have him continue with us." The source insisted that the money for the deal is set.

"We accomplished some things during the conferences last week," it was asserted, "and while I am not at liberty to discuss what they are, it looks as if the discussions will be wound

(*Continued on page 2*)

Littman Named to Represent Wilcox

Mack Littman, formerly representing Criterion Films in this country, yesterday was appointed American representative for Herbert Wilcox. He will handle all matters pertaining to Herbert Wilcox Prod., and Imperator Films and will cooperate with RKO and G.B. which distributed Wilcox's pictures.

The Wilcox film G.B. will handle is "London Melody," starring Anna Neagle and Tullio Carminati. RKO will release "Victoria the Great" and "The Rat." Another RKO deal between Wilcox and RKO is now pending.

Ambassador Pictures Withdraws SEC Plan

WASHINGTON, Nov. 1.—Ambassador Pictures has withdrawn its registration statement from the Securities and Exchange Commission covering a proposed issue of 1,176,000 shares of $1 par value capital stock.

The statement originally was filed

(*Continued on page 8*)

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U. A. Claims Records

Weekend records were cracked by "Stella Dallas" at the Montreal Orpheum, according to United Artists. More than 10,000 were admitted, says John Lightstone, manager.

The U. A. publicity department also says "52nd Street" took in $618 more in its second day at Loew's, Syracuse, than on the first, and that the second and third days in Louisville, at Loew's, were ahead of the first.

A four-day record for "Stand-in" is claimed at Loew's State here.

Drive Group to Meet

The organization committee of the film and theatrical division on the annual drive for funds of the Federation for the Support of Jewish Philanthropic Societies will meet at a luncheon tomorrow at the Hotel Piccadilly. David Bernstein of Loew's and Major Albert Warner of Warners head the committee.

Rodgers Due Tomorrow

William F. Rodgers, general sales manager for M-G-M, and E. M. Saunders, western division sales head, are due to return from Chicago and St. Louis tomorrow.

Warners Play Six Yearly on London Stage

(*Continued from page* 1)

serted that at least one picture will be of major importance with Hollywood stars and director. If the plan works out, additional films of this type will be produced, he said. No other foreign production is contemplated.

Gone five weeks, Warner visited France, England and Budapest. He will remain here for about two weeks before heading west.

"Theatre business is at its height in France and England," he observed. "And this is no bunk! I haven't seen it so good in years.

"One of the reasons for booming exhibition in England is because theatres charge $2.15 for reserved seats and the minimum price is 40 cents. This applies to small towns as well as big cities.

"There are some dual feature houses, but they don't make a hoorah about it. The quota laws are responsible in most cases because theatre owners are required to run a certain amount of British footage on all programs.

Warner said that in England he did not believe there were 1,000,000 unemployed. As for a war scare, there is no such thing, he said.

A third stage is being built at the Teddington studios. Irving Asher, production head in England, will sail for this country, Nov. 17. Shortly after Jack L. Warner's return to the studios, his brother, Harry, president, will leave for New York. Harry Warner has spent more than six months in Hollywood and plans to continue this schedule for year to year. He has built a home on the outskirts of Beverly Hills, which is about ready for occupancy.

Warner Chicago House Ready

CHICAGO, Nov. 1. — Warners' Rhodes, newest addition to the Warner circuit here, seating 1,500, will be opened on Thanksgiving Day. The house will run in the "C" week of release with a single feature policy to start with. Admission price at all times will be 30 cents.

Call New House Colony

Warners' new theatre in the Shaker Heights section of Cleveland will be named the Colony. Instead of opening this month as previously indicated, the house will not be ready until the middle of December. It will seat 1,500.

Quebec Bans "Zola"

TORONTO, Nov. 1.—Evidently for religious reasons, "The Life of Emile Zola" has been banned by the Quebec censor, where the population is predominantly French-Canadian.

Filmack Buys Midwest

CHICAGO, Nov. 1.—Filmack Trailer Co. has purchased the plant and equipment of Midwest Film Co., Inc. Laboratory, camera and technical equipment have been moved to the Filmack headquarters. Frank Bauer, former Midwest head, becomes superintendent of the Filmack plant.

Warner Reticent

Returning from a five-week trip abroad, Jack L. Warner was reticent in meeting reporters at the pier. He said, with a broad smile: "I've quit being news because I find the picture's still the thing."

Selznick Also Dickering to Stay with U.A.

(*Continued from page* 1)

up this week." As soon as all details are cleared up, a joint announcement will be made by Samuel Goldwyn and Alexander Korda, probably at the end of the week, it was added.

"There are a lot of things to be worked out," the source said, "and we expect to finish them in the next few days."

According to present indications, it was stated, George J. Schaefer will continue in his post and Maurice Silverstone, head of U.A. in England, will remain in his post. Silverstone has attended several of the closed sessions. Both men are regarded in high esteem by the interests seeking to purchase the stock owned by Chaplin, Fairbanks and Pickford. The indications are that no changes in the present U.A. machinery will be made.

Meanwhile, Selznick has temporarily suspended buying new story material until a decision is made on continuing with the company or going elsewhere.

Walter Wanger, whose contract with U.A. has nine years to go, is presumably waiting for the outcome of the Goldwyn-Korda talks. His last picture, "Stand In," is now slated to go into the Music Hall following "The Awful Truth," which started Thursday. Wanger will probably leave for the coast after the opening of "Stand In."

Selznick Talks to Class

David O. Selznick addressed the fine arts class of Columbia University last night on "Motion Picture Production."

Bennett Quits U. S. Staff

WASHINGTON, Nov. 1.—Andrew W. Bennett, a special assistant to the Attorney General for several years, and, as such, in charge of the prosecution of the Government's anti-trust suit against Ascap, has resigned that post, effective Nov. 1, to reenter the private practice of law in this city. Bennett is associated with the law firm of Guy & Brookes and will specialize in anti-trust and copyright problems. His successor in charge of the prosecution of the Ascap suit, which is still pending in the Federal court in New York, will be named shortly.

Bartholomew Aunt Wins

LOS ANGELES, Nov. 1.—Adoption of Freddie Bartholomew by his aunt, Myllicent Bartholomew, was upheld today in Superior Court here. The boy's parents had sought to have the adoption nullified.

Purely Personal

WILLIAM SUSSMAN, 20th Century-Fox eastern division manager, was in Buffalo yesterday for the opening of a new exchange. He leaves there today for Pittsburgh, where he will join JOHN D. CLARK, general distribution manager, and JAMES D. O'LOGHLIN. The trio will return next Monday.

•

GERMAINE AUSSEY, French actress, arrived yesterday on the *Queen Mary* to spend several weeks here seeing plays and visiting friends. She said that she is no longer under contract to 20th Century-Fox because the company wanted her to be too "Frenchy-Frenchy" in casting her.

•

DICK MERRILL, aviator, returned from England yesterday and said he was through with pictures. He made one for Monogram, "Transatlantic Flight." Ater a few days in town he will resume piloting a plane between New York and Miami for Eastern Airlines.

•

AL LEWIS, who recently resigned as an RKO producer to re-enter stage production on Broadway, may first do "Salvage" by MARTIN BERKELEY. Whatever he stages here, ultimately he plans to convert into film version in Hollywood later.

•

M. H. HOFFMAN is in town from the coast to wind up personal details in connection with Condor Pictures. HOFFMAN stated yesterday the company has been washed up and it cost him "$150,000."

•

GRACE WARNER, secretary to JOHN D. CLARK, was among the passengers returning from abroad yesterday on the *Queen Mary*. CLARK is due back from the coast this week.

•

GENEVIEVE TOBIN and MONA MARIS will sail tomorrow on the *Queen Mary*. OSCAR STRAUSS, the composer, also will leave on the same boat.

•

HERBERT J. OCHS, Warner western and southern sales manager, is back at his desk after a four-week trip to exchanges in his territory.

•

HERB CROOKER, director of publicity for Warners, will leave today for a business trip to Cincinnati.

•

KENNETH ROBERTS' "Northwest Passage" has been acquired by M-G-M.

•

SI SEADLER and OSCAR DOOB are due back today from the coast by plane.

•

GUS VAN is in town to make a number of shorts for Nu-Atlas.

•

EMIL JENSEN is en route to Florida on a month's vacation.

Cresson Smith, Jr., Weds

PITTSBURGH, Nov. 1.—Cresson Smith, Jr., son of the RKO sales executive, was married here to Virginia Moss at the home of his sister in Mt. Lebanon. It is his second marriage. The younger Smith was formerly with Warners here, but is now managing the Trans-Lux in Washington.

Paramount's "EBB TIDE"



As the ebb tide ran its course they found their love . . .

Now she was no longer alone. Now she had someone to help her, to fight at her side against all the hellish fury of these mad men of the seas, these crazed bits of human driftwood, who wished to carry her with them . . . out . . . out on the ebb tide of faith, of hope . . . into the depths of their own despair. For a man, her man, was now standing at her side . . . his hand upon her shoulder . . .

Paramount made the first outdoor picture in color, "The Trail of the Lonesome Pine." Now Paramount makes the first South Seas picture in color . . . Robert Louis Stevenson and Lloyd Osbourne's thundering drama, "EBB TIDE."

Paramount Pictures

"Paramount Has Given the Film World Something to Talk About in 'EBB TIDE'," says the *Hollywood Reporter*

A challenging drama of clashing passions, tender romance and spectacularly beautiful settings, from the famed South Sea story by Robert Louis Stevenson and Lloyd Osbourne, "EBB TIDE" emerges in the opinion of all critics the finest achievement in Technicolor and one of the most enthralling melodramas to reach the screen.

"'EBB TIDE' excellent box-office entry among the big pictures of the season," says Daily Variety.

Trade Reviewers Cheer Their Performances

"Fitzgerald outstanding in his delivery of tragic comedy."
—Daily Variety

"Lloyd Nolan makes a fantastic villain."
—Motion Picture Daily

"Fitzgerald fine on the comedy end."—*Showmen's Trade Review*

"Nolan outstanding."
—Hollywood Reporter



Lloyd Nolan and Barry Fitzgerald in two brilliant performances... the one an unregenerate monster, the other a sniveling scoundrel whose one great sacrifice cost him his life.

"EBB TIDE"

in Technicolor with

OSCAR HOMOLKA

(By arrangement with Gaumont British Picture Corporation Limited)

FRANCES FARMER
RAY MILLAND

Lloyd Nolan, Barry Fitzgerald

A Lucien Hubbard Production

Screen play by Bertram Millhauser, based on a story by Robert Louis Stevenson and Lloyd Osbourne. **Directed by James Hogan**

Paramount Pictures

Cleveland Circuits In Talk with Union

CLEVELAND, Nov. 1.—District managers of the three local major circuits are reported to have met with representatives of the stagehands' union to discuss wage scales and working conditions as they affect cashiers and ushers in circuit houses.

A demand for wage increases ranging from 25 per cent to 33 per cent was thrown out, it is reliably stated, the circuit heads refusing to enter into any negotiations on that basis. Concessions in working conditions agreed upon were elimination of split shifts for cashiers, one day a week off for all girls, and strict adherence to the 40-hour week for all service employees. It has previously been the practice to make an adjustment of hours to comply with the 40-hour week.

Local circuit heads, it is stated, agreed to recognize the union as bargaining agent, but maintained the right to hire and fire at their own discretion.

Loew-Poli in Union Deal

NEW HAVEN, Nov. 1.—Loew-Poli has signed with both projectionists' and stagehands' unions for the next three years for 10 houses of the 15. Those remaining open are stagehands, New Haven, stage and booth, Meriden, and stage, Springfield.

To Resume Union Talks

Another conference between major circuit and Local 306 representatives is slated to get under way Thursday.

Gov. C. D. Martin Sets "Barrier" Week

SEATTLE, Nov. 1.—Gov. Clarence D. Martin of Washington has designated the week of Nov. 5 as "The Barrier" week, in connection with the opening of the picture, filmed in the vicinity of Mt. Baker in the state. Harry Sherman is the producer. The film will have its premiere at the Paramount here on Nov. 5.

Cliff Lewis of the Paramount studio advertising department, and David Bramson, publicity representative for Sherman, are here working with Vic Gauntlett of Evergreen Theatres on the opening.

American Seating's 9-Mo. Net $519,004

American Seating Co's nine-month net for the period ending Sept. 30 was $519,004 after allowances for depreciation, interest and Federal income taxes, but before the surtax on undistributed profits. This was equal to $2.35 per share on the 221,062 shares of common.

Last year for the same period the net was $299,612, or $1.47 per share on 202,875 shares of common.

Current assets are given as $5,229,008, including $373,728 in cash.

Hold Rites for Asher

HOLLYWOOD, Nov. 1.—Funeral services were held this morning at the Wee Kirk o' the Heather for E. M. Asher, Universal producer who died suddenly on Friday. Rabbi Edgar Magnin officiated. Numerous important film personalities served as active and honorary pallbearers.

Looking 'Em Over

"Carnival Queen"

(*Universal*)

LINCOLN, NEB., Nov. 1.—Titled right for the adventure and action houses, "Carnival Queen" will be found some better than their average fare as production and performance go. Its general level will be half-and-halfing in a dual setup.

Top casters are Robert Wilcox and Dorothea Kent. Wilcox, carnival born, although his characterization hardly bears it out, is slipped into the top spot with a tent outfit when it becomes apparent G. Pat Collins, game operator with a prison record, is mismanaging the show at the same time the show is visited by a supposed waif, Dorothea Kent, who in reality is the owner and endeavoring to find out what's the matter with her inheritance.

Hobart Cavanaugh, with the magic show; Jonathan Hale, a bank detective masking as a veterinarian; Ernest Cossart, administrator of the estate of which the carnival is a part; and Harry Tyler, nervous cohort of Collins, complete the other highlighters. Miss Kent is attractive all the way.

There is plenty of hurdy-gurdy, sideshow openings, merry-go-round music and all the stuff which lend itself to the exploitationist who wants to circus his house. The story moves fast enough to entertain well.

It is from the novel by the same name penned by Richard Wormser, with screenplay by James Mulhauser and Harold Buckley. Nate Watt directed, with Robert Presnell as associate producer.

Running time, 66 minutes. "G."

"Murder in Greenwich Village"

(*Columbia*)

A light, battling type of romance, with a mystery tucked into the yarn, and an accent on comedy which often fails to jell, "Murder in Greenwich Village" is not the detective fiction kind of film which the title implies, and emerges as ordinary fare, suitable for duals, while perhaps in some lesser spots it may be able to stand by itself.

Richard Arlen shares the lead with Fay Wray, he as the energetic commercial photographer with hopes, she as the wealthy girl who becomes involved with him. In support are Raymond Walburn, who is amusing as Arlen's employe; Marc Lawrence as the gangster, and Gene Morgan as the stupid detective. Albert S. Rogell directed from a screen play by Michael L. Simmons and a story by Robert S. Shannon.

Arlen accidentally meets Miss Wray, the two immediately begin to annoy each other, and she seeks his assistance when a man with whom she had been visiting in the same studio building where Arlen is located is found murdered. He aids her, and they continue their feud, while Morgan attempts to be funny and Lawrence, the murdered man's brother, launches his own investigation. The feud turns to love, of course, and when she seems definitely implicated, Lawrence saves the day by killing the unsuspected murderer and giving himself up.

Running time, 66 minutes. "G."

(Additional Reviews on Page 10)

Out Hollywood Way

HOLLYWOOD, Nov. 1.—MERVYN LEROY is seeking RAFAEL SABATINI to adapt JACK LONDON'S "The Sea Wolf."

FRANK MCHUGH will go to Mexico City upon completion of Warners' "Swing Your Lady" . . . GLORIA DICKSON is due in over the weekend from New York, her play, "Wise Tomorrow" having ended.

HAROLD LLOYD has selected PHYLLIS WELCH, M-G-M contractee, and a virtual unknown as his feminine lead in "Professor Beware," his next Paramount vehicle. . . . Major may place JOHN MONTAGUE in a supporting role in Bing Crosby's "The Badge of Policeman O'Roon" . . . TEDDY TETZLAFF has been borrowed from Paramount to photograph MERVYN LEROY'S "Food for Scandal" . . . MAX REINHARDT has returned to Warners' studio, but his production plans are indefinite. . . . BETTY GRABLE draws the lead at Paramount in "Night Spot," being written around the Yacht Club Boys. Before that, however, she will appear in "College Swing," BURNS and ALLEN vehicle. . . . PETE SMITH has started work on another short which will be produced on the scale of "Romance of Radium." It will be called "Romance of the X-Ray."

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Casting—FRED KEATING in "The Badge of Policeman O'Roon," Major-Paramount . . . ROLAND DREW in "The Goldwyn Follies" . . . RICARDO CORTEZ in "Blonde Moll," 20th Century-Fox.

✚

Writers—GENE FOWLER will do the dialogue for Selznick International's "Freedom of the Press" . . . JOHN CLARK has joined the staff of Conn productions to work on "Young and Reckless," FRANKIE DARRO vehicle.

Reich 5,302 Houses Are Owned by 3,496

By J. K. RUTENBERG

BERLIN, Oct. 23.—Germany's present total of 5,302 film theatres are owned by 3,496 individual exhibitors or companies. The German houses have an aggregate seating capacity of 1,943,049. A little less than half the total number of theatres in the country are open daily, a third operate two or three times a week and the others are in operation once weekly.

The leading circuit is Ufa, which controls 110 theatres, 10 in Berlin.

No other company operates more than 18 houses. The total income of all German theatres increased from 176,000,000 reichsmarks in 1932 to 220,000,000 reichsmarks in 1935, and estimates indicate that the 1936 total business was not less than 240,000,000 reichsmarks, although final figures are not yet available. Attendance rose from 235,000,000 in 1932 to 310,000,000 in 1936. The average seating capacity of all German houses is 366 and for those open daily 512. Berlin and the eastern part of the country contribute the largest percentage of the nation's total theatre gross.

Berlin, with 403 film theatres, accounts for 15 to 18 per cent of the total national theatre income. The entertainment tax has dropped steadily from 18.4 per cent in 1924 to 7.18 per cent in 1936.

Distribution and production showed heavy losses at the end of 1936, chiefly accounted for by the increase in film costs.

To Show English Films

A program of English documentary films will be presented tomorrow night at the McMillin Theatre of Columbia University. The showing is a collaboration between the Museum of Modern Art Film Library and the Columbia Division of Film Study. The films were brought here by Paul Rotha, British documentary film expert. J. B. Priestley, the British author, will speak briefly at the showing.

Regal Takes Monogram

TORONTO, Nov. 1.—Regal Films, Ltd., Toronto, has obtained the Canadian releasing rights on Monogram for the current season, including 10 features being under contract. This arrangement gives Regal the product of three producers, M-G-M, London Films and Monogram. The last named was previously handled in the Dominion by Empire Films, Ltd., which recently became Empire-Universal Films, Ltd., through the acquisition of the Universal franchise.

Pays Arrears Dividend

TORONTO, Nov. 1.—Loew's London Theatres, Ltd., operating Loew's Theatre in London, Ont., has paid a 3½ per cent dividend on the seven per cent preferred shares of the company for the fiscal half-year ending March 31, 1934, payments being more than four years in arrears. The London house is one of two theatres in the Dominion directly operated by Loew's, Inc., of New York, the other being Loew's Yonge Street, Toronto.

Retitle M-G-M Dog Film

HOLLYWOOD, Nov. 1.—Pete Smith has retitled his short, "The Dog Lobbyist," as "Friend Indeed."



ANNA NEAGLE

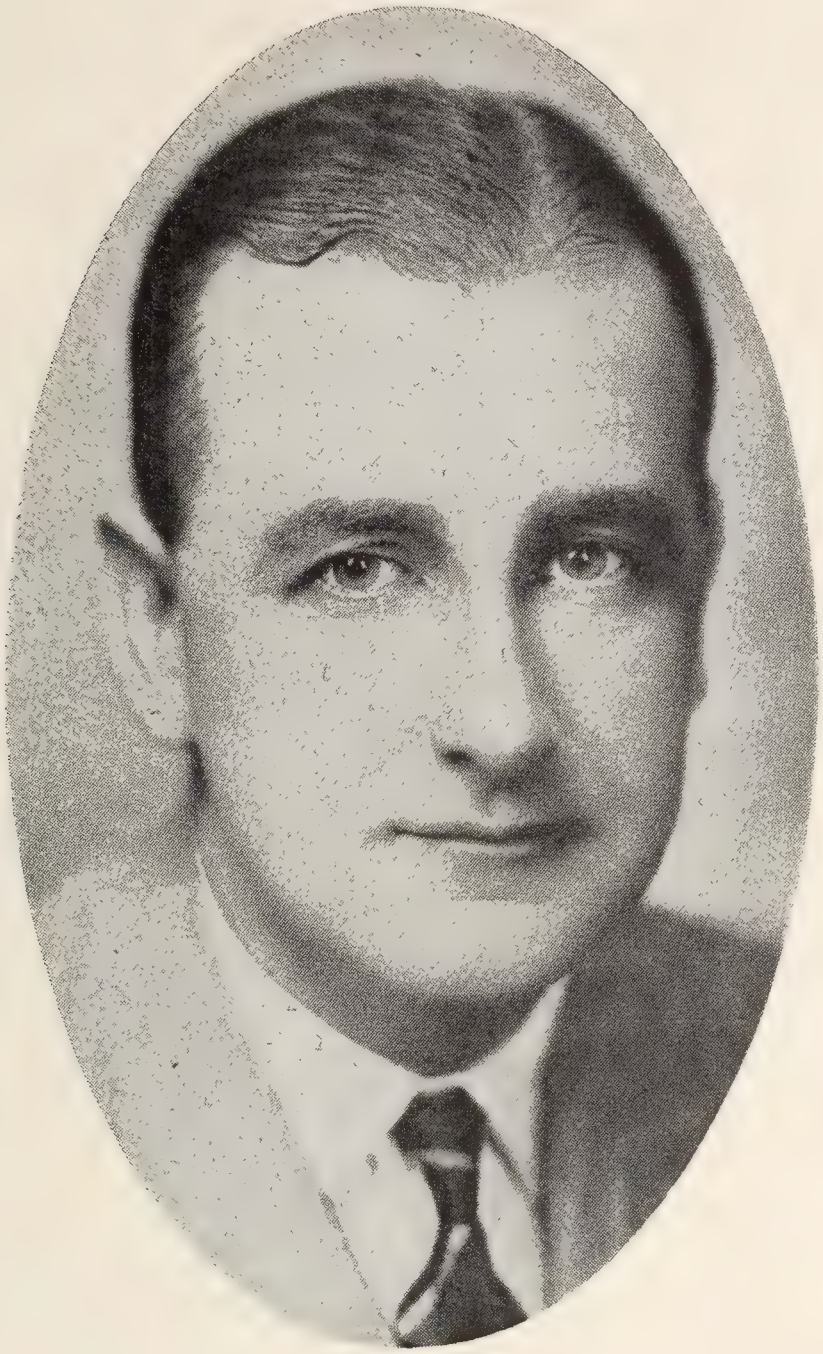
(Queen Victoria)

a

We wish to express our thanks t
their magnificent co-operation, e

"VICTORIA

AN IMPERATOR



d HERBERT WILCOX

(Producer and Director)

he entire RKO organization for
ploitation and support in presenting

THE GREAT"

ILM PRODUCTION

"Firefly's" 9-Week Take Was $64,832

(Continued from page 1)

embark on an indefinite two-a-day policy a week from tonight.

According to MOTION PICTURE DAILY'S tabulation of week-to-week takes, the first four days to Sept. 5, ended with $6,844. For the next seven days, or first full week, the take was $13,585. This was for the week ended Sept. 12. On Sept. 19, the gross for the previous seven days was $10,216; for Sept. 26, $7,737; Oct. 3, $5,000; Oct. 10, $4,000; Oct. 17, $7,000; Oct. 24, $5,000; Oct. 31, $5,440.

See $85,000 on "Victoria"

"Victoria the Great" is expected to tally $85,000 at the Music Hall. The picture will bow out tomorrow night for "The Awful Truth," which is scheduled to run a minimum of two weeks.

Claim $4,780 in 4 Days

Warners stated yesterday "Alcatraz Island" grossed $4,780 in four days at the Ritz, Albany.

Brower Returns With Footage from Africa

(Continued from page 1)

due from England next week. Brower said yesterday that he has traveled about 60,000 miles in the last 10 months working on the film.

Arriving with Brower were Sidney Wagner, cameraman; F. E. Johnston, production manager; Jack Byron and Sven Borg, actors; Edward Collins and Joseph Farley, assistant cameramen; Bruce Hunsacker and Henry Gerzen, technicians.

"Awful Truth" and "Zola" Leading Box-Office Parade

(Continued from page 1)

led in Indianapolis, dualled with "Counsel for Crime" at Loew's. "Stage Door," "Heidi" and "100 Men and a Girl" all were in the running in Minneapolis. "Heidi" topped the Chicago takes, going $4,200 over par at the Oriental, while "Life Begins in College" and "Walter Wanger's Vogues of 1938" were strong.

"Double Wedding" took the lead at Loew's State in Houston, going slightly over par, while "Ali Baba Goes to Town" and "Stage Door" held up nicely on a split week. Behind "Zola" in Pittsburgh were "Walter Wanger's Vogues of 1938" aided by a stage show at the Stanley, and "Life Begins in College" in its second week. "Victoria the Great" on a roadshow policy was high in Montreal, going $3,000 over the average at His Majesty's. Other strong attractions in the city were "100 Men and a Girl," in its fourth week, "High, Wide and Handsome" and "Life Begins in College."

"Stage Door" Takes Omaha

"Stage Door," dualled with "Love Is on the Air" took the best gross of the year at the Brandeis in Omaha, and was held over. "Life Begins in College" was strong. "Stage Door" was the top grosser at the Hillstreet and Pantages in Los Angeles, in both cases dualled with "The Lady Fights Back." The bill almost doubled average at the Hillstreet and went $13,000 over average at the Pantages.

"Heidi" came close to doubling average at the Denver in Denver with $13,500 and was moved to the Aladdin. First runs were generally good, with "100 Men and a Girl" and "Wife, Doctor and Nurse" strong. "Danger—Love at Work," plus Ted Lewis and his band on the stage, was the only attraction besides "The Awful Truth," the leader, to better par in Philadelphia.

Seattle Likes "Life Begins"

"Life Begins in College," dualled with "Flight from Glory" led the grosses at the Paramount in Seattle and was moved to the Orpheum. The rest of the houses were quiet. "Double Wedding" on a dual with "Dangerously Yours" were behind "Zola," which led in Milwaukee, but the bill was strong enough to warrant a second week. "Heidi" plus a stage show at $10,400, which was $3,400 over average at the Fox in Kansas City, was the only bill to come through well in a slow week. "Lost Horizon," with an Eddie Peabody stage show at the Fox in Detroit, led the way with $26,200, over average by $6,200. "Big City," plus Fred Waring on the stage of the Michigan, accounted for $26,400, over average by $5,400. "Live, Love and Learn" was just about fair.

Musicians Static

Harry C. Arthur of F. & M. returned yesterday from St. Louis and was asked if any changes in the circuit's theatres in that city were made as a result of the recent poll.

"No changes have been made," Arthur said.

"Didn't the poll show that vaudeville was favored in the downtown houses?" he was asked.

"Yes, the poll went for vaudeville, but the musicians' union didn't."

Wanger to Headline Ampa Weekly Lunch

Walter Wanger will headline the Ampa luncheon bill at the International Casino Thursday. Jack White and Rocco and Salters, who appear in "52nd Street," will also be guests. Zenn Kaufman, an authority on sales contests, will speak on "Showmanship in Advertising and Selling."

Paul Lazarus, Jr., who will preside in the absence of Ralph Rolan, president, will turn the gavel over to Hal Horne for the "52nd Street" part of the show.

Educational Guild Contract Form Here

(Continued from page 1)

up Pathe Commercial Film and Mentone.

Kenneth Thomson, executive secretary of the guild, is due in New York this weekend. Final action on March of Time's claim to a newsreel status outside of the contract is expected during his stay here.

To Hear Film Bill Protests Tomorrow

(Continued from page 1)

registered strong objection to certain phases of the bill as it stands are: the Ass'n of Cine Technicians, British Ass'n of Film Directors, Electrical Trades Union, Film Artistes Ass'n, National Ass'n of Theatrical and Kine Employes and the Screen Writers' Ass'n.

British Music Firm Sues W.B. on Song

Cinephonic Music Co., Ltd., a British corporation, and Leo Feist, Inc., filed an infringement unit in the U. S. District Court yesterday against Warners, the Remick Music Corp., Al Dubin and Harry Warren. The complaint charges that the song, "Cause My Baby Says It's So," used in "The Singing Marine," is a "deliberate piracy and infringement" on the "Sandman Serenade," which was composed by Harry Woods in 1935. A permanent injunction and an accounting of the profits are asked.

Steuer Wins Judgment

Max D. Steuer, attorney, was granted summary judgment for $25,000 against Knickerbocker Theatres, Inc., and the Clinton-Apollo Theatre Corp. by Justice Charles B. McLaughlin in the N. Y. Supreme Court yesterday. Justice McLaughlin ruled that the defendants' denial of Steuer's allegations were false and refused to permit the case to go to trial. Steuer claimed the $25,000 balance of a $75,000 fee for legal services rendered in connection with the settlement of several leases.

Gary Hearing Nov. 22

INDIANAPOLIS, Nov. 1.—Judge Robert C. Baltzell of the U. S. District Court here has set Nov. 22 as the date for hearing oral arguments in the Gary Theatre Co. suit to stop clearances allegedly enforced against the Gary i favor of the Balaban & Katz circuit. Defendants are the M.P.P.D.A., B. & K., and virtually all the major distributors. The plaintiff charges violation of the anti-trust laws.

Ambassador Pictures Withdraws SEC Plan

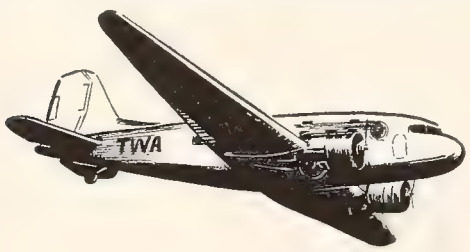
(Continued from page 1)

Aug. 25. The withdrawal followed several extensions of time in which to complete the registration.

New financing for Ambassador Pictures' current production program will be discussed here this week by Maurice Conn, Ambassador head, who expects to complete the fiscal arrangements by the end of the week.

A new registration statement will be filed by Ambassador with the S. E. C. immediately upon the improvement of general market conditions. The company's attorneys, Hays, Podell & Schulman, and its accountants, Arthur Anderson & Co., are now preparing additional data for the new statement, to replace that just withdrawn.

Conn will leave for the coast next week if the current financing arrangements are completed on schedule.



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THE NATION'S MOST BEAUTIFUL SCENIC ROUTE

TWA daylight flights offer the air passenger an opportunity to see, in a few short hours such scenic wonders as Grand Canyon, Boulder Dam, Painted Desert, Meteor Crater, the Sky City of Acoma and many other world famous attractions. Stop-over privileges on many flights.

Board a TWA Super-Skyliner in the late afternoon . . . enjoy a splendid dinner aloft (served complimentary) . . . read a while, if you like, or play cards, and chat with your neighbors . . . stroll about . . . then retire to a private compartment and sleep away the miles to the other side of the continent. You reach your destination refreshed and rested—ready for the activities of the day. Transcontinental flights eastward—15 hours, 10 minutes . . . westbound—17 hours, 6 minutes.

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TWA first



Radio Personals

PETER VAN STEEDEN leaves for Hollywood this week to take his place as bandleader on "Town Hall Tonight" when Fred Allen returns to the program . . . Two publicity men took falls over the week-end when George Sher of Lennen & Mitchell and Jack Miles of NBC were tossed from their horses . . . Jean Lester, *Radio Guide* lenser, will leave for Hollywood soon for a spell of picture taking in the cinema capital city . . . Adam J. Yung, Jr., formerly of NBC's statistical division, has joined the Bryan Publicity Service . . . Harry Salter resumes on the "Hit Parade" over CBS Nov. 13 . . . Nancy Wicker, youngest daughter of Irene Wicker, will make her network debut on her mother's Mutual program this Sunday . . .

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Joy Hodges, who was the soloist on Joe Penner's program last season, and now in "I'd Rather Be Right," received a wire from Penner yesterday reading: "If I am in Hollywood can't be at your Broadway opening so I'd rather be right than present. In know you'll wow 'em.". . . . The woman who slew her husband Sunday night is not the Pat Ryan of radio, NBC frantically calls to explain . . . William A. Brady is being lined up for a network commercial beginning in January . . . Committee behind the United Hospitals Campaign will tender a cocktail party to the radio press Thursday at the home of Mrs. Charles Payson to tell plans of the drive . . .

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Omaha Town Pump

OMAHA, Nov. 1.—The KOIL staff organist, George Johnson, has a new weekly show Fridays at 1:30 P. M., on the Elks' Club organ. Johnson also does two daily programs, background for the "Vagabond Dreamer" at 9:45 A. M. and the Golden Hour at 10:15 A. M. . . . Boyd Raeburn and his NBC recording and broadcasting orchestra are now playing at the Music Box, a local dance hall. . . . Union Pacific Stages and Interstate Transit Lines are sponsoring Jessel's "30 minutes in Hollywood" over KOIL. . . . "Hollywood Spotlight," a series of 15-minute transcriptions, has started on KOIL for 13 or more weeks. Roberts Dairy Co. is sponsor.

Grossman Goes to WBRY

NEW HAVEN, Nov. 1.—Murray L. Grossman, former WBRY commercial manager at the Waterbury studios, has been appointed to the business managership of WBRY. Perry Lafferty, with the station several years ago, and subsequently announcing at WOC, Davenport, Ia., has been appointed to the regular announcing staff.

WCKY Signs Agency

CINCINNATI, Nov. 1.—L. B. Wilson, president WCKY, NBC-Blue, has appointed Free & Peters as national representatives, with offices in New York, Chicago, Detroit, Atlanta, Los Angeles and San Francisco.

WCKY is believed to be the last important station in the country to complete negotiations for national representation.

New Shows on the Air

"Hilltop House"

An interesting script series that utilizes proven hokum which, in the past, has been generallly accepted by countless listeners. It is human interest stuff that borders on the tear-jerking. The title is the name of an orphanage in a town called Glendale. Bess Johnson, a kindly and personable young woman, runs the place. Her problems are many. The food supply, the various individuals working about the place and of course the children, go to make up the daily period.

It serves its purpose well enough.

"Hilltop House" is maintained by Palmolive Soap and is to be heard Mondays through Fridays from 5:45 to 6 P. M., over CBS. Benton and Bowles, the agency.

"Terry and the Pirates"

The latest addition to the roster of serials that pervade the late afternoon atmosphere will probably have the children quarreling over the right to listen to the various programs. It is vividly dramatic stuff with bits of effective comedy that will hit the spot with its young audiences.

The day-by-day adventures of the trio are also run in a syndicated newspaper cartoon strip and concern the thrilling plights Pat Ryan, Terry and Connie, the latter a Chinese boy, get themselves into. The script unfolds colorfully. "Terry and the Pirates" is sponsored by Dairy-Rich Products. It is heard daily from 5:15 to 5:30 P. M. over the NBC-Red. Stack-Goble, the agency. P.

McCosker on "Jury"

Alfred J. McCosker, president of WOR and chairman of the board of Mutual, has been appointed by the *American Hebrew's* "Jury of Award" to fill the vacancy created by the death of Felix M. Warburg.

The "Jury of Award" annually confers a medal for the "promotion of better understanding between Christian and Jew in America." The Jury comprises distinguished members of the three great faiths. McCosker is a Catholic.

Musicians Again in Session with IRNA

The A. F. of M. executive board conferred with a sub-committee of the I.R.N.A. special advisory committee yesterday regarding the amounts for musicians salaries to be spent by the network affiliates, and for a final reading of the trade agreement recently formulated for the affiliate group.

At a late hour last night the meeting still was in session.

KNX to Build New Los Angeles Station

HOLLYWOOD, Nov. 1.—KNX will build a powerful $300,000 transmitter at Hawthorne and 190th Sts., Los Angeles, to supplant the present equipment in Sherman Oaks.

The new tower and buildings will be placed on a recently acquired 37-acre tract, and construction will start around Nov. 15. The architectural firm of Donald & John Parkinson is drawing the plans.

A 500-foot tower and equipment buildings, as well as offices, will be so constructed as to make them as earthquake proof as possible, as well as safeguarded against any other eventualities, Thurnburg said.

"Let's Play Games" Adds WAAB

"Let's Play Games," currently heard Fridays on WOR, this week will add WAAB, Boston, as an outlet. The account thus becomes a Mutual network feature. Vapex sponsors, through Small & Feiffer.

To Drop "Mystery Chef"

Regional Advertisers, Inc., sponcors of the "Mystery Chef" on NBC, will suspend the program after the broadcast of Nov. 25. The program was placed by McCann-Erickson.

Continental Radio Press Is Organized

Continental Radio Press, Inc., has been organized here, with T. L. Christie, former radio news editor of INS-Universal and former associate of Press-Radio, serving as executive editor.

The company has established its New York offices and additional bureaus are planned for other cities. The company's service is to begin immediately.

Claiming to be wholly non-competitive, Continental will furnish specialized news services to stations, advertising agencies and sponsors and perform other functions not now being performed by regular news services. Its primary function will be to gather, edit and transmit news of strictly local origin in the country's key cities for broadcast over stations in their respective areas. Spot news will also be wired to stations desiring to amplify their present newscasts, with Continental covering them on news of purely local interest breaking in New York and Washington.

"Coffee Pot Inn" Signed

DES MOINES, Nov. 1.—"Coffee Pot Inn," a WHO production, has been signed by Paxton & Gallagher for Butternut Coffee as a Corn Belt Wireless feature. The program originates in the studios of WHO and is rebroadcast by WMT, Cedar Rapids; KGLO, Mason City; WOW and WAAW, Omaha; WIBW, Topeka; KMMJ, Clay Center, Neb.; WJAG, Norfolk, Neb.; WNAX, Yankton, S. D.; KFAB, Lincoln and Omaha.

Crosby, Blondell on Lux Hour

Bing Crosby and Joan Blondell will be presented on a radioized version of "She Loves Me Not" Nov. 8 on the Lux "Radio Theatre" over CBS.

Crosley 9-month Net Slips; Is $103,581

CINCINNATI, Nov. 1.—Report of the Crosley Radio Corp. and its subsidiaries for the nine months ending Sept. 30 this year shows a net profit of $103,581, compared with the net profit for the like period in 1936 of $1,390,327. The company deducted from its profits this year the sum of $340,000 for flood losses.

For the quarter ended Sept. 30 last, the company's report indicates a net loss of $115,735, contrasted with a net profit of $117,870 for the third quarter last year.

The company's assets at the end of September amounted to $5,556,298, including $333,132 in cash. Current liabilities were $713,200. This compares with current assets of $6,060,414, cash of $2,040,415, and current liabilities of $570,863 on Sept. 30, 1936. Inventories were $3,861,338 against $2,660,215.

Benton, Bowles Form Division in Chicago

Benton & Bowles has formed a Chicago division which will open Nov. 15.

The principals and officers of the Chicago office, to be known as Benton & Bowles—Chicago, will be as follows: President, Stuart Sherman, formerly vice-president of the Pepsodent Co. and Lord & Thomas of Chicago; Arthur F. Marquette, vice-president, formerly copy chief of Lord & Thomas, Chicago; Edward Aleshire, vice-president, formerly radio director of Lord & Thomas, Chicago; Blackett-Sample-Hummert, and H. W. Kastor & Sons Advertising Co.

Benton & Bowles—Chicago will maintain a complete independent organization. Facilities of Benton & Bowles in New York and their recently opened Hollywood office will also be available for the clients of the Chicago company.

New Accounts to WCKY

CINCINNATI, Nov. 1.—New business reported by WCKY includes spot announcements for Standard Oil, through McCann-Erickson; 52 five-minute programs for American Pop Corn Co., through Coolidge Ave. Co.; weather reports for Dodge Motor Co. through Ruthrauff & Ryan; 26 quarter-hour programs for Webber Milling Co., handled direct; spot announcements for Early & Daniel Co., through Keeler & Stites Co.; announcements for Nash Motor Co., through Geyer, Cornell & Newell; transcriptions of "Little Orphan Annie" for Wander Co., through Blackett-Sample-Hummert; *Look* Magazine, six half-hour programs weekly through Schwimmer & Scott.

KSFO to Start Wine Program

SAN FRANCISCO, Nov. 1.—Roma Wine Co.'s new variety show, "Toast of the Town," starts Nov. 5 on KSFO, local CBS outlet, for a 26-week run. Show features Dante Barsi's Swingtest, actress Jane McCreevey, commentator Jack Moyles.

Other new KSFO accounts include Dr. Lyons, Stokely Brothers, Folger Coffee, Emporium, San Francisco Auto Show, Gas Appliance Society.

More Radio—P. 10

Two Marx Brothers Fined $1,000 Each

Los Angeles, Nov. 1.—Federal Judge George Cosgrave today sentenced Chico and Groucho Marx to pay a maximum fine of $1,000 each following the conviction of the pair on misdemeanor charges involving violation of Copyright Infringement Act. A jury had held them guilty of appropriating to their own uses in a radio broadcast, material contained in a script submitted by Garrett and Carroll Grahame. It is the first case of its kind in the local court and Judge Cosgrave declared that he had some doubt of the legal sufficiency of the indictment.

The defendants stated that they will appeal to the highest court and posted an appeal bond for the purpose.

Imperial Tobacco to Start Canada Series

The Imperial Tobacco Co., has signed with CFCF, Montreal and a trans-Canada hookup for a 45-minute Friday night program known as "Canada, 1937." The deal was consummated by Weed & Co., national representatives for CFCF, and Whitehall Broadcasting, Ltd., which handles the Imperial Tobacco Co. account. The series is to start Nov. 5.

CFCF will key the program to the trans-Canada hookup. The series is a repeat, having been presented over a like hookup last season. The program will bring commentators to the microphone. Orchestral and choral specialties will also be included on the series.

Imperial Oil Signs For Montreal Hockey

Montreal, Nov. 1.—Hockey broadcasts will be sponsored by the Imperial Oil Co., which has purchased the Forum franchise. The opening game of the National Hockey League season, Nov. 6, between Montreal Maroons and Boston Bruins will be the first broadcast. Last year the broadcasting franchise was not for sale until the playoff games.

The Montreal programs will be in both English and French, the former being handled by Charlie Harwood and the latter by Roland Beaudry, former player of Les Canadiens. During playoffs and occasionally during the season the English programs will be fed to a coast-to-coast hookup while the French programs will be aired over a five-station setup covering the Province of Quebec. When ready, the new CBC outlet, CBF, will also handle the French descriptions.

Davies Heads WIP Programs

Philadelphia, Nov. 1.—Major Edward A. Davies has been named director of sales, replacing Albert M. Cormier, at WIP. Davies was formerly program director. He then became an executive with the John Falkner Arndt Agency. His appointment will be effective Nov. 1.

Jack Parr Leaves WCAE

Pittsburgh, Nov. 1.—Jack Parr, youngest member of the WCAE announcing staff, has resigned and will return to radio work in his home town, Youngstown. His successor is expected to be announced some time this week.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

Bulldog Drummond's Revenge

(Paramount)

Hollywood, Nov. 1.—Mystery, menace and adventure are the principal ingredients of "Bulldog Drummond's Revenge." There is also some comedy and romance. Production technique (danger and escapes, often in thick fog, in London, Paris, on a train and aboard ship) tends to accentuate the drama expected in a Scotland Yard story. Five principal characters, John Howard, John Barrymore, Louise Campbell, E. E. Clive and Reginald Denny, all bearing the same screen identities as in "Bulldog Drummond Comes Back," are again present.

Howard (Bulldog) much prefers marriage to Miss Campbell to further experiences with Scotland Yard's head man, Barrymore. But the theft of a munitions secret which threatens the security of England excites his interest. Ensues a stalking chase through fogbound London, aboard a train bound for the coast, across the Channel to Paris. Miss Campbell goes along, as do the comedy characters, Clive and Denny. Many adventures befall the quintet, particularly Howard and Miss Campbell, prior to the capture of sinister Frank Puglia and the return of the secret formula.

Edward T. Lowe adapted the H. C. McNeile story and Louis King directed. They functioned similarly in the case of "Bulldog Drummond Comes Back." Intended as a secondary feature, its market is evidently in places where a lot of weird goings-on are understood and appreciated.

Running time, 55 minutes. "G."

Looking 'Em Over

"Rangers Step In"

(Columbia)

No departure from the routine handling of a western story is to be found in "Rangers Step In." In fact, it relies on the tried and tested theme of a feud between two families who have brought their quarrel from Kentucky to the range. As it is such standard melodrama, it may find acceptance.

Bob Allen, probably the handsomest of western film leading men, is featured. The narrative concerns the fight between the aforementioned two factions that springs from the deviltry of an unscrupulous individual who is trying to decimate the Warrens so he can step in, buy their property cheaply, and then resell it to railroad interests as right of way at a handsome profit. Allen and his troop of state rangers are called in by the local sheriff. They attempt to calm things, but there is always interference. Only when Allen is framed in the killing of the scion of one family does the affair get somewhere. Allen uses a clever ruse and uncovers the real culprit whom he hands over to the authorities after beating the daylights out of him. The two families are peacably reunited and Allen finds romance with Eleanor Stewart.

Spencer Gordon Bennet directed. The support includes John Merton, Lafe McKee and Hal Taliaferro.

Running time, 61 minutes. "G."

"Tex Rides with the Boy Scouts"

(Grand National)

The ready-made exploitation angle, evident in the title and sprinkled liberally throughout the narrative should provide an avenue for the facile selling of this western to children and the members of the Boy Scouts.

The story manages to offer scouts at their various activities in every possible sequence. Tex Ritter plays a Federal agent who is tracking train robbers. Aided by Snub Pollard and Horace Murphy, he sets about locating the thieves. He locates them at a mine that is used to cover up their transactions. Meanwhile, Pollard is converted by the scouts and Ritter finds time for a romance with Marjorie Reynolds. At long last, as the ex-King of England said, the forces of law and order and the bandits come to grips. The scouts snare one faction of the gang and Ritter and a posse capture the other.

The story drags and only in the final reel does the element of action really show itself.

The support includes Charles King, Tommy Bupp, Karl Hackett and a liberal assortment of boys from a Los Angeles troop. Ray Taylor directed.

Running time, 66 minutes. "G."

Studios Hold Pace With 38 Shooting

(Continued from page 1)

Smoke;" RKO, "Lights Out;" Roach, "Merrily We Live," and Warners, "Jezebel."

The tally by studio:

Columbia finished zero, shooting five, preparing one, editing nine; Goldwyn, zero, one, zero, one; Grand National, zero, zero, zero, two; M-G-M, one, seven, two, five; Monogram, one, one, zero, one; Paramount, zero, seven, one, eight; Principal, zero, one, one, zero; Republic, one, one, one, four; RKO, zero, four, two, five; Roach zero, one, zero, zero; Selznick, zero, zero, zero, two; 20th Century-Fox, one, five, one, four; Universal, one, zero, four, one; Wanger, zero, zero, zero, one; Warners, three, five, two, 22.

M-G-M and RKO each finished one short, none started, and none are shooting. Five are preparing and 13 being edited.

See Bank Night as Ended in Nebraska

(Continued from page 1)

district manager for the Tri-State Theatres Corp., which operates 14 houses in Nebraska, said that as far as he is concerned the Bank Night question is dead.

Sam Epstein, president of the Epstein Circuit, said he felt it to be unfair that Bank Night is ruled out of the theatres, but similar schemes still operate at Omaha filling stations and cleaning shops.

Will H. Singer, manager of the Brandeis, said he plans to drop the whole thing.

William H. Wright, attorney for both the Omaha committee and for the Fox Beatrice Theatre Corp., of Beatrice, Neb., against whom the unfavorable decision was made, said he thought a request for a rehearing might be advisable. It would be best, he added, to await decisions pending in the Supreme Court of Missouri and Minnesota.

Wall Street

Small Board Changes

	Open	High	Low	Close	Net Change
Col.	18	18	17½	17⅝	— ⅜
Cons.	2⅛	2⅛	2⅛	2⅛	.....
Cons., pfd..	8⅞	9	8¾	9	+ ⅛
E. K.	169	169	169	169	+1
E. K., pfd..	163	163	163	163	.....
G. T. E....	15	15	15	15	— ⅜
Loew	63	64	63	64	— ⅜
Para.	15⅛	15½	14¾	15½	.....
Para. 2.....	13¾	14	13⅜	14	— ⅛
Pathe	7⅛	7¼	6⅞	7¼	— ⅛
RKO	6⅛	6⅛	5¾	6⅛	— ¼
20th Fox ..	25½	25½	25⅛	25¼	— ¾
Univ., pfd..	35	36	35	36	+1
W. B.	9⅛	9¼	9	9⅛	— ⅜

Little Bond Activity

	Open	High	Low	Close	Net Change
G. N.	1⅝	1⅝	1½	1⅝	.....
Sonotone ..	1⅞	1⅞	1⅞	1⅞	+ ⅛
Tech.	20½	20½	20	20½	— ⅜
Univ. Corp.	2¼	2¼	2¼	2¼	.....
Univ. Pict.	4½	4½	4½	4½	.....

Bonds Up Lightly

	High	Low	Close	Net Change
Loew 3½s '46.....	99⅛	98½	99⅛	+ ⅛
Para. Pict. 6s '55	97½	97½	97½	+ ½
Para. Pict. '47....	80	80	80	.....
W. B. 6s '39.....	85	85	85	.....

(Quotations at close of Nov. 1)

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 106 NEW YORK, WEDNESDAY, NOVEMBER 3, 1937 TEN CENTS

Approval for "Strike" Pact Is Due Today

Leaders in Philadelphia Favor Settlement

PHILADELPHIA, Nov. 2.—Formal approval of the proposals for settling the exhibitors' "buyers' strike" against Paramount is expected to be given by exhibitors in this territory, where the "strike" originated last July, at a meeting here tomorrow morning.

Opposition to the settlement proposals is limited to a minority of the exhibitors affected and, significantly. the most influential figures in local exhibitor circles are in favor of the settlement.

Tomorrow's meeting will hear reports by a group of 25 exhibitors who, during the past week, opened negotiations with the local Paramount exchange either for the settlement of their last season's contracts or for new season pacts, or both. The results of these negotiations will be reported to the meeting as a guide to the exhibitors in judging the manner in which the settlement proposals work out in actuality. Ben Golden, Philadephia

(*Continued on page 4*)

Canada Cuts Duties On French Pictures

TORONTO, Nov. 2.—An important concession has been granted by the Canadian Dep't. of Customs and Excise for the importation of films in the French. Polish or Ukrainian languages in the reduction of the duty from 3 cents to 1½ cents per foot when produced and exported by countries enjoying the socalled "most favored nation" treatment under existing trade treaties. This rate is equal to the British preferential tariff which has been extended to British-made films for five years.

The change in the customs schedule means that films having French.

(*Continued on page 4*)

Seeks Showings for Jobless Census Film

Cecil Maberry is establishing contacts with national circuits here to run a 200 ft. trailer, "Counting the Jobless," made by Pathe for the Census of Unemployed, new Government bureau authorized by Congress to chart and analyze the jobless of the nation.

The trailer, which would go to theatres without charge, pictures the procedure by which the census cards,

(*Continued on page 9*)

IATSE Claim Upon Service Men Expected

Possible Move Delaying Organizing Activity

The I.A.T.S.E. may claim jurisdiction over theatre sound equipment service workers, it was learned yesterday, and the possibility of this action has already delayed the final organizing work among theatre service men several months.

Several I.A.T.S.E. projectionists' locals, including Local 306, New York, already have asserted jurisdictional claims over the service men and, it is understood, have appealed to the I.A. to lay formal claim to this jurisdiction before the A. F. of L. Whether or not this action actually has been taken could not be ascertained definitely, but it was learned. nevertheless, that the service men's organization, which was formed early last summer, has not yet been chartered by the A. F. of L. as an independent union.

Regardless of the ultimate disposition of the jurisdictional question there is no doubt that organization of

(*Continued on page 7*)

Wisconsin Circuits Take More Theatres

MILWAUKEE, Nov. 2. — Circuits have increased their holdings in Wisconsin with the annexing of the Geneva and Delavan at Lake Geneva and Delavan, respectively, by Standard Theatres Co., and the Plaza and World, Milwaukee, and Majestic and Cudahy in Cudahy by Fox-Wisconsin Co.

The newly acquired Standard houses

(*Continued on page 7*)

An Authority?

Charles MacDonald, RKO district manager, visited the O. & W.—Order and Wait—restaurant the other night and decided he wouldn't have his usual dinner.

He ordered Russian borscht for a change and, after tasting it, complained to the waiter:

"This doesn't taste like Russian borscht," he protested.

The waiter looked at him and said:

"Since when are you an authority on Russian borscht?"

LeBaron Denies He Will Leave Para.

HOLLYWOOD, Nov. 2.—William LeBaron, production head of Paramount, returned from a vacation today and denied reports that he would leave the company. LeBaron's contract runs to the end of this year.

"Reports that I am not continuing my association in my present capacity with Paramount are wholly without foundation. I am on a vacation, having started it when Mr. Zukor returned from his trip and after conferring with him on our present and

(*Continued on page 7*)

Kuykendall Renews Arbitration Moves

OMAHA, Nov. 2.—Conferences on the possibility of establishing voluntary arbitration boards featured Ed Kuykendall's visit here. A number of exhibitors in the territory expressed themselves as favoring the proposal, according to Charles E.

(*Continued on page 7*)

U. A. Transfer Is Seen Near Completion

Final Details Now Said Under Discussion

The United Artists deal late yesterday was reported to have reached the stage where details of the new setup to emerge under the changing control of the company are now occupying the time of Samuel Goldwyn and Alexander Korda who would become half partners in the corporation by acquisition of the stock now held by Mary Pickford, Douglas Fairbanks and Charles Chaplin.

At the same time, indications from another quarter tended to emphasize the point that, while the purchase price has been arranged through Prudential of London possibly in association with other British banking groups, some details concerning terms under which the money is being advanced continue to call for clarification and the establishment of mutuality with the Goldwyn-Korda interests. One thoroughly familiar with the status of the negotiations described them in this manner:

"While efforts are being made to push the English group, it seems the

(*Continued on page 4*)

New Skouras Games Make End Unlikely

With the adoption of Screeno by Skouras Theatres at the Roosevelt, Flushing, in the last few days, indications are strengthened that the I. T. O. A. move to discard games and giveaways in the local area on Dec. 1 will not materialize.

Loew's and RKO are studying the latest development with a view to adding games in their Flushing units.

C. C. Moskowitz of Loew's, apprised of the Roosevelt move, said yesterday: "We haven't decided what

(*Continued on page 9*)

Vaudeville, Duals Heavy Newark Draw

NEWARK, Nov. 2.—Success of the Shubert here with a combination vaudeville and picture policy may influence Loew's and Warner to institute acts in their local theatres. M. Leventhal and Al Dow are operating the Shubert and for the past three weeks have been featuring star acts

(*Continued on page 9*)

Guest List Is Lengthy for Variety Club Party Nov. 14

PITTSBURGH, Nov. 2.—The ninth annual banquet of Variety Club Tent No. 1 will be held at the William Penn Hotel, Sunday night, Nov. 14 Among the guests will be Governor Hoffman of New Jersey, Governor Nice of Maryland, Governor Earle of Pennsylvania, Senator Davis of Pennsylvania, Mayor Scully of Pittsburgh, and numerous state, city and county officials, including State Secretary of Labor Bashore.

The following are among those scheduled to attend: Paramount—Earle Sweigert, Eddie Fontaine, Duke Clark, Harry Goldstein. M-G-M—William F. Rodgers, Tom Connors, Bill Scully, Ted O'Shea, Jack Flynn, Frank Drew, Rudy Berger. Columbia—Joe McConville and his son: Lou Aster, Lou Weinberg. Rube Jackter, Sam Galanty. RKO—Ned E. Depinet, Eddie McEvoy, Nat Levy, Cresson Smith, Harry Michaelson. Grand National—Edward Peskay, A.

(*Continued on page 9*)

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Plan "Barrier" Opening

SEATTLE, Nov. 2.—Jean Parker, James Ellison and Harry Sherman left Hollywood today for the premiere of "The Barrier," Sherman-Paramount release, here at the Paramount on Friday. They will be guests of honor at a dinner to be attended by the governor of the state and other officials. Miss Parker will be presented a gold "key to the city."

Dewey Bloom Joins Regal

Dewey Bloom, for the past six and a half years with Regal Films, yesterday joined M-G-M as exploitation head in Canada, under the supervision of William R. Ferguson. He will work with Regal Films, M-G-M Canadian distributor. Bloom left last night for Toronto where he will make his headquarters.

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Insiders' Outlook

By RED KANN

AT odd intervals, and no doubt because of the travail which goes into the capturing of rippling fun on the screen, Hollywood astonishes with the prodigious merit of its endeavors. Tomorrow, the Music Hall will prove the case when "The Awful Truth" begins an engagement there. It was only a few weeks ago that Harry Cohn was in town, looking at "You Can't Take It with You," that hardy perennial of New York's last stage season and still getting along on all eight this doddering theatrical year; Columbia owns it and is preparing to do something about a transfer from stage to film pretty quickly now. He was talking about "The Awful Truth," predicting for it a whirlwind success, going on at length about a new Cary Grant and not overlooking Irene Dunne in the telling . . .

▼

All of this eventually conveyed itself to us as a "must" and when the time, therefore, came along for Columbia to show this high-speed comedy, there we were on deck to take a look. In these mixed up days with a chore or two or three constantly demanding attention, time out for pictures is not always as convenient as it sounds. Our approach to the projection room consequently was as one disgruntled and grumbling. Our departure was springy, airy and labeled with a grin that persistently refused to fade as the day went on . . .

▼

Now you must admit, as we do now, that this is saying a good deal on behalf of a reaction to any film. This is also to inform, however, that exaggeration plays no part in this report, for "The Awful Truth" is fun from its beginning, down through its length and well into its finish. It has to do with an inconsequential tilt between Miss Dunne and Grant, their divorce, her rebound into the copious arms of Ralph Bellamy, a big rancher from Oklahoma and her eventual return to Grant because she always had laughs with him and, besides, it was Cary she never stopped loving anyway. The same applied where he was concerned and that made it a dead cinch for a final reconciliation when time arrived to close out the picture and its harum-scarum, screwball comedy . . .

▼

Already and on the basis of its limited first run engagements here and there around the country, the farce is registering its box-office strength. As closely as analyses of product and the merit in it hold in these days of football and upsets, this is an attraction which should do very right by its producer and its theatre accounts. The comedy rages high and constantly and frequently the proceedings slip into that coveted division where the adjective "brilliant" seems inescapably the proper one to use. By a stretch of the typewriter, we suppose there might be more to say. To say more, on the other hand, means doubling back on praise already thickly, but properly, applied . . .

▼▼

Nobody is claiming the credit, for in matters such as this no credit should be sought. It is sufficient to point out that John Montague, who, by press association effervescence, apparently had one of those million dollar Hollywood contracts in his hand, has nothing of the kind. On each occasion when notoriety cracks the news columns, the Hollywood contract story is dug out of the morgue to temporarily damage an industry which once may have been intrigued with such possibilities but which now is not, since it knows better than to mess around with trouble. The indiscriminate publicity to which a major American industry thereby is subjected by the responsible, as well as the irresponsible, press represents a something which the film business seemingly has been able to do little about. That is, little except to take these matters in its stride and to rise above them, confident that its well-established intent to keep its cuffs unsullied eventually will impress with the full measure of its seriousness. . .

Principal Not to Expand

No expansion moves are planned by Principal Theatres, Mike Rosenberg, operating head, stated yesterday. The coast circuit has 20 units and is affiliated with F.W.C. Sol Lesser is financially interested. According to Rosenberg, the circuit did not add any theatres last year. He plans to be in town a few more days "on business," conferring with Charles P. Skouras.

Walter Blumenthal Dead

Walter Blumenthal, president of the United Dressed Beef Co., and father of A. Pam Blumenthal, vice-president of Grand National Films, died yesterday morning at his home from a heart attack. He is survived by his widow, Mrs. Sarah Pam Blumenthal; a brother, Irving Blumenthal; two sisters, Mrs. Ray Greenberg and Mrs. Harry Dreyfus, as well as his son.

Society Gathers as London Odeon Opens

LONDON, Nov. 2.—London's high society and a considerable representation of the peerage attended the formal opening tonight of the new 2,300-seat Odeon in Leicester Square. The receipts will go to charity. The opening attraction was "The Prisoner of Zenda."

The Duke and Duchess of Gloucester headed the royal party. Members of the peerage included the Duke and Duchess of Atholl, the Duchesses of Marlborough, Rutland, Buccleuch and Leinster, the Marchioness of Bedford, Countesses of Airlie, Ancaster, Chassilis, Bredalbane and Stair, Earles Leven, Chichester, Erne, Levan and Winterton, Viscountesses Furness, Gage, Curzon, Elibank, Harcourt, Swinton and Wakefield, and numerous others. Walter Eliot, Secretary of State for Scotland, was present, as well as a large party of British stars.

Poor Richard Club To Honor Will Hays

PHILADELPHIA, Nov. 2.—The Poor Richard Club, advertising organization here, will present the gold medal award of achievement to Will Hays, president of the M.P.P.D.A., at the annual banquet on Jan. 17. Charles H. Grakelow is president, and E. O. Bretz is director general of the annual banquet.

The club makes an annual award to the individual whose contributions to the nation's progress have been outstanding. Previous recipients here included Will Rogers, Alfred P. Sloan, Jr., and Capt. Edward V. Rickenbacker.

Jessner Reaches Coast

HOLLYWOOD, Nov. 2.—Leopold Jessner, German producer recently signed by Louis B. Mayer while in Europe, arrived today from New York. Julian Duvivier, prominent French producer, and Elinor Abbey, who will act as assistant to Adrian, got in yesterday.

Lily Hatvany, Mirielle Balin and Bruno Frank, who arrived on the *Ile de France* a week ago today, are still in town. They will leave shortly for the M-G-M studios.

Don Standard, actor, is due on the *Washington*, Nov. 11. He also was signed by Louis B. Mayer on his last trip abroad.

Service Help on Strike

A strike of porters, matrons and watchmen in three Times Square theatres was called yesterday by the Building Service Employes' International Union, Local 54. The theatres are the New Amsterdam, George M. Cohan and Sam Harris. The union charged discrimination against its members by the management.

Terrace Theatre Opens

The Terrace, 600-seat theatre adjacent to the London Terrace Apartments, opened yesterday. Single features will be the policy.

Stock Exchanges Closed

Election Day was observed yesterday on Wall Street as a holiday and there was no trading on the stock, curb and bond markets.



cHEErfuL EaRFull!

FRoM eVeRY cORnER of

ThE nATIon...cONquesT! ConQUeSt!

cOnqUESt!

it'S

iN

tHE

AiR

evErYWheRE!

tHE B-I-G-G-E-S-T....aND isN't it a FAct tHAT

the DARinG tHingS, tHE GiANt aTTrActiONs

YEar aFter yEAr aRe

M-G-M

Purely Personal

CLINTON WHITE, G.B. assistant general manager, arrived in Jacksonville yesterday from Charlotte. ARTHUR GREENBLATT, eastern division manager, returned from Philadelphia.

•

HERMAN FUCHS, music editor of Pathe News, has returned from an extended visit to the RKO studio. He acquired musical effects which will be used in the reel.

•

THOMAS M. KEARNS, former publicity and advertising head for Fanchon & Marco, has opened publicity offices in the International Bldg.

•

HENRY ARMETTA, coming out of the Astor Grill yesterday, was mobbed by autograph hunters who held up his cab for several minutes.

•

RUTH RICH, secretary to GUS EYSSELL of the Music Hall, will leave on a three-week vacation on Friday. She will travel west.

•

CHARLES BUNN and BERT SANFORD of Erpi are back from Chicago where they attended the Motiograph convention.

•

GEORGE ARLISS and his wife will sail today on the *Aquitania* and will arrive in New York next Tuesday.

•

VIRGINIA MORRIS has taken a three-month leave of absence from U.A. and has gone to Florida.

•

KEN O'BRIEN, who recently resigned from the U.A. publicity staff, is now with Pepsicola.

•

HAROLD WINNER, Universal cameraman, has just returned from China.

•

EDDIE CARRIER, M-G-M exploiteer, returned yesterday from Texas.

•

WALTER WINCHELL returned from the coast yesterday.

•

JOE HORNSTEIN has returned from Chicago.

•

BRUCE GALLUP is in from Hollywood.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
AMERICAN AIRLINES INC.

Out Hollywood Way

HOLLYWOOD, Nov. 2.—JOE MACDONOUGH has joined M-G-M's production department as as assistant director . . . The M-G-M publicity department has prepared an elaborate booklet "Who's Who at M-G-M" listing biographical sketches of actors, directors and producers . . . "Arsene Lupin" again is a screen subject, M-G-M having decided to make "Arsene Lupin Returns," with MELVYN DOUGLAS, VIRGINIA BRUCE and JOHN HALLIDAY in the top roles. Supporting them will be NAT PENDLETON and GEORGE ZUCCO.

"Dangerous to Know," another picture with a Chinese war background, will be the next ANNA MAY WONG vehicle at Paramount . . . BRYAN FOY at Warners has announced "The Clarion," to be based on the nation's pure food laws. The story is by SAMUEL HOPKINS, and VINCENT SHERMAN is doing the script.

✚

Writers—JOE BIGELOW has been borrowed from SAMUEL GOLDWYN by DAVID L. LOEW for work on the new JOE E. BROWN vehicle, "Wide Open Faces" . . . Paramount assignments: JACK MCDERMOTT, to develop a western musical; THOMAS MONROE on the script of "Gambler's Maxim"; ROBERT YOST on "Prison Farm" and TOM KILPATRICK on an untitled original.

✚

Casting—IRVIN S. COBB has been signed for "Hawaii Calls," Principal . . . HUGH O'CONNELL in "A Slight Case of Murder," Warners . . . SKINNAY, soloist with HAL KEMP's band, draws a featured spot in Paramount's "College Swing" . . . RICHARD B. CROMWELL to "Jezebel," Warners.

✚

Directors—ANATOLE LITVAK will direct "The Amazing Dr. Clitternouse," at Warners.

✚

Contracts—ERIC MASCHWITZ, who had been writing for English films, will arrive over the weekend to start his M-G-M writing contract . . . 20th Century-Fox has extended the contract of KEYE LUKE, Chinese actor . . . JAMES GRUEN has joined M-G-M's writing staff under a term pact.

Approval Due Today To Settle "Strike"

(*Continued from page* 1)

attorney, who has served as counsel to the exhibitors' "strike" committee since the inception of the campaign last August, will address the meeting. Golder, who was not present at the meeting last week at which Paramount's settlement proposals were first discussed, is not expected to oppose a truce.

Indications are that exhibitor representatives from outside territories will not attend tomorrow's session, as they have been advised of Paramount's settlement proposals.

Canada Cuts Duties On French Pictures

(*Continued from page* 1)

Polish or Ukrainian dialogue and made in a favored country can now be imported into the Dominion at half of the previous customs levy. To date, French language films could be imported from France only under the Canada-France trade treaty at the reduced rate of 1½ cents per foot but the privilege has now been extended to all favored nations, the chief of which, outside of British countries, is the United States.

Canada Group Meets

TORONTO, Nov. 2.—The Maritimes M. P. Alliance, the newly named association of the independents in the Maritime Provinces, held its annual convention at Halifax, N. S., at which A. J. Mason of the Capitol, Springhill, N. S., was reelected president.

Rhoden Goes to Omaha

OMAHA, Nov. 2.—Leslie Rhoden, formerly booker for Monogram at Des Moines, has been transferred here as booker and office manager under Omaha Exchange Manager Bill Stricklund.

Rubinof Elected by Indiana Exhibitors

INDIANAPOLIS, Nov. 2.—Maurice Rubinof of Michigan City today was elected president of Associated Theatre Owners of Indiana for the year 1937-1938. He succeeds Roy R. Blair of Indianapolis, who had served for two years.

Other officers chosen are: I. R. Holycross of Anderson, first vice president, and Frank B. Sanders of Indianapolis, re-elected treasurer. Miss Norma Campbell continues as secretary.

District vice presidents named are: H. Lisle Kreighbaum of Rochester, District No. 1; Leonard Sowar of Muncie, No. 2; Harry Markum of Indianapolis, No. 3; Roy Harrold of Rushville, No. 4; and H. H. Johnson of Madison, No. 5.

Shift Loew-Poli Men

BRIDGEPORT, Nov. 2.—Harry F. Shaw, Loew-Poli division manager, has named Joseph Lavenduski, former student assistant at the College, New Haven, to assistant manager of the Globe, here, replacing Catherine Pape, resigned. Nathan Rubin has been appointed assistant at the Poli, Springfield, succeeding Al Martakke, also resigned. Rubin was with Loew's in Evansville, Ind.

Police Train with Film

DETROIT, Nov. 2.—Through the efforts of John Howard, local Paramount branch manager, a print of the feature, "Car 99," has been given to Police Film Censor Charles Snyder to be turned over to Commissioner Oscar G. Olander, head of the State Police, for use in the training school at East Lansing. The film was made in Michigan and shows the Michigan State Police in action.

Va. MPTO Meet Jan. 27

RICHMOND, Nov. 2.—The annual convention of the M.P.T.O. of Virginia, will be held here, Jan. 27.

U. A. Transfer Is Seen Near Completion

(*Continued from page* 1)

Britishers are not susceptible to easy pushing."

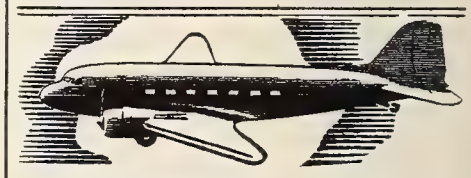
Goldwyn yesterday maintained strict silence. He met representatives of the trade, newspaper and magazine press at a luncheon given for him by Lynn Farnol, his former press representative, and now with Donahue & Coe, the advertising agency which, among other accounts, also handles United Artists. The luncheon was entirely informal, was held at the Club Lounge of the Rainbow Room and was described by Farnol as "merely a gesture of appreciation toward my former boss."

Attendance Representative

Present were Ralph Ingersoll, publisher of *Time;* Marion Kendrick, executive news editor of the Associated Press; Terry Ramsaye, editor of *Motion Picture Herald;* Frank Nugent, film critic of *The New York Times;* William Boehnel, film critic of *The New York World-Telegram;* Edward De Long, feature writer on *The New York Sun;* Alva Johnston, national magazine writer and Goldwyn's biographer; Joseph Thorndike of *Life;* Lucius Beebe, feature writer on *The New York Herald-Tribune;* Archie Winsten, film critic of *The New York Evening Post;* Ray Long, business manager of *The New Yorker;* Sam Shain of *Variety;* Jack Harrower of *The Film Daily;* Henry Pringle, national magazine feature writer and on the staff of *The New Yorker;* Red Kann, editor of MOTION PICTURE DAILY; Monroe Greenthal, director of advertising and publicity of United Artists; Ben Washer, eastern publicity representative for Goldwyn, and Myer Beck of the United Artists publicity department.

Van Schmus Present

Present also were W. G. Van Schmus, managing director of the Music Hall; Bennett Cerf, the publisher; and Robert M. Gillham, director of advertising and publicity of Paramount. The latter attended at the personal invitation of Farnol and in a private capacity.



A BERTH FOR EVERY PASSENGER ON UNITED

Here's one reason United is running 3 coast-to-coast sleeper flights nightly. For extra comfort United's sleepers are limited to 12 passengers.

And United alone offers the Sky Room courtesy lounge for those who retire late or rise early. All backed by 20,000 California-New York flights.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices

UNITED AIR LINES



"Napoleon" by Delaroche

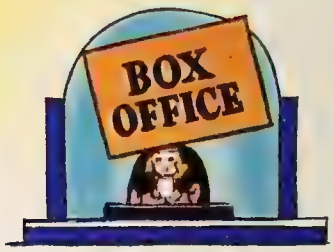
Masterpiece!

— and destined for screen immortality, Greta Garbo as Marie Walewska and Charles Boyer as Napoleon in M-G-M's "Conquest."





CONQUEST



Greta Garbo and Charles Boyer in Clarence Brown's Production of "Conquest" with Reginald Owen Alan Marshal · Henry Stephenson Leif Ericson · Dame May Whitty C. Henry Gordon · Vladimir Sokoloff Screen Play by Samuel Hoffenstein, Salka Viertel and S. N. Behrman Directed by Clarence Brown Produced by Bernard H. Hyman A Metro-Goldwyn-Mayer Picture

IATSE Claim Upon Service Men Expected

(Continued from page 1)

the service men is virtually complete and that negotiations with the major sound equipment sales companies on new wage and hour schedules and provisions covering general working conditions are not far off. The service men's organization already is prepared to ask a basic minimum wage of $80 per week, it is reliably reported. The average scale for Erpi service men now is approximately $65 per week, and for RCA Photophone Mfg. men, about $40 per week. Erpi spokesmen yesterday denied that the differential, if established during the forthcoming negotiations, would force the company to increase its service rates to exhibitors. Photophone officials could not be reached for comment yesterday on whether an $80 minimum, if obtained by the union, would require an increase in that company's servicing charges to theatres.

Considered Last Year

The organizing of the service men was sufficiently well advanced last summer to cause several midwestern projectionists' locals to bar non-union service men from theatre projection booths. At the point of opening negotiations with the equipment companies, however, the jurisdictional question involving the I.A.T.S.E. and the newly organized service men's union arose, barring further advancement of the new organization's aims. Some I.A. locals, it is reported, want the service men to become members of the operators' union. Other locals, it is said, advocate organizing the service field on their own and handing over the servicing jobs to their present members in order to absorb the unemployed within their own ranks. In the latter group are the large city unions whose membership frequently exceeds available employment opportunities.

Wisconsin Circuits Take More Theatres

(Continued from page 1)

were formerly operated by William Silcock, with Leo Haney named manager of the Geneva. Andrew Pendl has been named manager of the circuit's Vogue in Kenosha, succeeding Haney.

With the acquisition of the four houses by Fox, the circuit's string has been swelled to 51 theatres in Wisconsin and upper Michigan.

Cotton Area Grosses Up

OKLAHOMA CITY, Nov. 2.—Griffith Theatres officials report that grosses in the cotton area of southern Oklahoma are running much higher than grosses in the wheat area. The reason is that farmers in the wheat area are storing their crops for a possible rise in price and are thereby keeping that much cash out of circulation. Griffiths reports that Bank Night, which is used in a majority of their 200 theatres, is losing its popularity and drawing power with the public.

The Newsreel Parade

Movietone News
Vol. 20, No. 15
(20th Century-Fox)

This release adheres to what appears to be a Fox Movietone habit of giving the customers their money's worth not only in footage but in varied topics, well photographed, skillfully edited and produced. Six subjects make up a "world events" section; there is Vyvyan Donner's and Helen Claire's neatly staged fashions preview; Lew Lehr's "newsettes" and some thrilling shots of the Yale-Dartmouth and Princeton-Harvard games to complete the reel.

The world events are led off by new shots of the fall of Chapei, affording an impressive view of the destruction wrought in the Shanghai area, and an impressive plea by Mme. Chiang Kai-Shek for world aid for China's defense. The journey of the British royal family from Buckingham Palace for the ceremony of Parliament opening; electrical displays at the Paris Exposition; Mussolini astride his new Arabian horse, reviewing the Roman police, and studies of the 40 sets of twins discovered in a Chicago high school comprise the remainder of this section.

The fashions preview combines a glimpse of new motor models, being staged against the background of the New York Auto Show. Lehr contributes a laugh with his observations of the working of a new seal-feeder at the London Zoo. For sheer excellence of camera reporting, the shots of the Yale-Dartmouth game win the vote of this reviewer.

Running time, 10 mintes. K.

News of the Day
Vol. 9, No. 213
(M-G-M)

Shots of the Yale-Dartmouth 9-9 tie furnish some of the best football scenes thus far this season. The passing and runs were extraordinary and the light was apparently perfect for long range photography. The cutting, by relieving the playing with shots of the crowd and the cheering, with Jean Paul King's commentary, is excellent. King is improving on sport subjects

After showing scenes of Japanese artillery in streets and bombers at work around Shanghai the war shots turn to Madame Chiang Kai-Shek. She is charming as well as an effective speaker. The Japanese side, presented by Ambassador Saito, falls pretty flat after her talk. Gijon apparently fell to the insurgents on a rainy day—that is, if the films were made the day of the fall.

King George and Queen Elizabeth ride to the opening of Parliament, but audiences won't get hysterical about this. Ernest Simpson, well known ex-husband, strides along the deck of the *Queen Mary* while photographers get busy. He looks something like Thomas E. Dewey, but even that doesn't make him an interesting newsreel subject.

Running time, 9 mins. J.

Paramount News
No. 26
(Paramount)

Football activities over the weekend gives this issue of the reel its punch. The spectacular plays of the various games provide the desired action and have the stuff that pleases audiences.

The rest of the reel offers a fox hunt in Virginia, the fall of Gijon into Spanish insurgent hands, King George on his way to open Parliament, a display of fur coats on pretty models, war scenes in Shanghai, Ambassador Saito reading a speech in Washington in which he tells the world that Japan wants peace and Madame Chiang Kai-Shek denouncing Japanese invasion.

It was a dull weekend as far as pictorially acceptive news goes.

Running time, 9 mins. P.

Pathe News
Vol. 9, No. 30
(RKO)

The highlight of this rather routine number of the Pathe reel are the sharply contrasted speech of Japanese Ambassador Hirosi Saito, contending in Washington that Japan only wants peace and no territory in China, and war scenes in and around Shanghai, indicating the terrible price of that "peace."

The spectacular finish which enabled Yale to tie Dartmouth, in their football game last week, makes for snappy newsreel sports material, assisted by the able verbal description of Clem McCarthy. In the other clips, King George and Queen Elizabeth are seen riding in the royal coach to the opening of Parliament, which is average material; the arrival on the *Queen Mary* of Sir Ronald Lindsay, British Ambassador; Ernest Simpson, former husband of the Duchess of Windsor, and Daniel Doherty, national commander of the American Legion, straight stuff; the fight of the Texas Dep't of Public Health to end malaria, using an entire county as a laboratory, which is interesting and well handled, and Italian motorcycle and mounted police in a spectacular demonstration of skill and daring in leaping through burning hoops and over burning shrubbery, set off with flashes of Il Duce, glorying in the sight.

Running time, 8 mins. A.

Universal News
No. 611
(Universal)

Two pigskin games, Harvard tackling Princeton at Princeton, and Yale pitted against Dartmouth at New Haven liven up this issue. The two games are humdingers with Graham McNamee giving a dramatic description of plays.

Madame Chiang Kai-Shek at Nanking, pleads for a boycott against Japan for the latter's undeclared war. This is one of the few shots where a subject actually speaks in the Universal Newsreel. Madame Kai-Shek has a good command of English and is forceful in her simple way.

Rounding out the issue are autumn floods from the overflowing Potomac at Ridgley, Md., police field day at Rome with Mussolini's men and horses going through a daring series of stunts, the destruction of a produce building which collapsed and killed two in Minneapolis, and the gentle playfulness of a wire-haired terrier and a wide-eyed kitten.

Running time, 9 mins. O.

Kuykendall Renews Arbitration Moves

(Continued from page 1)

Williams, president of the M.P.T.O. of Nebraska and Western Iowa.

Kuykendall arrived a day before he was expected and attended the Variety Club Hallowe'en party at the Hotel Fontenelle. The following day he met 27 exhibitors at the Hotel Loyal.

Under the proposed new setup the board's rulings would call for voluntary acceptances, in this way avoiding the feature which caused the courts to outlaw the old boards.

"Many exhibitors in the territory have been working for cooperation and away from litigation," Williams said, "but they have had little success. The air is getting charged with dissension between exhibitors and distributors."

About 300 exhibitors in eastern Nebraska and western Iowa would come under the boards, Williams told Kuykendall. He expressed the opinion that exhibitors should stop fighting among themselves and start cooperating for their common good.

Kuykendall refused to take a stand on the question of admission prices, saying it was a local problem.

LeBaron Denies He Will Leave Para.

(Continued from page 1)

future production plans. I have been with Paramount for the last five and one-half years and I am in a position to state that at no time during that association has Paramount been in a more successful position.

"Today the spirit of everyone connected with Paramount is one of cooperation," he said. "I regret very much that any rumors about my leaving the company have been printed as facts. It seems too bad that a man cannot take a vacation without talk of a change starting, and I want to take this opportunity to point out that such reports are not only unfair to me but to Paramount. I will be back at my desk next Monday."

"U" Claims Reel Record

Universal claims a record rental for a newsreel on the Shanghai bombing scenes. The special issue, No. 606, was booked from the San Francisco first runs into the Great China Theatre on a percentage basis. The prices charged were from 10 to 40 cents, and Eddie Bonns, short product manager for Universal, says the rental for two days was $419.32.

Barney Rose, San Francisco manager, booked the film.

Gandall to Take Three

UHRICHSVILLE O., Nov. 2.—The State, Ohio and Lincoln, will pass to the control of Irving Gandall of Chicago, early this month, according to reliable information. They were formerly the Charles Weyland houses and have been operated for the past year by Edward S. Elgin.

"Navy" for Criterion

"Hold 'Em Navy" will follow "West of Shanghai" into the Criterion Saturday. "Music for Madame," the last attraction, garnered about $6,000.

Radio Personals

EMILE COTE'S and Myran Rapport's "Modern Choir" will render its 500th commercial broadcast with Saturday's appearance on the "Pet Milk" series over CBS. The choir, incidentally, is auditioning for a new network series . . . Monte Proser, the sly one, now leads off his publicity releases to editors with the following: "Not necessarily for publication—merely for your own enlightenment and edification" . . . Margaret Anglin and Frank Albertson will be among the guests to be presented by Ted Hammerstein on the "Music Hall" Nov. 12 . . . Gamba celebrates a birthday today and is being awarded two new NBC sustaining periods . . . Walter Cassel, who is Ben Lipset's property, is booked for a Hammerstein guest appearance Nov. 15, and beginning Nov. 19, for a week at the Roxy. Lipset, incidentally, is a sucker for a rib, as Jim Sauter long ago found out . . .

+

Lucy Monroe has been honored by being selected as vocalist for the official Armistice Day program from Arlington Cemetery to be broadcast from noon to 1 P. M., Nov. 11 over the networks . . . Herbert & Page, formerly heard locally over WHN, have been booked for a two week personal appearance stay at the Holland Inn in Cleveland . . . J. Vance Babb, manager of NBC's press department, is home ailing . . . Maude Adams is to be interviewed over NBC-Blue Nov. 20 from 9 to 9:45 P. M. . . . George White yesterday stated that the deal for his radio program had not yet been closed. He said it would be a musical revue with story and the indication is that it will be broadcast over a CBS hookup, if sold . . .

+

Pittsburgh Town Pump

PITTSBURGH, Nov. 2.—KOV is putting on a half-hour university show every Tuesday night featuring representatives from the three student publications here, Herbert Rackoff of Pitt, Harry Scoffield of Carnegie Tech and Frank Gill of Duquesne. . . . Stephanie Diamond of the WCAE dramatic staff has been in bed with bronchitis for a week. . . . Marion Sogg, KDKA actress, is playing the lead in the Pittsburgh Playhouse's production of "The Pursuit of Happiness." . . . Jackie Heller's engagement at the Stanley coincided with the dedication of the WCAE antenna so he was one of the featured artists in the celebration. . . . Joe Villella is now handling publicity for KQV.

Ed Sprague, who joined the sports announcing staff of WLW a couple of weeks ago, has resigned and is back in town seeking a new connection. Bernie Armstrong, of the KDKA staff, does most of the organ playing in those trailers in the downtown movie houses . . . It's a girl at the Marx Hartmans. He's the WCAE announcer.

Renew "Signal Carnival"

HOLLYWOOD, Nov. 2.—"Signal Carnival," sponsored by the Signal Oil Co., and presented over 11 stations of the Pacific coast NBC-Red network, has been renewed for 52 weeks, effective Nov. 14. Logan & Stebbins is the agency.

Billings of NBC for October $3,339,739

Advertisers' expenditures for time on NBC in October were above the $3,000,000 mark, totaling $3,339,739, up 17.2 per cent over September. It marks the 12th time that NBC has had a three million dollar month in the company's 11-year history.

October billings this year were 9.7 per cent below October of last year, which was the highest for any month in the company's history.

Cumulative billings for the first 10 months of this year amounted to $31,630,854, as against $27,496,632 for 1936, up 15 per cent.

Nestles Signs New Series

Nestles Milk Products, Inc., has signed with WHN for 52 weeks for a daily broadcast of a comedy script, "The Mad Hatterfields." The program began this week and is heard from 4:45 to 5 P. M. The broadcast originates in Cincinnati and comes to WHN via the WLW line. Lord & Thomas is the agency.

Davis to Speak Tonight

Norman Davis, head of an American delegation to the nine-power conference in Brussels, Belgium, will speak over WABC and a CBS nationwide hookup from Brussels, under an exclusive CBS arrangement tonight from 6:15 to 6:30. It will be his first radio address since arriving in the Belgium capital.

Add 4 Stations on M-G-M Show

General Foods has ordered an additional four stations for the M-G-M series, making a total of 66 stations, plus WHN, for the program. The new stations are WFBC, Greenville, S. C.; WSPD, Toledo; KRIA, Corpus Christi, Tex., and KTHS, Hot Springs, Ark.

"Garrick" on "Hotel" Show

Olivia de Havilland and Brian Aherne will present excerpts from the picture "The Great Garrick" on "Hollywood Hotel" Nov. 12 over CBS.

Duke to Go on Air

The Duke of Windsor will greet the American public over the air from Washington on Friday, Nov. 12, from 7 to 7:15 P. M. over CBS and NBC.

Smith Resignation Accepted by WLW

CINCINNATI, Nov. 2.—The resignation of Frank M. Smith as general sales manager of WLW was accepted late today. The resignation was submitted two weeks ago and is effective Dec. 1. Reasons for the move have not been learned nor has Smith's successor been named. Smith has not stated the nature of his future plans.

The station has appointed Robert C. Jennings, acting general manager of WLW and WSAI since the resignation of William S. Hedges, to be program director at WLW succeeding Robert Kenneth, resigned.

Steel Signed by WMCA

Johannes Steel has been engaged for a 13-week series by WMCA as commentator on world events. He will be heard Tuesdays, Wednesdays and Fridays from 7:45 to 8 P. M. beginning Nov. 16. Steel was formerly foreign editor of the *New York Post*.

"Informer" to Be Broadcast

James Barton, star of "Tobacco Road," and Betty Garde will be featured in a condensed radio version of "The Informer" over CBS on the "Kate Smith Variety Hour" tomorrow from 8 to 9 P. M.

Bobby Breen on Air Tonight

Bobby Breen will return to CBS tonight in a one-time appearance on the Eddie Cantor show, from 8:30 to 9.

New Shows on the Air

"Brave New Worlds"

"Brave New Worlds," a cavalcade of the Latin Americas, suffered from a bad case of over-acting on the part of the cast in the inaugural airing. A most unfortunate occurrence this, for otherwise the series well merits praise and the attention of all listeners-in. Irving Reis is the director and we do not question but that this fine young artist will quickly curb his unnecessarily effusive actors. The material is sufficiently vivid and needs no artificial heightening.

The birth of the Republic of Santo Domingo served as the opening vehicle. Beginning in this modern day, a young idealist is introduced aboard a ship bound for that island. He is fleeing from a world torn by war and greed. A kindly ship's doctor engages the youngster in conversation, learns the reason for his moodiness and endeavors to draw a parallel between the present day conquistadores and those of ancient Spain who founded the Latin Americas and who were destroyed in the end by their own ruthlessness. Via the flashback method, the bloody founding of Santo Domingo is traced, beginning with its discovery by Christopher Columbus and the subsequent expedition to its shores of the gold-crazed Francisco Pizzaro, whose depredations and cruelty led Columbus to exclaim bitterly on his death bed: "He is a vulture feeding on dead Indian bodies lying on the beach."

The dramatization went on to trace the careers of the various conquistadores who, starting from Santo Domingo, set out on expeditions that led to the founding of various other Latin American countries, expeditions which are to be traced more completely in subsequent broadcasts. The moral the doctor painted for the young idealist, of course, is that all conquistadores in the end are destroyed as a result of their own excesses, a moral which imbues the youngster with new hope.

"Brave New Worlds" is a CBS offering, presented in collaboration with the U. S. Office of Education. It is broadcast Tuesdays from 10:30 to 11 P. M.

BANNER

Ask FCC Permission For 2 New Stations

WASHINGTON, Nov. 2.—Applications for two new broadcasting stations, to be located, respectively, in Hawaii and South Carolina, have been received by the F. C. C.

In the island possession, the Garden Island Publishing Co., Ltd., sought to erect a station at Lihue, Hawaii, to operate on 1,500 kilocycles with 100 watts power night, 250 watts day.

In South Carolina, W. A. Barnette asked approval for a station at Greenwood to operate daytime only on 610 kilocycles with 250 watts power.

Sign New KFSD Program

SAN DIEGO, Nov. 2.—The U. S. Grant Appliance Co., has been signed by John Babcock of KFSD for sponsorship of a 13-week series of shopping gossip programs, effective at once. Narrated by Edith Bruce and interspersed with transcribed music, program will be aired Mondays, Tuesdays and Wednesdays at 10:45 A.M., P.S.T.

Another feature over the same station, spotted for Sunday evenings, is titled "Strange Adventures in Strange Lands."

Complete Stokowski Deal

Arrangements were completed yesterday for the appearance of Leopold Stokowski as conductor of the bank-sponsored Philadelphia Orchestra series for the broadcasts of Nov. 15, 29 and Dec. 6. This will mark Stokowski's first appearance at the helm of the Philadelphia Orchestra since last spring when he conducted a series of programs for the same sponsors.

Audition "Headliner" Series

"Meet the Headliners," the series which is to inaugurate Transradio's entry into the transcription and program building fields, now is being auditioned for a selected number of agencies and advertisers preparatory to the start of the station sales campaign.

Title Old Gold Program

The title for the Old Gold cigarette series will be "Hollywood Screenscoops," with George McCall serving as commentator. The series is to begin Nov. 16 at 7:15 P. M. over CBS. Lennen & Mitchell is the agency.

KFAB-KFOR Drop Records

LINCOLN, Neb., Nov. 2.—KFAB-WFOR here dropped the World Broadcasting System wax service on Nov. 1. In making the move, Station Manager Reginald B. Martin said it was unneeded since the links are serviced with two nets, CBS and MBS.

"Quizmaster" on Tonight

"Quizmaster," a new participation series, will begin over WMCA tonight from 9:45 to 10:15 P. M., sponsored by Hilton Clothes. Bacheimer, Dundes and Frank is the agency.

Arthur Capper Incorporates

KANSAS CITY No. 2.—Arthur Capper has incorporated his publications and radio stations at Topeka, under the title Capper Publications, Inc.

"Heidi" Gets Chicago Top With $15,200

CHICAGO, Nov. 2.—"Heidi" at the Roosevelt was top attraction in the Loop last week. Backed by rave reviews, it grossed $15,200, which was $4,200 better than average.

The Oriental with "Walter Wanger's Vogues of 1938," was another strong attraction, grossing $4,000 better than the $18,000 average. At the Apollo, "Life Begins at College" was good for $7,300, a nice gross for a second Loop week. "Counsel for Crime" was strong with $15,000 at the State-Lake, $2,000 above average.

The weather was cold and wet the first part of the week but over the weekend it was ideal and business was very good.

Total first run business was $122,300. Average is $118,000.

Estimated takings:

Week Ending Oct. 28:

"PRISONER OF ZENDA" (U. A.)
CHICAGO—(4,000), 35c-55c-75c 7 days, 2nd week. Stage: Evans Ballet and Revue. **Gross:** $28,000. (Average, $32,000)

"LANCER SPY" (20th-Fox)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $6.000. (Average, $6,500)

"WALTER WANGER'S VOGUES OF 1938" (U. A.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $22,000. (Average, $18 000)

"FIGHT FOR YOUR LADY" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: "Hollywood Hotel" Revue. **Gross:** $17,800. (Average, $19,000)

"COUNSEL FOR CRIME" (Col.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $15,000. (Average, $13,000)

Week Ending Oct. 29:

"LIFE BEGINS IN COLLEGE" (20th-Fox)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $7,300. (Average, $6,500)

"HEIDI" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $15,200. (Average, $11,000)

"BROADWAY MELODY OF 1938" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 3rd week. **Gross:** $11,000. (Average, $15,000)

"Lancer Spy" Gets $2,100 at Oklahoma

OKLAHOMA CITY, Nov. 2.—"Lancer Spy" was the only attraction to make the grade in a dull week. It went $100 over the line on a take of $2,100 at the Tower.

"Varsity Show" was weak at $4,000 at the Criterion. "Blonde Trouble" and "Naughty Marietta" took $2,100 in four days at the Liberty. Normal for seven days is $2,250.

Total first run business was $10,700. Average is $13,750.

Estimated takings for the week ending Oct. 30:

"VARSITY SHOW" (W.B.)
CRITERION—(1,700), 10c-35c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"BLONDE TROUBLE" (Para.)
"NAUGHTY MARIETTA" (M-G-M)
LIBERTY—(1,500), 10c-20c-25c, 4 days. **Gross:** $2.100. (Average, 7 days, $2,250)

"BREEZING HOME" (Univ.)
"THE LADY ESCAPES" (20th-Fox)
LIBERTY—(1,500), 10c-20c-25c, 3 days. **Gross:** $500. (Average, 7 days, $2,250)

"MADAME X" (M-G-M)
MIDWEST—(1,500), 10c-35c-40c, 4 days. **Gross:** $2.000. (Average, $5.000)

"LANCER SPY" (20th-Fox)
TOWER—(1,100), 10c-25c-35c, 7 days. **Gross:** $2,100. (Average, $2,000)

Guest List Is Lengthy for Variety Club Party Nov. 14

(Continued from page 1)

E. Powers. Warners—Gradwell L. Sears, Charles Rich, Ben Kalmenson, Norman Moray, Roy Haines, Robert Smeltzer, Lou Frisch, Al Rinzler, Joseph Bernhard, Leonard Schlesinger, Carl Leserman. Twentieth Century-Fox—William Sussman, Jack Sichelman, Edgar Moss, George Roberts, Isadore Schmertz, Harvey Day. United Artists—George J. Schaefer, Bert Stern. Universal—J. R. Grainger, F. J. A. McCarthy, Sig Wittman, Max Cohen. National Screen Service—Herman Robbins, Sam and George Dembow.

Also there will be Harry Arthur, Rip Collins, baseball player; Charles Margiotti, Attorney General of Pennsylvania; John Royal, vice-president of NBC; the Schine brothers, Nick Dipson, Mike Manos, T. W. Carroll, R. J. O'Donnell from Dallas; Jock Sutherland, Pittsburgh football coach; Sidney Lust, Harry Lohmeyer, John Eberson, W. Ray Johnston, Eddie Golden and Ben Wilansky, Monogram; Marc Wolf, Carl Niesse, Eddie Shafton and Moe Horowitz.

The dinner is in honor of John J. Maloney, local M-G-M manager, who is resigning as chief barker of the club with his associate officers. They include: George D. Tyson, Dr. L. G. Beinhauer, James G. Balmer, H. G. Feldman, Harry Kalmine, John H. Harris, Mike Cullen, Art Levy, Frank Smith, M. J. Gallagher, Joe Kauffman, Harry Seed, Dr. A. I. Wise and Dr. M. R. Goldman.

Now It's Iturbi

Rochester, N. Y., Nov. 2.—Now that Jascha Heifetz has signed a contract to appear in a film for Samuel Goldwyn, Jose Iturbi, the fiery Spanish pianist and specialist in Mozart, appears to be next. Today, he stated he will make a short if a script can be worked up. Four years ago, he revealed, he had a check in his talented hands for $35,000, but tore it up because "they wanted me to kiss young girls and all that foolishness."

Indianapolis Group to Fly

INDIANAPOLIS, Nov. 2.—The delegation of Indianapolis Tent No. 10, Variety Club, to the annual banquet of the Variety Club in Pittsburgh, Nov. 14, will go via the airways. In the party will be Carl Niesse, Chief Barker; V. U. Young, Mannie Marcus, Marc Wolf, Joe Cantor and John Servaas. They plan to attend the Pittsburgh-Nebraska football game as well.

Overseas Previews

"Dinner at the Ritz"

(New World—20th Century-Fox)

LONDON, Oct. 22.—Annabella's third British vehicle for 20th Century-Fox's subsidiary, New World, shows a distinct advance in her mastery of English, thereby removing the main drawback to the universal acceptance of a star with an original and attractive personality, as well as undoubted beauty. The subject is also exceptionally well costumed—and de-costumed—showing some reality behind the "best dressed film star" line they are tying on to Annabella.

The story of "Dinner at the Ritz" is curious stuff, but definitely entertaining. It starts out almost as tragedy with the murder of a French financier and the vow of his daughter to bring his murderers to book. It lapses into comedy when the girl disguises herself as a Spanish countess and an Indian begum, and is instantly recognized by the two young men in love with her. It finishes as sheer melodrama with a shooting party on a houseboat on the Thames. What matters is that it interests all the time and that it is lavishly produced, with attractive Parisian, Riviera and yacht settings.

Annabella is more nearly the wistfully attractive heroine of her French films than in either of her earlier British vehicles; they are learning how to cast her. Supporting her here are David Niven, a debonair U. S. Government agent camouflaged as a playboy, Paul Lukas as her fiance-criminal, Romney Brent, a detective—a very well played part—and Francis L. Sullivan, a good villain type.

It looks like audience material, even if the conclusion is a fall down from the exceptionally promising opening. For the women, Annabella's dresses are eye-openers.

Running time 76 minutes. "G."

ALLAN

Murray Now "Mayor"

MUNCIE, Nov. 2.—Charles A. Murray, native of this city, is now honorary mayor. The City Council conferred the title on Murray in recognition of the "renown he has brought to his boyhood home through his eminence in the film world."

Fire Destroys Theatre

BURGETTSTOWN, Pa., Nov. 2.—The Mary Ann Theatre here, owned by Dominic and Anthony Mungello, was completelv destroyed by fire last night. The audience left quietly and no one was injured. The theatre was new last April.

Seeks Showings for Jobless Census Film

(Continued from page 1)

slated to go to 32,000,000 families, are to be delivered by mailmen and subsequently deposited in mail boxes for classification in Washington. One thousand prints are being prepared for the purpose.

President Roosevelt will take to the air Nov. 14 to discuss the plan. The three national networks are being lined up by Frank R. Wilson, former head of M. P. Capital Corp. and now director of information of the Census of Unemployed, for a joint broadcast Nov. 16 when instruction will be given over the air on the method to be used in filling out the cards. Wilson is seeking to obtain Gabriel Heatter to handle the directions over Mutual, Edwin C. Hill over CBS and Lowell Thomas over NBC.

Vaudeville, Duals Heavy Newark Draw

(Continued from page 1)

in addition to double bills. Admissions range from 15 cents for the opening at 10:30 to noon, 25 cents for matinees and 40 cents during the evenings.

During the first week of vaudeville, Henry Armetta topped the bill with six other acts. The take for the seven days was $14,000. The following week a French Riviera unit and 60 people occupied the stage. This week, the third, Stepin Fetchit is the headliner. One of the current pictures is "The Return of Cappy Ricks."

When Leventhal and Dow took over the house, it was originally planned to put on stock shows. The idea was discarded for straight double features and finally when this policy didn't go over, vaudeville was added.

New Skouras Games Make End Unlikely

(Continued from page 1)

we will do, but the possibility is that we will put in games." An RKO executive said that the latest development will most likely force the circuit to institute either Screeno or Bank Night in the Long Island city.

Skouras is understood to have agreed not to reinstate games in certain houses, but added the Roosevelt to its string playing Screeno because an independent competitive house was using games.

Stop Bank Night Charges

OXFORD, Miss., Nov. 2.—A petition for a writ of prohibition entered by the Ritz Theatre, and Theron Lyles and Russell Roberts, employes, against the city of Oxford to stop further prosecution for conducting Bank Night has been granted by Circuit Judge Taylor H. McElroy. The hearing revolved around the legality of a city ordinance passed Sept. 15.

McVeigh to Warners

HOLLYWOOD, Nov. 2.—Blake McVeigh, who some months ago severed connections with Warner studio publicity department, has returned to the department.

SUNDAY-10:30 A.M.



CRITERION, N.Y.

"WEST OF SHANGHAI"

Production and Release-Date Timing by

WARNER BROS.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 107 NEW YORK, THURSDAY, NOVEMBER 4, 1937 TEN CENTS

Philadelphia "Strike" Pact Put in Effect

Formal Vote Is Taken by UMPTO Members

PHILADELPHIA, Nov. 3.—The "buyers' strike" against Paramount was formally ended today by unanimous vote of the U.M.P.T.O. This action followed a week of a so-called "armistice" during which exhibitors discussed terms of the settlement. It was generally agreed that favorable deals could be made, but that prices would be higher.

A minority group reported dissatisfaction. To protect this group the organization set up a conciliation board of 12 members, four to sit simultaneously next Monday, Wednesday and Friday, to hear complaints and seek adjustments with the company.

David Barrist suggested retention of the "War Board" in case future difficulties develop. At the same time he tendered his resignation, but the meeting took his advice on keeping the board and refused to accept his resignation.

The meeting was attended by about

(*Continued on page 3*)

Para. Settlement Approved by Court

Federal Judge Alfred C. Coxe yesterday approved the settlement for $2,150,000 in cash and notes of two actions brought against former officers, directors and associates of Paramount by the reorganization trustees of the company in 1934.

The settlement formally closes the Paramount reorganization proceedings as the litigation was the sole remaining matter over which the court and Charles D. Hilles, the Paramount

(*Continued on page 12*)

Name Committees in Federation Campaign

Committees of the Motion Picture and Theatrical Division for the annual drive of the Federation for the Support of Jewish Philanthropical Societies were named yesterday at a luncheon meeting at the Piccadilly Hotel. The division's quota is $200,-

(*Continued on page 12*)

Radio—Page 14

Paramount Says Production Delay Cost Over $1,500,000

INDIANAPOLIS, Nov. 3.—Not only were the Paramount pictures which exhibitors claim were included in last season's contracts unavailable for release by Aug. 1, last, but the production delays which made it impossible to release them last season cost Paramount more than $1,500,000 in studio charges, it is asserted in the affidavits of company officials filed in U. S. District Court here today in connection with the action of the Gary Theatre Co., to obtain a mandatory injunction to compel the company to deliver 10 additional pictures on last season's contract.

The affidavits filed today include those of Russell Holman, Paramount eastern production head; Allen Usher, Chicago district sales manager, and Jules J. Rubens, head of Great States Theatres.

The production delays which made delivery of the pictures in dispute impossible during the release period ended last Aug. 1, and the cost to

(*Continued on page 12*)

To Consider Film Bill Change Today

LONDON, Nov. 3.—John Maxwell, head of Associated British Pictures, today headed the deputation to the Board of Trade to present objections to the Films Bill as presented in the House of Commons. The group was representative of the Cinematograph Exhibitors' Ass'n, the Film Group

(*Continued on page 6*)

Truth in Adv.?

Gabriel L. Hess, idly studying the menu at the Algonquin one day recently, came across this:

"Sirloin steak for one, $2.25 and it isn't worth it."

Briskin Quits At RKO; Spitz Assumes Post

HOLLYWOOD, Nov. 3.—S. J. Briskin resigned today as vice-president in charge of production for RKO, to take effect immediately.

He will leave the studio as soon as Leo Spitz, RKO president, now on the coast, is prepared to take over temporary charge of production, pending selection of a successor to Briskin. The fact that Spitz will assume temporary charge was reported exclusively in MOTION PICTURE DAILY on Oct. 28, immediately after Spitz' departure from New York for the coast.

Further substantiation came yesterday of the MOTION PICTURE DAILY report, also of Oct. 28, that Briskin will receive approximately $150,000 in

(*Continued on page 6*)

Hoyts Booking Move Aimed At Greater Union Breakup

In a move designed to offset a highly competitive situation in Australia with the expiration of a 10-year partnership arrangement next month with Greater Union, Hoyts has made a deal with Snider & Dean, formerly the Sir Benjamin Fuller circuit, to book and buy product starting Jan. 1, it was learned yesterday.

Walter J. Hutchinson, head of foreign activities for 20th Century-Fox, will arrive from the coast Monday to confer with Sidney R. Kent on the Australian situation. He debarked from the *Monterey* in Los Angeles last Monday after spending several weeks in Sydney. Two Hoyts' managers are in town and awaiting Hutchinson's arrival.

While in Sydney, Hutchinson tried to work out an arrangement with Greater Union for an extension of the 10-year deal. He was unsuccessful.

The Snider & Dean circuit is represented by former legitimate theatres in practically every first run situation controlled by Greater Union. The latter company, which has approximately 60 theatres, is represented by six first runs in Sydney, including the State; eight in Melbourne, four of which are operated in association with other interests; five in Brisbane; four in Adelaide; four in Tasmania; three in Hobart; two in Launceston; six in New Castle, four of which are in association with partners.

Hoyts has about 200 houses, mostly

(*Continued on page 6*)

20th-Fox Will Delay Action On FWC Stock

Schenck Says Market Not Right for Chase Buy

Negotiations for the purchase of 20th Century-Fox stock held by Chase National Bank have been delayed indefinitely, Joseph M. Schenck, chairman of the film company's board, said yesterday. The reason, according to Schenck, is the current stock market situation.

Schenck feels that the time is not ripe for making a stock deal. He also said that he is not concerned with the new suit filed by William B. Neblett, attorney for L. Tally and the Corbar Corp. against F.W.C., reopening litigation involving bankruptcy proceedings of the coast circuit.

F.W.C. is a subsidiary of National Theatres, a subsidiary of 20th Century-Fox. Charles Skouras, operating head of F.W.C., is now in New York and plans to leave for Los Angeles in the next few weeks. The complaint of Tally-Corbar alleges that the lessors lost millions of dollars through the disaffirming of leases in reorganizing the company. Tally seeks $421,-510 and Corbar $419,500.

Schenck Favors 10 British-Made Films

Joseph M. Schenck, chairman of the 20th Century-Fox board, is in favor of producing 10 pictures a year in England, he told MOTION PICTURE DAILY yesterday.

No decision on the company's new British production plans has been made, Schenck said. A preliminary discussion on the subject was held by the board of directors earlier in the week, but no action will be taken until

(*Continued on page 3*)

Taxation Hearings To Be Begun Today

By BERTRAM F. LINZ

WASHINGTON, Nov. 3.—Hearings preparatory to the writing of the Revenue Act of 1938 will open tomorrow before a House Ways and Means sub-committee headed by Representative Vinson of Kentucky.

Treasury officials will appear before the sub-committee in executive session to discuss the desirability of

(*Continued on page 6*)

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"Souls," Meroff Get $103,000 in 3 Weeks

"Souls at Sea," Benny Meroff and his band and Jane Froman on the stage finished a three-week run at the Paramount with a tally of $103,000. The first week ended with $43,000, the second, $35,000; the third, $25,000.

At the Capitol, "Double Wedding" last night concluded a two-week engagement. The take for seven days was about $25,000. "The Great Garrick" took in approximately $15,000 in the second week at the Rivoli and was replaced yesterday by "Lancer Spy." "52nd Street" will follow "Lancer Spy." About $10,000 was garnered by "Alcatraz Island" in the second week at the Strand. The 11th week of "The Life of Emile Zola" tallied about $8,000. "Atlantic Flight" at the Globe got $1,500 in four days and "The Westland Case" finished with $7,500 at the Rialto.

"52nd St." Starts Big

WILLIAMSPORT, PA., Nov. 3.—The Rialto got off to a good start yesterday with the opening of "52nd Street." The take for the day was $1,075. The figure was better by $100 than any previous mid-week opening in three years.

Kromocolor Hearing Ends in New Jersey

PATERSON, Nov. 3.—Vice-Chancellor Vivian M. Lewis today ended the hearing on the application by Joseph O'Donnell to rescind a bid of $105,000 for the Kromocolor Laboratory, Paramus, and to have his deposit of $21,000 returned to him. At the same time, a counter petition by the receivers of the laboratory declaring that O'Donnell had no right to rescind the bid and if he did not go through with the deal should default the deposit also was heard.

A decision is expected shortly. William Krimsky, co-receiver for Kromocolor, represented the laboratory.

Sues Pathe Film Corp.

J. F. O'Keefe, as assignee of Zasu Pitts, filed a suit in N. Y. Supreme Court yesterday for $5,940 and interest against Pathe Film Corp. and Pathe Studios, Inc. A judgment was recovered for that amount in the Los Angeles Superior Court but remained unpaid.

O'Keefe alleges that Miss Pitts was hired by Pathe Studios in May, 1930, and that damages amounting to $5,000 were promised if she was not assigned to a picture before the end of the year. O'Keefe claimed that assets of Pathe Studios were sold to RKO without notice to creditors and that the sale was "fraudulent." He will ask Justice Salvatore Cotillo today for judgment because of alleged default by the defendant, while Pathe will cross move for a dismissal of portions of his complaint.

Adds Company to Action

Henry Rose, a writer, was granted permission by Federal Judge John W. Clancy in the U. S. District Court yesterday to bring in the M-G-M Corp. as an additional defendant in his infringement suit against the M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc., Culver Export Corp. and Frank Dolan. Rose claims infringement of his story, "Burro, Burro" in the picture "Man of the People." He stated that recently he discovered that the Metro-Goldwyn-Mayer Corp. registered the copyright for "Man of the People" and that the corporation was a necessary defendant.

Would Vacate Quiz Motion

Columbia will ask Justice Isidore Wasservogel in the N. Y. Supreme Court today to vacate a notice for examination before trial of Sol Trauner and Nat Cohn in connection with the suit brought by Rock Beach, Inc., against Columbia, Paramount, Universal, RKO, United Artists and the Century Circuit, Inc. Columbia insists that the examination desired should take place at the trial rather than before. Rock Beach is suing for an alleged "conspiracy" as a result of which the Gem Theatre in Far Rockaway allegedly did not receive pictures in 1936 until after one week's clearance from the Century's Central Theatre in Cedarhurst, L. I.

Mills' Landslide

E. C. Mills, chairman of the administrative committee of Ascap, was elected justice of the peace of Shelter Island, his home locality, polling 912 out of a total of 980 votes cast in the island election Tuesday. Mills, who is also fire commissioner, declared that he would contribute the fees he collects as justice of the peace to the fire department.

Dismisses Caruthers Suit

Federal Judge John M. Woolsey yesterday formally dismissed the $1,000,000 plagiarism suit of Allan Caruthers against RKO and awarded the defendant $61 in costs. Caruthers claimed infringement of his play "The Sooners," in "Cimarron."

Delay Guild Pact Signing

Educational's signing of the Dramatists Guild contract, scheduled for yesterday, has been delayed due to the necessity for referring additional questions to the guild's Hollywood office for clarification. Indications now are that the contract will not be signed before Saturday or early next week.

Cinema Strike Ends

The strike of Service Employes' Local 54 against five houses of the Cinema Circuit—New Amsterdam, Harris, George M. Cohan, Prospect, Bronx, and Astor, Brooklyn, which started Tuesday was settled yesterday.

Union members were granted a 25 per cent increase, a closed shop and six-day week.

Writers' Guild, Producers May Take Dispute to Supreme Court

Hollywood, Nov. 3.—Indications are that the Screen Writers' Guild and the producers named in the recent Regional Labor Relations Board hearing will carry the matter of Wagner Act jurisdiction to the U. S. Supreme Court. This was seen in the failure to set dates for other regional labor board petitions filed by the Screen Directors' Guild and three other film talent groups. No other film industry case will be heard here, it is apparent, until the Supreme Court decides the question of jurisdiction.

It was understood that in the event of unfavorable decision by the national board against either the Guild or the producers, each will make every effort to carry the case to the highest tribunal. Trial Examiner William R. Ringer has forwarded to Washington the complete file of the hearing, along with his informal recommendations. The avenue for appeal from the national board decision is the Ninth Circuit Court of Appeals, sitting at San Francisco. From there, the case may be carried directly to the Supreme Court.

Purely Personal

JOSEPH M. SCHENCK, DAVID BERNSTEIN, LEOPOLD FRIEDMAN and WALTER READE met in the Loew Building lobby yesterday afternoon. SCHENCK was on his way out of the building after conferring with his brother NICHOLAS M., while the other three film men were on their way up.

•

DAVE CHATKIN has challenged RUBE JACKTER to a round of golf Sunday at the Mountview Country Club, New York City, N. Y. The course and club were formerly owned by ADOLPH ZUKOR.

•

HENRY ARMETTA last night left for the coast to report on the M-G-M lot. He will return next month to resume personal appearances in the east. F. & M. is handling the bookings.

•

SAM WOOD, who has been making a number of scenes in Annapolis for "Navy Blue and Gold," will sail Saturday for the coast on the *Santa Elena*.

•

CHARLES DE GRANDCOURT, co-author of "Victoria the Great," will discuss films at the Book and Play Luncheon at the Biltmore today.

•

JUDY and ANNE CANOVA, who have roles in Paramount's "Thrill of a Lifetime," are back on the coast following their vacations here.

•

JACK L. WARNER will leave for Hollywood today. He had planned to remain in New York longer, but cut the stay short.

•

CHELLE JANIS, manager of Loew's Ziegfeld, will not retire from the post tomorrow as originally planned.

•

HERMAN BERNIE left for the Middle West yesterday on deals for DICK STABILE and GRACIE BARRIE.

•

LAWRENCE SCHWAB, M-G-M producer, will leave tonight for Tucson, Ariz., by plane.

•

W. C. FIELDS is planning a trip to New York and to Palm Springs, Fla., not Calif.

•

HARRY C. ARTHUR will leave tomorrow by plane for St. Louis.

. . . Pittsburgh

DICK STABILE and GRACIE BARRIE will be married here some time next month.

HARRY FEINSTEIN is going to South Bend for the Pitt-Notre Dame game.

AL GOLDEN has left to New York to work with MILT GROSS on revisions in their new play, "Men the Dogs."

ALEEN WETSTEIN, who was recently added to Columbia's scenario department in Hollywood, continues to contribute her daily column, "One Girl Chorus," to the *Press*.

Dietrich Delays Trip

PARIS, Nov. 3.—Marlene Dietrich has cancelled her reservation on the *Normandie* because of a light attack of grippe.

SEC Reveals Griffis Sale Of Debentures

By CLARENCE LINZ

WASHINGTON, Nov. 3.—Disposition by Stanton Griffis and Maurice Newton, directors, of 137,000 Paramount 3¼ per cent convertible debentures held indirectly, 42,000 by Griffis through Hemphill, Noyes & Co., and 95,000 by Newton through Hallgarten & Co., wiping out their holdings in those securities, featured August and September transactions of film company officials in the stocks of their corporations, according to the semi-monthly summary of the S.E.C., made public today.

The transactions occurred in August, in which month also Newton, through Hallgarten & Co., disposed of 200 six per cent convertible first preferred stock through conversion and acquired in the same manner 1,400 shares of common, of which he also disposed.

Newton Total 2,813

At the close of the month, the report showed, Newton held 2,813 shares of second preferred and Griffis 1,000 shares of first and 1,000 shares of second preferred.

The S.E.C. also reported further progress by the Chase National Bank in disposing of 20th Century-Fox stock held under escrow agreement, selling 2,284 shares of common and 4,568 of preferred during September. At the close of the month the bank still held 343,448 shares of common and 687,096 shares of preferred.

In Grand National Films, Kirk W. Todd, director, Pittsburgh, Pa., reported disposition of 1,100 shares of common, of which he still held 15,100 shares at the close of the month, while in Monogram Pictures, Sol A. Rosenblatt, director, New York, reported disposition of options for 9,765 shares of common, of which he held 11,228 at the close of the month together with 1,000 shares of common stock.

Loew's, Inc., increased its holdings in Loew's Boston Theatres to 97,754 shares by the acquisition of 132 shares in September, while in Loew's, Inc., Sam Katz, officer, Culver City, Cal., disposed of 400 shares of common, of which he held 100 shares at the close of the month, while Charles C. Moskowitz, director, New York, acquired 100 shares, giving him 1,000 shares.

Trans-Lux Active

The only other transactions reported were in Trans-Lux Corp., Robert L. Gordon, director, New York, acquiring 500 shares of common to bring his holdings to 900 shares, and Arthur C. Payne, officer, New York, acquiring 300 shares of common to give him a total of 1,803 shares.

Reports on the holdings of equity securities by men becoming officers or directors of corporations showed that Aaron Rosenthal, Los Angeles, becoming an officer in Grand National Films on July 1, last, held no equity securities at that time.

Holdings of officers and directors of corporations upon the effective date of their registrations showed that in Monogram Pictures, registration of which became effective September 10, W. Ray Johnston, New York, held 62,383 shares of common and options for 89,054 shares, and Joseph A. Sisto, New York, through J. A. Sisto & Co., held 2,267 shares of common, while Scott R. Dunlap, Hollywood, and William R. Stewart, Herschel Stuart and M. S. White, all of New York, held no equity securities.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Love Life of a Gorilla"

(Jewel)

HOLLYWOOD, Nov. 3.—This is a travelogue of the jungle areas of Africa, the hairy areas of gorillas and the naked areas of native women, under the lurid title, "The Love Life of a Gorilla," and depends, for any draw it might possibly have, upon the title and its presumed lascivious connotation. The sparse credits displayed say that Samuel Cummins and Raymond Lewis assembled and edited the film, based on the results of several expeditions, including that of "Col. Hubert Winstead, F.A.A." The narrator fails to define clearly in what jungle the film was taken, mentioning "the Sudan" once, and giving, as the base for the safari's operation, Mambuti, the location of which a competent encyclopedia fails to divulge.

After spending about 45 minutes traveling about the veldt and show- the capture of various wild animals, the expedition arrives in the "land of the big gorillas." The narrator leads the audience to believe that the natives, to prevent the gorilla band from attacking the village, periodically offer a native woman to the apes as a mate. Scenes of a woman being carried by one of the large animals and of women and a child rooting about in the bush for food while gorillas, supposedly, watch over them, are thrown in to attempt to show the theme of the picture—the cohabitation of human with animal, a theme obviously unsuitable for a theatre to which the public has entree. Mammalary exposure is recurrent.

If the statements made by the narrator concerning the habits of the gorillas and the natives are true, Cummins, the guiding genius of Jewel Prod., could do science a possible service by giving the film to institutions, such as museums, and to savants studying anthropology, instead of pandering to the gullible via the box-office. It has no proper place in the entertainment field.

Reviewed without production code seal.

Running time, 80 minutes. "A."

"Charlie Chan at Monte Carlo"

(20th Century-Fox)

HOLLYWOOD, Nov. 3.—So many "Charlie Chans" have been made that it must appear to the initiated, or uninitiated, that only the utmost in ingenious production makes it possible for succeeding episodes to carry a spirit of newness and difference. Yet for practical exhibition and entertainment purposes "Charlie Chan at Monte Carlo" might just as well have been the first one ever made. Of course, the enduring Warner Oland has the title role. Keye Luke and others who have appeared in earlier stories are again present. The plot, that is, as far as "Chan's" participation goes, is about the same—his solving a baffling, complicated, suspenseful murder mystery.

Where this one differs, is that it has more comedy, which Oland, Luke and Harold Huber, who came into the series in "Charlie Chan On Broadway," mainly provide. It has more melodrama, in which the above named trio, Virginia Field, Sidney Blackmer, Kay Linaker and a promising newcomer, Edward Raquello, are the focal points. Its production merit, and that includes story content, dialogue, action, characterization, backgrounds, settings and technical novelties, are of high caliber.

The cleverly concealed plot is equally cleverly developed. Oland and Luke are holidaying at Monte Carlo. In asides, suggestions that something sinister will occur are introduced. Hitch-hiking, the pair come upon a dead man in a wrecked car. Then the film plunges into its plot. The lives of several people are tangled up in the disappearance of a fortune in bonds. As dramatic suspense, compensated by comedy, holds sway, the denouement is brought about in compact and tense fashion.

Although about half the dialogue is in French, the narration is as understandable as though all was in English. Rather than becoming a handicap, this twist serves to intensify interest in the story. It is likely the film will be regarded by many as the best of the series.

Much credit for the film redounds to Robert Ellis and Helen Logan, who wrote the original, and to Charles Belden and Jerry Cady, who adapted, as well as to Eugene Ford, who directed.

Running time, 65 minutes. "G."

(Additional Reviews on Page 6)

Philadelphia "Strike" Pact Put in Effect

(Continued from page 1)

100 exhibitors. The motion to end the "strike" was made by William Butler and was seconded by Harry Perlman.

As reported earlier, the same basic provisions which were established between Paramount and the Philadelphia exhibitors for the settlement of the "buyers' strike" there are being made available for settlements in other "strike" territories. These are Minneapolis, Milwaukee, Indiana, Ohio, Boston and Los Angeles.

Under the settlement Paramount agrees to abandon its demand for the right to inspect the books of theatres playing its pictures on percentage. The company will not adhere to a fixed sales policy but will make new season deals on either flat rental or percentage terms. A cancellation privilege will be accorded in clearing up unplayed pictures on last season's contracts and the terms of these arrangements as well as new contract terms will be subject to individual negotiation between the distributor and its customers.

Indications are that acceptance of the settlement terms will be general in the affected areas within the next few weeks.

Schenck Favors 10 British-Made Films

(Continued from page 1)

the board is sounded out fully on the proposal.

The general belief is that the company is awaiting the new quota act before a definite decision is reached.

Robert T. Kane, production head of New World, 20th Century-Fox subsidiary, is now producing from four to five a year in England. The majority of these films are designed for international release.

Schenck said he plans to remain here several weeks before returning to the coast. Lew Wertheimer, his executive assistant, also is in town. He accompanied Schenck from the coast.

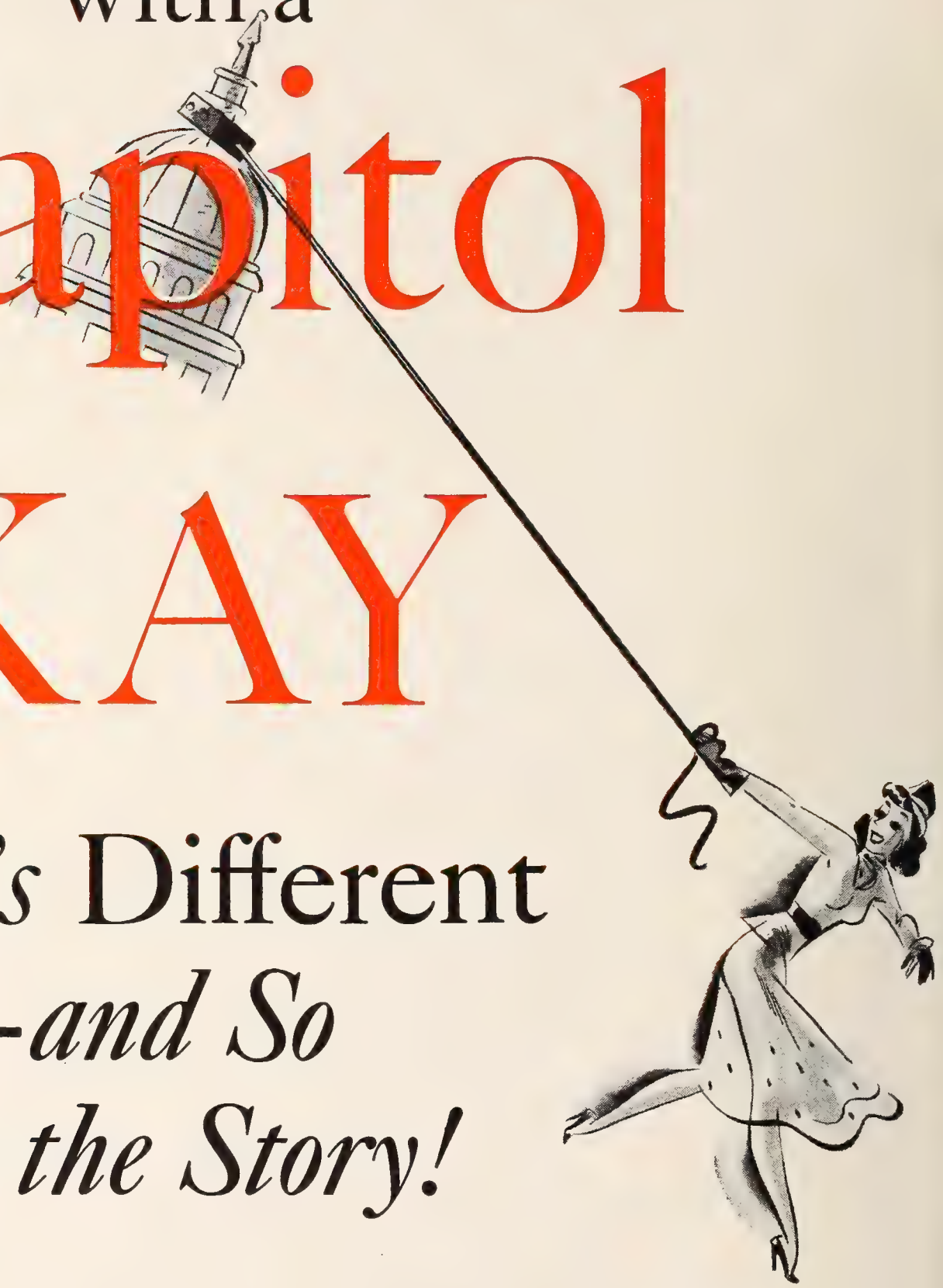
Mo. Revenue $1,863,809

JEFFERSON CITY, Mo., Nov. 3.—Missouri state sales tax collections for October totaled $1,863,809, a gain of $102,139 compared with September when collections amounted to $1,761,670, according to statistics compiled by G. H. Bates, supervisor of administration of the sales tax law in the office of State Auditor Forrest Smith. In October, 1936, under the old one per cent law the tax collections amounted to only $964,297. The three per cent discount allowed to merchants for making payments promptly totaled $47,000.

Loew Meeting Routine

No dividend action was taken at the Loew's board meeting yesterday. The session was routine, according to an executive of the company. It was explained that action on the common dividend is not due at this time.

Comedy with a Capitol KAY



She's Different *-and So Is the Story!*

It's the famous GEORGE S. KAUFMAN variety of sure-smash, up-to-the second comedy you've never seen Kay do before! Get set for it now—or be sorry later!

BROADWAY LAUGHED LOUD AND LONG . . .
and made it last season's screaming stage success! Every producing company wanted it, but naturally you get it from
WARNER BROS.



KAY FRANCIS

As The

First Lady

With This Strong Line-Up of Supporting Favorites

PRESTON FOSTER • ANITA LOUISE • WALTER CONNOLLY

Verree Teasdale • Victor Jory • Directed by Stanley Logan

Screen Play by Rowland Leigh • From the play by George S. Kaufman & Katherine Dayton • Music by Max Steiner

Briskin Quits At RKO; Spitz Assumes Post

(Continued from page 1)

settlement of his contract. At that time it was said that Briskin had been working under a temporary agreement and had never signed the three-year contract he was widely reported to have concluded some time ago. Briskin was head of RKO production for about two years.

Neither Briskin nor other executives of RKO could be reached by phone today for statements.

Frank Vincent of the Edington & Vincent agency stated that there is no foundation to the report that his organization will join RKO as a production unit.

Taxation Hearings To Be Begun Today

(Continued from page 1)

changes in a number of existing taxes, including the undistributed profits levy and the capital gains tax. It is expected also that the views of the Treasury will be asked as to making the admission and other nuisance taxes permanent.

While it is not expected any reduction will be made in the aggregate tax load, Administration officials tonight were seen as hopeful that new taxes could be avoided, in line with President Roosevelt's belief that next year's budget could be balanced without additional taxation.

Dictaphone to Pay $2

The Dictaphone Corp. has voted a $2 a share dividend on the common payable Dec. 1. A payment of $1.50 was made on Sept. 1.

Wall Street

Losses Hit Board Again

	Open	High	Low	Close	Net Change
Columbia ..	18	18	17½	17½	— ⅛
Col. pfd.	30	30½	30	30½	+ 3/16
Consolidated	2¼	2¼	2	2	— ⅛
Cons. pfd. ..	9	9	8½	8½	— ½
E. K. 167		167¼	161	161	—8
E. K., pfd...163		163	163	163	.....
G. T. E.	15	15	13¾	14	—1
K.A.O., pfd..	87	87	83	83	—2¾
Loew	63⅞	63⅞	59	59¾	—4¼
Para.	15	15⅛	14	14⅛	—1⅜
Para. 1 108		110	100½	104¾	—6⅞
Para. 2	14	14	12¾	13⅛	— ⅞
Pathe	7¼	7¼	6½	6½	— ¾
R. K. O.....	6	6	5	5⅛	—1
20th Fox	24¾	24¾	23¾	23¾	—1½
Univ., pfd. ..	35	35	34	34	—2
W. B.	9	9	8⅛	8¼	— ⅞

Technicolor Off 1½ Points

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1⅜	1⅜	— ¼
Sonotone ...	1⅝	1⅝	1⅝	1⅝	— ¼
Technicolor .	20½	20½	19¼	19½	—1½
Trans-Lux ..	3	3	3	3	— ⅛
Univ. Corp..	2⅛	2⅛	2	2	— ¼

Bonds on Decline

	High	Low	Close	Net Change
Loew 3½s '46.....	99	98¾	98¾	— ⅜
Para. Bway 3s '55..	63⅜	63⅜	63⅜	+ ⅛
Para. Pict. 6s '55..	98½	98½	98½	.....
Para. Pict. '47.....	80	78	78	—2
R. K. O. 6s '41....100		100	100	—2
W. B. 6s '39.....	84½	84½	84½	— ½

(Quotations at close of Nov. 3.)

Looking 'Em Over

"Blazing Barriers"

(*Monogram*)

The reliable formula of the rehabilitation of an individual by contact with government service is offered in "Blazing Barriers." This time it is the Civilian Conservation Corps. The film manages to find room for entertainment, romance and adventure set against pleasant scenery and may also be viewed as New Deal propaganda. It should fit in well on duals.

Frank Coghlan, Jr., and Edward Arnold, Jr., make a getaway from a robbery into which they were enticed by their frequenting of a poolroom and their contact with the sordid side of life in a big city. Their escape on a freight train lands them far out in the country. They meet Guy Bates Post and his vaudeville partner who feed them and keep them overnight. The following day they decide to join the C.C.C. Young Coghlan and the discipline of the camp do not hit it off. Arnold fares better. After a few brushes with the better element, Coghlan learns to toe the line. On his first leave he meets Florine McKinney, daughter of Herbert Corthell, the local sheriff. Coghlan applies for a forest ranger position and gets it. Meanwhile an officer is killed and suspicion points to Coghlan. Miss McKinney hides him in a mountain cabin. A forest fire sets off the climax and, in the ensuing excitement, Arnold is fatally injured by falling timber while attempting to rescue Miss McKinney and Coghlan. The conclusion has Coghlan a new character with a wholesome outlook on life with Miss McKinney. Taps are sounded for the heroic Arnold.

The story is by Edwin C. Parsons. Aubrey Scotto directed. The supporting players include Irene Franklin, Addison Randall and Milburn Stone.

Running time, 65 minutes. "G."

"The Return of Maxim"

(*Amkino*)

Once again the state-controlled Russian producers raise and vigorously wave the flag of the embattled workers pleading—and fighting—for their rights, this time against the Czarist regime. The film, produced by Lenfilm, has moments of sweep and power, rises to emotional crisis, and withal, despite unusual length, contrives to maintain an attention-holding pace. But be that as it may, the picture still is out-and-out propaganda, rather preaching a cause than telling a story of a fight for an ideal.

That the film's preachment is telling, for those who are inclined to listen, was indicated in the spontaneous applause with which certain dialogue passages, translated in subtitle, were greeted by the audience at New York's film home of Soviet sympathizers, the Cameo. That the film contains too much of propaganda for the run of Americans is also evident. Likewise, the inherent characteristic of the Russian, as seen in these films, at least, to gesture in exaggerated fashion, and shout his lines, probably will be little less than annoying to the American audience.

Boris Chirkov plays the title role in this sequel to "The Youth of Maxim," and in this case, in a setting immediately prior to Russia's entry into the World War, are pictured the political fomentation of strikes, the undercover methods of rousing the workers to revolt, and the street fighting between workers and Cossacks, culminating in efforts to persuade the soldiers to keep their guns—for future use.

Running time, 100 minutes. "A."

"Doomed at Sundown"

(*Republic*)

LINCOLN, NEB., Nov. 3.—Bob Steele, plains country prankster, turns serious in the first seven minutes of "Doomed at Sundown" and is sent on a manhunt for the knifer who has killed his father. Steele westerns seem to be handily received at the box-office and this one will keep faith with his fans.

There's considerable action, a few fights, and some gunplay. Incidentally, there's a spark of romance, Steele and Lorraine Hayes figuring. The setting is in mountainous country.

Besides Steele and Miss Hayes, the cast names are Earl Dwire, a border toughie, and Warner Richmond, leader of a rustling ring. Dwire will make the kids shiver.

The picture will fit in well with a weekend date. It's an A. W. Hackel production, directed by Sam Newfield.

Running time, 55 minutes. "G."

(Additional Reviews on Page 9)

To Consider Film Bill Change Today

(Continued from page 1)

of the Federation of British Industries, and six film workers' organizations.

Eustace Stanley, president of the Board of Trade, received the deputation and will deal specifically with all points raised at the second reading and debate on the matter, scheduled for the Commons tomorrow. The measure has been in committee since its first reading.

Informed quarters have expressed the belief that the deputation was very well pleased with the reception they received. They expect concessions in the nature of provision for the suggested appeal committee over the advisory committee at present provided in the bill, and an intensification of British labor safeguards, as well as a possible modification of the double quota provisions.

The C.E.A. has sent copies of a pamphlet to all members of Parliament, stressing the need of two major amendments to the measure, one establishing a viewing committee to give effect to the C.E.A.'s demand for a quality test for quota determination, and the other for a Government films commission as suggested in the original report of the Moyne committee.

Tomorrow's debate is expected to open the general fight on the legislation at the opening of the committee stage of the measure's consideration.

Hoyts Move Aimed At Greater Union

(Continued from page 1)

suburban situations, and few first runs. Among the first runs are the Regent, Sydney, and Regent, Melbourne.

Product deals for Hoyts were concluded by Charles Munro, managing director, when he visited here several months ago. At that time Stanley S. Crick, 20th Century-Fox exchange head for Australia, also was on the local scene. Munro also made arrangements for vaudeville acts during his stay here.

Greater Union is not expected to experience any difficulty in securing product despite the disassociation with 20th Century-Fox interests.

Winthrop Ames Dies

BOSTON, Nov. 3.—Winthrop Ames, well known stage producer, who retired from activity in 1929, died here today from pneumonia. Memorial services will be held at the Church of the Transfiguration, New York, on Sunday.

Ames was active in 1927 in a move to clean up the New York stage. After graduating from Harvard and doing publicity work in 1904 Ames became manager of the Castle Square. From 1908 to 1911 he was director of the New Theatre, New York. Later he was director of the Booth and Little Theatres.

Anatole Litvak to Sail

HOLLYWOOD, Nov. 3.—Anatole Litvak will leave Hollywood soon to board the *Normandie* Nov. 24 in New York, to visit England and France. Upon his return he will direct "The Amazing Dr. Clitterhouse," at Warners. Robert Lord will produce.

ITOA Still Hopes For Giveaways End

The I.T.O.A. is still hopeful that games and giveaways will be discontinued in the local area and the organization is on record that it will fight to accomplish this, Harry Brandt, president, told members yesterday at the regular meeting at the Astor.

Negotiations are continuing with major circuits to drop the practice and efforts along these lines will not cease, he said. RKO is said to be responsible for the failure of the move in Flatbush, it was stated after the meeting. The circuit had agreed to abandon games in the Kenmore, but later changed its decision, contending that partners in the theatre refused to eliminate the policy unless it applied to the entire circuit.

Product buys were discussed at length with the general opinion being that independent exhibitors are not rushing to make new deals and have sufficient bookings to mid-December.

The annual Movie Ball will be held at the Astor, April 2. David Weinstock is chairman on arrangements with Maurice Fleischman, chairman of the program committee.

Wisconsin I.T.P.A. Calls for Film Laws

MILWAUKEE, Nov. 3.—The Wisconsin I.TP.A., meeting in convention at the Hotel Schroeder here today, endorsed the suggestion of Abram F. Myers calling for Federal legislation in the form of a "Guffey Act" and voted to send representatives to Washington during the special session to work for passage of the Hobbs resolution. It was also voted to seek from Walter J. Wiens, local Paramount manager, the Philadelphia "strike" peace plan for Wisconsin exhibitors with a promise that no current Paramount product will be purchased by members unless the plan is made available to state exhibitors.

Plans for the revision of the association's constitution and election of officers will be taken up at another annual convention to be held between Jan. 10 and 20 of next year.

Opposition to producer-sponsored radio programs was also voted.

KMTA Meets Today

KANSAS CITY, Nov. 3.—The board of directors of the K.M.T.A. will meet here tomorrow. John Stapel, president, will preside. Ed Kuykendall is scheduled to attend.

Iowa Allied to Convene

IOWA FALLS, Ia., Nov. 3.—Allied of Nebraska and Iowa will hold its annual convention here tomorrow. The sessions will be at the Chamber of Commerce, E. O. Ellsworth and W. A. Middleton, exhibitors, will be the hosts.

Wanger Ampa Guest

Walter Wanger, U. A. producer, will be the guest of honor at the Ampa luncheon today at the International Casino. Three acts which appear in "52nd Street" will entertain. They are Jack White, Rocco and Salters and Georgie Tapps. Hal Horne will be master of ceremonies for this part of the program. M. Zenn Kaufman will talk on sales contests and showmanship.

Looking 'Em Over

"Some Blondes Are Dangerous"

(*Universal*)

The dumb pugilist and his affairs with the fair-haired members of the opposite sex, a perennial, is offered in "Some Blondes Are Dangerous," with a number of variations to give it a refreshing air. The hero of the piece, portrayed by Noah Beery, Jr., is a naive Joe Palooka type. In fact he has all the mannerisms of the cartoon character. Willian Gargan is effective as the ring marvel's manager and Nan Grey and Dorothea Kent are the women in his life. The leads enact their roles easily and competently.

Young Beery is brought from a picnic match, sponsored by the department store where he works with Gargan, to middleweight champion. He is entirely oblivious of the real affection Miss Grey shows for him. Instead he takes up with Miss Kent, an actress with a number of shady companions. Miss Kent maneuvers him into marriage and, with her two-timing, to the ultimate loss of his title to a fighter Gargan had taken an interest in. Finally Beery is left alone in his dressing room, beaten both in the ring and in love. Miss Grey, now a buyer for the store, throws up a trip to Paris and a fine job, goes to Beery, and the "Iron Man" finally sees the light in her eyes.

The dialogue is racy and sounds like the real stuff. The story loses no time in getting down to essentials and manages to keep up interest. It was directed by Milton Carruth from a screenplay by Lester Cole.

Running time, 64 minutes. "G."

Overseas Previews

"Paradise for Two"

(*London-United Artists*)

LONDON, Oct. 27.—Patricia Ellis and Jack Hulbert in a very merry story, against Parisian backgrounds with the original twist that a chorus girl, who has exploited a purely imaginary liaison with a millionaire, takes the rich guy for a reporter and persuades him to impersonate himself, in order to kid her manager that she has a backer for the show. Sounds confusing, and is, and the confusion, on the screen, is more than a little amusing.

Miss Ellis was worth bringing from Hollywood for her role; she sings the "Kiss Me Goodnight" number very pleasingly. Jack Hulbert is very British, but understandable, and he can also sing—and dance. There is plenty of comedy and a finale of the first night of the millionaire-backed show is well put over.

Running time, 75 minutes. "G."

ALLAN

Sound Men Coming East

A crew of studio sound technicians will come east in a few days to install special sound equipment in the Astor Theatre for the opening of "The Hurricane" Nov. 9. The equipment is required by the wind and storm effects used in the picture.

Warners Promote Hogan

"Mike," Hogan, formerly traveling auditor, has been promoted to office manager of the Warner exchange in Kansas City. He succeeds C. F. McBride, who will join another company.

Midland Deal for Year

The tentative deal between Loew's and Midland Investment Co. of Kansas City on the operation of the Midland is for one year, an executive of Loew's stated yesterday. On Oct. 28, a 10-year lease expired.

Sets "Barrier Week"

SEATTLE, Nov. 3.—Governor Clarence D. Martin has issued a proclamation designating the week starting Friday as "The Barrier Week." Paramount's "The Barrier," will open here Friday.

Takes Over Hub House

BOSTON, Nov. 3. — Moe Boranco, Grand Theatres, Inc., executive, has arrived here to manage the Hub, downtown first run of the circuit. Hal Winston, who opened the theatre a few weeks ago together with his brother, Al Winston, has gone to the Grand house in Stanford, Conn. The Hub is showing Grand National and other independent first-runs.

To Use Brewster Color

Bud Pollard has been signed to direct the series of shorts which will introduce a new three-color process called Brewster Color. The first will go into work at the Biograph Studio tomorrow. The process was developed by P. D. Brewster, president of Brewster Film Laboratories in Newark.

Cooper Spots Get Shows

LINCOLN, NEB., Nov. 3.—Louis J. Finske, division manager of the J. H. Cooper Enterprises, has arranged Wilbur Cushman vaudeville time for the Orpheum here starting Nov. 5. Other towns on the route are: Pueblo, Colorado Springs, Greeley, and the Warner, Oklahoma City.

Short Subjects

"Little Red Walking Hood"

(*Vitaphone*)

Another of those excellent color cartoons that burlesque the classics and manage to do it very well, too. Here the familiar story is streamlined and in a manner debunked. The chief character offers many asides which prove highly humorous as does the hero of the piece who remains disguised until the comical conclusion. Running time, 7 mins. "G."

"Educated Fish"

(*Fleischer-Paramount*)

Here is a color cartoon that will find a wide audience in all situations and pleasantly entertain them. It is the well known stuff about the youngster who would play hookey from school. Here it is given undersea treatment with fish as the characters. The beery "Schnitzelbank" song is worked in too, and with its well-drawn sequences the piece unreels as first-rate entertainment. Running time, 7 mins. "G."

"Jan Garbini and Orchestra"

(*Vitaphone*)

Jan Garbini is an accomplished violinist and this one-reeler shows off his dexterity with the instrument to interesting advantage. Garbini is particularly accomplished in pizzicato, but on the whole his playing is different and refreshing for this type of offering. There is also a brief story which involves the presentation of a Stradivarius to Garbini by a mysterious female admirer. It is a higher type band presentation. Running time, 10 mins. "G."

Minter Again Heads ATS, Inc., Michigan

DETROIT, Nov. 3.—James M. Minter has been reelected as head of American Theatre Science, Inc. The company has just completed its first year.

Other officers are: Vice-president, J. C. Peck; secretary-treasurer, A. W. Lyon; directors, Charles L. Sterns, J. S. Gibson, W. A. Cassidy, George F. Smith, C. H. Schuckert.

Frank E. Stuart has been renamed general manager.

Seek End of Betting

BOSTON, Nov. 3.—An initiative petition calling for the abolition of pari-mutual betting in Massachusetts has been approved by Attorney General James Ronan. The petition submitted by the Massachusetts Anti-Gambling Ass'n was signed by 10 leading citizens, including Godfrey I. Cabot.

Film Society Is Formed

PROVIDENCE, Nov. 3.—The Providence Film Society, Inc., has been formed here as a non-profit organization. It plans a season of 10 outstanding pictures on a subscription basis. Garrett D. Byrnes, film editor of the *Providence Journal*, is president.

WHEN THEY STOP LAUGHING AT THIS ONE... they

E FOUR HORSEMEN OF HILARITY! DDY-UP with THESE GIDDY-YAPS!

NOTE! Be sure to see this picture right from the start so you will catch EVERY laugh!

MORE famous merry-makers, stars, melodies and romance than the screen has ever been able to present before!



It's the greatest laugh-gale since the year of the BIG WIND!



The New Universal presents
A TEN STAR FUN FROLIC
with
BERT LAHR · JIMMY SAVO
BILLY HOUSE · ALICE BRADY
MISCHA AUER · JOY HODGES
LOUISE FAZENDA · JOHN
KING · BARBARA READ
DAVE APOLLON AND HIS ORCHESTRA
Produced by B. G. DeSYLVA
CHARLES R. ROGERS
Executive Vice-Pres. in CHARGE OF PRODUCTION

Screen Play by Monte Brice and Henry Myers Directed by Ir

HERE'S A FLING AT FUN THE WHOLE COUNTRY'S WAITING FOR!



The New Universal presents
A TEN STAR FUN FROLIC
with
BERT LAHR · JIMMY SAVO
BILLY HOUSE · ALICE BRADY
MISCHA AUER · JOY HODGES
LOUISE FAZENDA · JOHN
KING · BARBARA READ
DAVE APOLLON AND HIS ORCHESTRA

Produced by B. G. DeSYLVA
Who produced "Sing, Baby, Sing"!
CHARLES R. ROGERS
Executive Vice-President in CHARGE OF PRODUCTION

Screen Play by Monte Brice and A. Dorian Otvos
Original story by Monte Brice and Henry Myers
Directed by Irving Cummings

HIT SONGS!
"I'm In My Glory", "More Power To You", "You're My Dish", by JIMMY McHUGH and HAROLD ADAMSON who gave you "Where Are You?"

MORE famous merry-makers, stars, melodies and romance than the screen has ever been able to present before!



The New Universal presents
MERRY-GO-ROUND of 1938
A TEN STAR FUN FROLIC
with
BERT LAHR · JIMMY SAVO
BILLY HOUSE · ALICE BRADY
MISCHA AUER · JOY HODGES
LOUISE FAZENDA · JOHN
KING · BARBARA READ
DAVE APOLLON AND HIS ORCHESTRA
Produced by B. G. DeSYLVA
(Who produced "SING BABY SING")
CHARLES R. ROGERS
Exec. Vice-Pres. in CHARGE OF PRODUCTION
Screen Play by Monte Brice and A. Dorian Otvos
Original story by Monte Brice and Henry Myers
Directed by Irving Cummings

HIT SONGS!
"I'm In My Glory", "More Power To You", "You're My Dish", by JIMMY McHUGH and HAROLD ADAMSON who gave you "Where Are You?"

THEY
The Four Horse
you the love-li
MERRY-G
The New Universal presents
EN STAR FUN FROLIC
with
LAHR · JIMMY SAVO
HOUSE · ALICE BRADY
AUER · JOY HODGES

ll start talking!

Here's dynamite to get that first laugh-crowd in right from the start! Bill it like a house-afire!





AGAIN from the NEW UNIVERSAL

Para. Settlement Approved by Court

(Continued from page 1)

trustee, retained jurisdiction when the company's plan of reorganization was approved by the court in June, 1935.

As a final allowance for services rendered in connection with the settlement of the actions, Judge Coxe yesterday approved a fee of $150,000 for the trustee's counsel, Root, Clark, Buckner & Ballantine. Paramount, through its attorney, Thomas D. Thacher, recommended an allowance of that amount, although the petitioning law firm had requested an allowance of $215,000. Hilles, who had requested a final fee of $7,500 for his services, was allowed $5,000 by Judge Coxe. Thacher recommended an allowance of $2,500 for Hilles.

There was no opposition to the settlement of the two recovery actions at yesterday's hearing and the court's approval was granted from the bench in less than an hour. Arthur A. Ballantine, of trustee's counsel, observed, in advocating the settlement, that while a trial of the suits might result in a greater recovery for Paramount than the settlement amount, the cost of the litigation and the time which would be required for final adjudication were important factors in making a settlement advisable.

Call Settlement "Desirable"

Thacher stated that the settlement had been considered fully and approved by the Paramount board of directors. He said that a settlement was believed to be desirable as the company might be injured by an exhaustive airing of its affairs in court.

Barney Balaban, Paramount president, and Austin C. Keough, vice-president and secretary, were present at the hearing.

The bulk of the settlement amount is payable to Paramount in cash immediately. Approximately $650,000 is payable in one to 10-year notes. The settlement negotiations were opened last March, tentatively agreed upon in August and formally approved by the litigants on Sept. 24. Court approval had to be obtained to effectuate the agreement, as the suits were a part of the Paramount reorganization. They sought the recovery of approximately $12,500,000 for alleged misfeasance and malfeasance of company officials during the period 1927-'31.

Canada Circuit Gets 6

TORONTO, Nov. 3.—United Amusements, Ltd., operating 21 neighborhood and suburban theatres in Montreal, Lachine and Sherbrooke, Que., has acquired six theatres of Confederation Theatres, Ltd., Montreal, in an important deal, details of which have just been divulged by George Ganetakos, general manager of United Amusements. The acquisition brings the Circuit total to 27 houses.

Three Added by Associated

TORONTO, Nov. 3.—Three more neighborhood theatres in Toronto have been added to the control of Associated Theatres, Ltd., Toronto, of which H. T. Long is general manager. The three comprise the Madison, owned by the estate of J. C. Brady; Beverly, operated by Beverly Theatres, Ltd., and the Radio City, built not long ago by V. Simone who continues as proprietor and manager.

Paramount Says Production Delay Cost Over $1,500,000

(Continued from page 1)

Paramount resulting from these delays, are set forth in Holman's affidavit, which also states that the latter's duties include liaison service between the company's Hollywood studio and the New York distribution office.

Holman's affidavit relates that "High, Wide and Handsome," one of the 10 pictures in dispute originally was scheduled to start Nov. 16, 1936, and was to have been available on April 9, 1937. He shows through weekly reports to his office from the studio that the start of production was delayed to Jan. 6; that the company was 41 days behind on a 56-day shooting schedule, and with re-takes, cutting and editing, the picture was not ready until Aug. 20, and general release was set for Oct. 1. The production was $600,000 over its budget, according to the affidavit.

"Angel" Also Delayed

In the case of "Angel," Holman says, its premiere had been set for Sept. 1 in the Paramount, New York, but that final cutting and editing delayed its availability to Oct. 7. General release was set for Oct. 29. The production ran 22 days behind a 49-day shooting schedule and exceeded its budget by "several hundred thousand dollars," the affidavit asserts.

"Souls at Sea" finished 34 days behind a 60-day schedule and its final cost of $1,750,000 was $350,000 over its budget, according to the affidavit. It was released Sept. 3.

"Artists and Models" was started on March 15 on a schedule intended to make it available on July 9. Ensuing delays ran the picture $100,000 over budget and made Aug. 13 the general release date, the affidavit sets forth.

Production on "Spawn of the North" had been planned for the summer of 1936, but just prior to the departure of the company for Alaska in June of that year, Carole Lombard became ill. Because the Alaskan exteriors could be shot only in summer, the affidavit says, no start could be made on this production until a year later.

Fields Illness a Factor

Casting difficulties and the prolonged illness of W. C. Fields prevented the company from starting "Count of Luxembourg," it was stated. Shooting has just finished on "The Barrier" and cutting and editing still remains to be done. Paramount was prevented from starting the second Marlene Dietrich picture due to the lack of material satisfactory to the star, whose contract gives her a veto in these matters, and also permits her to make one picture annually for an outside producer. She exercised the latter right by appearing in "Knight Without Armor" for Alexander Korda in England, which made her unavailable to Paramount for an extended period, the affidavit relates.

Similar difficulties, notably a contract right to appear in pictures of other producing companies, prevented Paramount from making an unnamed Claudette Colbert picture, which the plaintiff contends was sold under last season's contract. The 10th picture, a Harold Lloyd production, was planned for last season release but could not be started for diplomatic reasons resulting from the fact that the story which had been prepared paralleled too closely the experiences of the Duke of Windsor, according to the affidavit. No suitable alternate vehicle was available, it was said.

Usher's brief points out that the Gary Theatre Co. contracted for Paramount's output for four previous years and never received the maximum number of pictures designated in the contract in any one of those years nor complained to the company or the courts as a result. Paramount, it was stated, delivered 57 of a maximum of 65 pictures specified in the 1933-'34 contract; 52 of a maxmuim of 64 following season; 62 of 64 the year after, and 53 of 65 last season. His brief makes the point that it is common practice and knowledge in the industry that the maximum number of pictures referred to in the contract is seldom, if ever, delivered during a releasing season.

Gary Brief Filed

V. U. Young, president of the Gary company, declared in a plaintiff's affidavit that no producer ever before has failed to deliver more than one or two promised features in a season. He accused Paramount of bad faith.

Other affidavits for the plaintiffs were filed by Clyde Winans, manager of the Palace, and Albert Blocher of Theatrical Managers, Inc.

Judge Robert C. Baltzell called for affidavits instead of oral testimony when the case opened last week. He set Nov. 8 as the deadline for filing the plaintiff's brief and Nov. 15 for the defendant.

The court's decision in the action is expected within the next few weeks.

Bubbles and Froths

Si Seadler returned from a flying trip to the M-G-M studio yesterday. Literally, it was that. He left here last Friday with Oscar Doob by air and returned with him via the same method yesterday.

Seadler failed to get much rest on the overnight journey, but that apparently had little to with his enthusiasm for "Rosalie," a forthcoming Nelson Eddy-Jeanette MacDonald musical, designed to hit first runs around Christmas. He bubbled over the film and actually he frothed over the performance of Lona Massey, a Mayer import whose first picture in this country "Rosalie" will be.

Hold Baker, Benchley

HOLLYWOOD, Nov. 3.—M-G-M has extended the writing contract of Melville Baker, in the Norman Krasna unit, and extended the pact of Robert Benchley, before he left for New York.

Benchley's next three "How to Do" shorts will be made in New York. Roy Rowland will direct them.

Name Committees in Federation Campaign

(Continued from page 1)

000 of the $6,250,000 which is being sought. David Bernstein and Albert Warner are co-chairmen. The committees are as follows:

Independent and Legitimate Theatre Owners—Walter Reade, chairman; Harry Brandt, William Brandt, Leo Brecher, Louis Frisch, Sam Rinzler, Rudolph Sanders, Sam Rosen, Max Rudnick, Ben Sherman, Frank V. Storrs. *Foreign*—Max Schlesinger. *Music Publishers and Song Writers*—Louis Bernstein, Jack Robbins, Jack Mills, Chester Cohen, Buddy Morris, Irving Caesar, Jack Bregman. *Night Clubs*—Ted Friend, chairman; Hy Gardner, Louis Blumenthal, Herman Stark, Noah Braunstein.

Producing Companies—Leopold Friedman, Charles Moskowitz, Loew's; Sam Morris, Jules Levy, M. Blackman, Warners; Jack Cohn, Abe Schneider, Nate Spingold, Phil Reisman, Leon Goldberg, Nate Blumberg, RKO; Joe Cooper, Paramount; Joe Moskowitz, 20th Century-Fox; Herman Robbins, National Screen Service; Edward L. Alperson, A. Pam Blumenthal, Grand National; J. J. Milstein, Republic; Jack Skirball, Educational.

Independent Producers — Buddy Rogers. *Laboratories*—Alan Friedman, Jack Goetz. *Artists*—Louis K. Sidney, Marvin Schenck, Ben Bernie, Phil Baker, Sam Sax, D. A. Werblin. *Publications* — Jack Alicoate, Red Kann, Carl Zittel, Elias Sugarman.

Dahn Gets Hanson Post

TORONTO, Nov. 3.—Harry S. Dahn, former director of theatres, has been promoted to general manager of Hanson Theatres Corp. here, of which Oscar R. Hanson is president. The Hanson group comprises 30 theatres in all sections of Ontario. Dahn was formerly a district supervisor of theatres in the Famous Players Canadian organization and previously managed ace houses for that circuit. H. T. Long has been transferred from Hanson Theatres Corp. to become general manager of Associated Theatres, Ltd., a cooperative booking group of independent exhibitors.

Allen Named Manager

DENVER, Nov. 3.—Gibraltar has appointed H. K. Allen, former manager of the Victory, to manage the Loma, Socorro, N. M.

Named M. & P. Manager

NORWALK, Conn., Nov. 3. — John Gamble has been promoted from assistant at M. & P.'s Empress, South Norwalk, to manager at the Regent here, succeeding Chris Joyce. Joyce resigned and has been appointed manager of two Interstate theatres in Plymouth, Mass. J. Taylor, former doorman at the Empress, is now assistant.

Greenhouse to Manila

Daniel F. Greenhouse has been named manager of the Manila RKO branch by Phil Reisman, foreign sales manager. The office is a new one. Greenhouse recently resigned from M-G-M, for which he had been foreign territorial manager in South America and the Dutch East Indies. He will leave for Manila in about 10 days.

THE MOVIE-GOING PUBLIC IS CRYING FOR A GOOD DOWN-TO-EARTH DRAMA!

"A THREE BELL PICTURE," says Jimmy Fidler

"--Terse, direct, thoroughly enjoyable drama that will grip your attention from start to finish..."

Here it is!

THE Hollywood REPORTER

Writers And Cast Share The Honors

"PORTIA ON TRIAL"

(Republic)

Here is a picture which sets out determinedly to please, on the dramatic side, and succeeds so well in its direct audience appeal that it merits a good spot on any program. Without a "big name" in the cast, it offers an interest-gripping portrayal of a typical Faith Baldwin story, full of human emotion and a somewhat different play on the 'mother love" motif

As the title indicates, the story is one of life among the legalites, especially Portia Merriman, highly successful woman lawyer The mystery of her past crops up early in her bitter feud with John Condon, head of a powerful newspaper syndicate, whose wastrel son once had been her husband, and to whom she had surrendered her infant son 17 years before The return to America of the ex-husband with a new mistress and the son, sets the stage for the drama which leads to the shooting of the ex-husband and Portia's dynamic courtroom defense of the murderess.

All the individual performances are exceptional. Frieda Inescourt gives a splendid portrayal of Portia Neil Hamilton never gave a better performance than his interpretation of the prodigal. Walter Abel is excellent as the district attorney, as is Clarence Kolb as the flinty newspaper chief Ruth Donnelly always seems to be at her best. She is again. Heather Angel is effective as the justifiably homicidal mistress. Anthony Marsh is pleasing as the juvenile Barbara Pepper's snappy though brief witness stand scene is almost a triumph. All the minor roles are adequately handled

With the exception of the too-heavy pointing up of some of the scenes, George Nicholls has turned in a smooth, capable directing job Edward Paramore's adaptation and Samuel Ornitz's screenplay provide well-constructed action, tensity and bright dialog. Al Levoy gives the picture lavish production which is well above par Harry Wild's photography is tops The sound production is unusually good.

DAILY VARIETY DAILY

If laughs, tears, intense drama, suspense are the stuff from which good pictures are made, 'Portia on Trial' is due to go over big with audiences everywhere, more especially among the femmes who will go for the mother love angle like a hungry horse for its oats. 'Portia on Trial' strikes a variant on the 'Madame X' theme but it has original and surprising slants all its own and, while some may consider a few of the situations forced, the whole makes topping film material and turns out to be A1 entertainment.

Frieda Inescort loves Neil Hamilton, the weakling son of Clarence Kolb, a wealthy and powerful newspaper publisher. Hamilton fathers her son and wants to wed her but the old gentleman steps in and nixes it, agreeing, however, to give the baby his name provided the mother signs affidavits completely discrediting herself.

The baby is educated in England and years later returns to New York as Anthony Marsh. Hamilton falls in love with Heather Angel, a British girl, just as he had fallen for Miss Inescort years before. Miss Angel's baby dies but she accompanies Hamilton to America. Old man frames Miss Angel with the immigration authorities, she escapes, returns and murders Hamilton.

Miss Inescort, who has become a successful attorney, defends Miss Angel. The trial, the frantic efforts of Kolb to discredit Miss Inescort, the mounting drama of retributive justice that whirls the vengeful old millionaire to ultimate confession of his wrongdoing, constitute material from which a powerful and moving document has been evolved.

Like all superior pictures, this one had a soundly conceived story to begin with. Samuel Ornitz has taken the Faith Baldwin original and molded it into a drama of swift climaxes, punctuated by vibrant dialog. George Nicholls, handed a swell script, turns in an evenly paced directing job, taking every advantage of the opportunities for piling suspenseful climaxes on top of one another until at the finish the audience is putting out those nervous, jittery little laughs that are the unfailing sign that it's emotionally involved with the story.

Frieda Inescort captures the major acting honors. She is a player of commanding and beautiful dignity, a real Portia, and her enunciation is a joy to hear. Walter Abel plays a suave and effective district attorney who is hopelessly in love with Miss Inescort, and does a bangup job of it. Neil Hamilton contributes an excellent and well studied characterization while Clarence Kolb, as the elderly Titan with a Jove complex, never let down for a moment. His scene on the witness stand is masterly. Anthony Marsh makes a personable juvenile and does well with a difficult part. One of the memorable characterizations is turned in by Ruth Donnelly as Miss Inescort's professional assistant and confidante.

Heather Angel brings beauty and sympathy to the role of the girl who kills Hamilton and she, too, has a witness chair sequence that grips the audience powerfully. Barbara Pepper handles a smaller role with appealing skill, and the same is true of Hobart Bosworth and Ian Maclaren. George Cooper and John Kelly were good for plenty of giggles and the remainder of the cast acquits itself with credit.

Albert Levoy, as associate producer, has made this picture one that Republic can be proud of and also one that will do much to boost Republic's standing among exhibs lucky enough to book it An outstanding contribution to the general excellence of the film is the RCA Victor High Fidelity sound, which comes through under control at all times. Harry Wild turns in a thoroughly satisfactory camera job.

Inescapable conclusion is that in 'Portia on Trial,' Republic has a box office bell ringer, a product that will fill houses with afternoon as well as evening crowds, for the femme word-of-mouth on it is bound to be terrific.

Faith Baldwin's

PORTIA ON TRIAL

A *Republic* PICTURE

CBS Reports 39-Week Net $3,053,416

CBS and its subsidiary companies yesterday reported a net profit for the 39 weeks ending Oct. 2 of $3,053,416.63, compared with the net profit of $2,451,740.02 for 40 weeks ending Oct. 3 last year. Earnings per share this year was $1.79 as against $1.44 last year. The share earnings are calculated upon the 1,707,950 shares of $2.50 par value stock presently outstanding or to be outstanding upon the completion of exchange of old $5 par value stock.

The board of directors yesterday declared a cash dividend of 40 cents per share on the present Class A and Class B stock of $2.50 par value, payable Dec. 13 to stockholders of record at the close of business Dec. 6. The board will meet Nov. 30 to consider the payment of a special dividend.

Gross income from sales this year, as of Oct. 2, was $24,926,420.61, which compares with $18,898,721.74 for the week ending Oct. 3 in 1936.

CBS October Sales Figures $2,564,259

CBS time sale billings for October this year amounted to $2,564,259, the second biggest month in the history of the network. This is up 26.4 per cent over September of this year, and down 6.9 per cent compared to October of last year. October, 1936, still is the biggest revenue month, with a total of $2,754,808.

The cumulative total for the year is $23,339,801, up 27.5 per cent over the same period last year, and greater than the whole of last year's total.

Three CBS Shows Renewed

Three CBS programs were marked for renewal yesterday. They are "Polly's Follies," "Poetic Melodies" and "Scattergood Bain."

"Polly's Follies," sponsored by the Phillips Petroleum Co., is renewed for 52 weeks, effective Nov. 9. The series originates from KNOX, St. Louis, and is broadcast over 20 stations from 10:30 to 11 P. M., Tuesdays. Lambert & Feasley is the agency.

"Poetic Melodies," sponsored by William Wrigley & Co., is renewed for 52 weeks. It is broadcast Mondays through Fridays from 7 to 7:15 P. M., and originates in the studios of WBBM, Chicago. The series is broadcast over 26 stations, with a repeat broadcast over 19 stations.

"Scattergood Bain," a dramatic series is broadcast over a CBS Pacific Coast group of stations. The renewal is for 52 weeks.

Electric Co. Buys News Time

The 10:45 P. M. news strip on WNEW has been sold to the Lightning Electric Co., marking another news strip sold on WNEW.

T. M. Kearns Opens Office

Thomas M. Kearns, former publicity and advertising director of Fanchon & Marco Stageshows, Inc., has opened publicity offices.

Warners to Stop Supply of Scripts to Small Stations

HOLLYWOOD, Nov. 3.—Warners today announced a decision to discontinue supplying radio script versions of its pictures to small stations throughout the country.

The move, according to the studio, is predicated on the finding that these broadcasts, many of which assertedly have been inexpertly presented owing to circumstances beyond the control of the stations involved, are proving detrimental to the company's interests and those of exhibitors playing its product.

The decision, however, has no bearing upon other and more important radio activities of the studio, which will continue, it was stated.

More than 210 of the smaller stations are affected by the decision, which becomes effective immediately. Final production on which radio continuities will be provided under the discarded plan is "It's Love I'm After."

Decision to abandon this activity was reached following an exhaustive national survey to determine reactions to the broadcasts by S. Charles Einfeld, director of advertising and publicity, and Robert S. Taplinger, new studio publicity head.

Broadcasting Quality Low

The survey, according to the studio, indicates that the smaller station broadcasts of the continuities have been generally inferior in quality. This has been due, it was said, to lack of trained casts and directors, and the lack of proper facilities at the stations for giving the radio versions adequate presentation over the air. The studio also said that in many instances the scripts have been enacted by local amateurs and dramatic groups with results uncomplimentary to the pictures on which they are based. There have been cases in which inference has been made that the actual stars of the film were participating in the broadcasts, it is averred.

Inasmuch as inexperienced players appeared in the radio versions, it was further stated, this was injurious to the film stars.

In conclusion, the Warner statement said, the studio has decided that these broadcasts of its radio versions have failed in their mission to publicize constructively its productions and have proved harmful to the box-office in numerous instances. Transcription programs will be continued, however.

WNBX Signs for "Neighbor"

WNBX, Springfield, Vt., has just signed for "Good Morning Neighbor," woman's program syndicated by Star Radio Programs, Inc. Additionally, the Houck Advertising Co., in presenting the show for a client, is inaugurating the series in Roanoke, Virginia.

Radio Course at Maryland

Station WJSV and CBS have inaugurated a new course in radio at the University of Maryland, College Park, Md. A modern broadcasting studio and radio technique classrooms will be ready for use by the middle of this month.

Radio in North

Montreal, Nov. 3.—A young Montreal radio expert, 25-year-old Robert Cooke, has left for Seattle where he will sail to Juneau, Alaska, to join Sir Hubert Wilkins at Point Barrow in his search for the lost Soviet fliers.

Cooke, who will meet the explorer at Point Barrow, took with him some 1,000 pounds of radio apparatus, "sufficient equipment to install two wireless direction finding stations." Lack of power in the north necessitated sets designed to use as little power as possible which will be run off batteries.

Short Wave Hearings Are Closed by F. C. C.

WASHINGTON, Nov. 3.—After four days of hearing relative to whether non-commercial or commercial interests shall control short wave frequencies for broadcasts to South America, the F.C.C. closed discussion of the subject and said it would hand down a decision within three weeks.

The frequencies, hitherto held by the Government and now allocated for temporary use only, are being sought by NBC, General Electric Co., and the World Wide Broadcasting Corp., a non-commercial educational organization.

While World Wide said it would use the frequencies only for educational programs, NBC and General Electric said they seek the facilities for Latin American broadcasts which later might be sponsored commercially.

Bryant Publicity Signs WSAR

The Bryant Publicity Service has been signed as the national representative for WSAR, Fall River, Mass. This is believed to be the first time a station has been represented nationally for sales by a publicity organization.

Jean Sablon Signed Again

Jean Sablon has been signed for the third successive time by NBC. The new agreement calls for 26 weeks of twice weekly programs over the Red network. He is a John Royal protege.

Mutual, WNEW to Air Duke

The Mutual network and WNEW, in addition to CBS and NBC, will carry the address of the Duke of Windsor when he speaks from Washington, Nov. 12. WNEW will receive the broadcast from NBC.

Signs for CBS Time

Campbell-Ewald, for an unspecified client, has placed an order for a half-hour period over CBS, to become effective early in January. The nature of the program is not revealed.

Election of Albanes Due At Cuba Meet

HAVANA, Nov. 3.—Senator Wilfredo Albanes of Cuba is expected to be elected permanent president of the Inter-American Radio Conference, now in session here, tomorrow, and the conference, in which 17 nations are participating, will open formal sessions then.

At meetings of the steering committee, various sub-committees and at informal conferences already held, the agenda of the conference was unofficially outlined. Three permanent committees are planned. First will be a technical committee to handle frequency allocations. Second will be an administrative committee which will handle juridicial questions and third will be a committee to coordinate agreements and proposals for the consideration of the full body.

The 17 nations represented are: United States, Argentina, Brazil, Canada, Columbia, Cuba, Chile, Guatemala, Haiti, Mexico, Panama, Peru, Dominican Republic, Newfoundland, Nicaragua, Uruguay, Venezuela. F.C.C. Commissioner T. A. M. Craven and Henry Norweb of the State Dep't are the U. S. delegates, along with five technical advisers.

Meanwhile, perhaps a score of representatives of American broadcasting chains, independent broadcasters, radio manufacturers and communications companies have gathered here as observers and are prepared to present recommendations through their American delegations.

To Ask Injunction In Operating WTNJ

The Trenton Broadcasting Co. will ask Justice Salvatore Cotillo in the N. Y. Supreme Court today for a temporary injunction pending trial to restrain Charles E. Loew, Julie V. Loew and WOAX, Inc., from interfering with Trenton's operation of Station WTNJ. The plaintiff alleges that it purchased all the broadcasting time of WTNJ in November, 1934, under a three-year contract. Rental under the agreement was $12,600 for the period plus all operating costs with an option to purchase the stock of the corporation for $70,000.

Trenton claims that it took advantage of the option but that the defendants refused to apply to the F.C.C. for approval of the sale. They ask that the defendants be compelled to sell their stock for the agreed price and that a temporary injunction be granted until the trial takes place.

Renew "Point Loma Boys"

SAN DIEGO, Nov. 3.—Klauber-Wangenheim has renewed it's "Point Loma Ranch Boys" series for an additional 13 weeks over KFSD NBC-Blue outlet, effective Nov. 5. Concurrent with the renewal, program will switch to a new time: Fridays at 7 P.M., P. S. T.

Bowman, Bennett Join WHIO

DAYTON, Nov. 3.—Bob Bowman and Hal Bennett, both new to radio, have joined the announcing staff of WHIO.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 108 NEW YORK, FRIDAY, NOVEMBER 5, 1937 TEN CENTS

Films Replace Theatres Over U.S.—Wanger

Legitimate Has Passed Out, He Tells Ampa

By BILL ORNSTEIN

"The legitimate theatre has passed out as a national theatre and pictures have taken its place, not only as a national theatre but internationally," Walter Wanger, U. A. producer, yesterday told members of the Ampa at the International Casino.

Wanger brought up the topic in discussing the passing of Winthrop Ames, whose ambition, Wanger said, was to develop the legitimate theatre nationally.

"The world accepts pictures as a regular diet every day," Wanger stated, "but our greatest problem is to make each individual picture for what

(*Continued on page 4*)

"Thin Ice" Herald's September Champion

"Thin Ice," a 20th Century-Fox release, heads the list of Box-Office Champions for September, *Motion Picture Herald* will state today. Of the six listed, United Artists leads all distributors with two. These are "Stella Dallas" and "The Prisoner of Zenda" in fourth and fifth places, respectively.

"Lost Horizon" (Columbia) is second and "Broadway Melody of 1938" (M-G-M), third. Sixth is "100 Men and a Girl," (Universal).

Ross Federal Wins Mississippi Appeal

Ross Federal Service reports that it has won a decision in the Mississippi Supreme Court, which reversed two lower court rulings relative to a state tax law aimed at checkers. The Supreme Court discharged A. B. Hugo, Ross checker, who took the appeal.

The license law attempted to impose a fee of $50 on every theatre

(*Continued on page 7*)

Rodent Fans

Jack White, who appears in "52nd Street," yesterday told the Ampa boys that: "Since they put most of my performances on the cutting room floor, I'm now getting my fan mail from mice."

Film Bill Has 2nd Reading In Commons

An Advisory Committee Favored by Crown

By BRUCE ALLAN

LONDON, Nov. 4.—The Films Bill which has been in committee since its first reading, passed without revision its second reading in the House of Commons here today.

Eustace Stanley, president of the Board of Trade, who introduced the bill, said that the Government accepts the Moyne committee statement that increased protection is necessary for the British industry. With the adoption of the cost clause, he said, producers will be forced to place greater emphasis on the entertainment value of their productions with the resultant elimination of "quickies." The quality test for quota determina-

(*Continued on page 4*)

Hoyts Circuit Heads On Way to Australia

George Griffiths and Noel Bennett, division managers of Hoyts, are en route to Australia after vacationing here. Griffiths sailed Wednesday on the *Queen Mary*, planning to return to Sydney via London, while Bennett is now on the coast and will sail on the *Monterey*, Nov. 11.

F. L. Harley, British sales head for 20th Century-Fox, and Ben Miggins, managing director for the Continent, are due shortly.

Compel Metro Film Withdrawal in Rio

RIO DE JANIERO, Nov. 1. (*By Airmail*)—The censor board compelled the Metro, M-G-M's first run outlet here, to darken one day and to withdraw "They Gave Him a Gun." The theatre subsequently reopened with "A Day at the Races."

Some sections of local Film Row attribute the move to pressure exercised upon the censors by Fascist and Nazi influence.

Will Drop Games in Oklahoma City Spots

OKLAHOMA CITY, Nov. 4.—Standard Theatres here will drop Bank Night in its downtown spots as soon as the $1,000 award now up is given away. Neighborhood houses will retain the game feature for the time

(*Continued on page 7*)

Will Make Final Para. Report Soon

Charles D. Hilles, Paramount trustee, will make his final report and accounting to Federal Judge Alfred C. Coxe within the next few weeks, following the formal close of the company's reorganization administration on Wednesday. With the approval of the accounting by the court, Hilles will be legally discharged as trustee.

The reorganization administration ended with Judge Coxe's approval of the settlement terms of the two recovery suits brought by the trustees in 1934. These were the last matters remaining from the Paramount reorganization under court jurisdiction.

The $2,150,000 in cash and notes which Paramount will receive as a result of the settlement of the recovery suits will be reflected to a large extent in the company's year-end financial report and may boost the

(*Continued on page 4*)

Rumors Name Many For Briskin's Post

HOLLYWOOD, Nov. 4.—The names of many important producers here are being mentioned as possibilities for the position of production head at RKO to succeed Samuel J. Briskin who resigned yesterday. Briskin's post is being filled temporarily by Leo Spitz who, some maintain, may remain in the position and take over all of the Briskin duties. It is believed that the successor, whoever he may be, will be chosen only after RKO has been released from bankruptcy.

Another rumor has Ben Kahane

(*Continued on page 4*)

Columbia's Moves on Plays to Start Jan. 1

Columbia will go through with plans to produce plays on its own on Broadway, it was stated yesterday, but nothing is expected to be done before Jan. 1. D. A. Doran is in charge of the department.

According to Columbia executives, the company is looking around for a big play and is anxious to produce its first effort on a scale which will do justice to all interests involved.

U. A. Offers 10-Year Deals in Dominion

TORONTO, Nov. 4.—Showing its teeth in the argument with the big circuit interests in the Dominion which did not renew booking contracts this season, United Artists Corp., Toronto, is offering a 10-year fran-

(*Continued on page 7*)

Circuits Give Wage Increase To Stagehands

De Luxe House Rate 6%, Neighborhoods 5%

After weeks of negotiating between representatives of Stagehands' Local No. 1 and executives of the major circuits, an agreement was reached yesterday whereby stagehands will receive salary increases of five and six per cent, the former boost applying to neighborhood theatres and the latter to de luxe units.

According to the agreement, the five and six per cent salary increases will become effective immediately and at the same time will be retroactive to Sept. 1. Next year similar boosts will be made, it was decided yesterday.

The terms are similar to those reached some months ago for Brooklyn houses. James Brennan, president of Stagehands' Local No. 1 and vice-president of the I.A.T.S.E., and

(*Continued on page 7*)

City Theatre to Be Mayor Equity Topic

Mayor LaGuardia is scheduled to give his views on the establishment of a municipal theatre at a discussion meeting of Actors' Equity Ass'n at the Astor this afternoon. Paul Moss, license commissioner, is also scheduled to address the meeting. He will discuss the justification for closing burlesque theatres by refusing license renewals to them last spring.

Brock Pemberton, producer, will

(*Continued on page 4*)

G. E. Experiments in Television Planned

WASHINGTON, Nov. 4.—Plans of the General Electric Co., to engage in broad television experimental transmission were today disclosed in applications filed with the F.C.C. for authority to construct four stations.

Two of the stations would be located at Schenectady and a third at

(*Continued on page 10*)

M-G-M on Air

"Good News of 1938," the first M-G-M radio show, sponsored by Maxwell House Coffee, took to the air last night. A review, as well as yesterday's developments in radio, appear on page 10.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Wolcott Reelected By Midwest I. T. O.

IOWA FALLS, Nov. 4.—The I. T. O. of Iowa and Nebraska, meeting here today, reelected Leo F. Wolcott of Eldora, president, and Charles Peterson of Hampton, secretary. R. W. Blair of Cedar Falls was elected vice-president. New board members are Blair and O. A. B. Hilton of Sioux City.

The association recorded its approval of National Allied's legislative program and the present moral tone of films. It opposed the publication of box-office grosses; checkers divulging box office figures; production of C and D pictures; change of aperture plates on the ground that it would be too expensive and urgently requested producers not to allow star stories and other motion picture features to be broadcast at hours competing with theatre hours.

Arnold Split Denied

HOLLYWOOD, Nov. 4.—A spokesman for B. P. Schulberg Prod., has denied that Edward Arnold has severed connection with that organization as recently reported, saying the actor is under contract for seven more years.

Purely Personal

NAT LIEBESKIND, managing director for RKO in the Argentine, has rounded out successful home office conferences with PHIL REISMAN, and sails for Buenos Aires tomorrow. His itinerary: To Havana for three days on the *Oriente;* to Panama on the *Contessa;* to Santiago de Chile on the *Santa Clara;* to B. A. by air over the Andes. MRS. LIEBESKIND, who is also here, follows him in four weeks.

•

LOUIS GOLDSTEIN, general manager for Columbia in Brazil, sails for Rio on the *Pan America* tomorrow, following five weeks here conferring with home office executives. It was his first visit in about two years.

•

BARNEY BALABAN, Paramount president, and STANTON GRIFFIS, chairman of the executive committee, plan to leave for Hollywood in about 10 days on a periodic studio visit of about two weeks' duration.

•

JOHN LODER is honeymooning on the coast with MICHELINE CHEIREL, French film actress. They plan to attend the coast showing of "Non Stop New York," G.B. picture in which he is featured.

•

MRS. BOB WEITMAN, wife of the Paramount Theatre manager, has been discharged from Beth Moses Hospital in Brooklyn and is now recuperating at home from a mastoid operation.

•

MARTIN MULLIN and SAM PINANSKI arrived in New York yesterday from Boston for conferences with Paramount theatre executives here.

•

WILLIAM F. RODGERS is back from Chicago and St. Louis, while E. M. SAUNDERS will return from the Mound City tomorrow.

•

SOPHIA CLEUGH'S "Yesterday's Heroes" has been acquired by Universal. JOE PASTERNAK will produce it.

•

MEYER SCHINE, who arrived yesterday from Gloversville, will return to his upstate New York headquarters today.

•

CONSTANCE COLLIER left yesterday for Hollywood where she will establish permanent residence.

•

WHITFORD DRAKE, Erpi president, is due back from Europe at the end of the month.

•

SOPHIE TUCKER will arrive Monday on the Century from the coast.

•

CLINTON M. WHITE, G.B. assistant general manager, is in Atlanta.

•

VINCENT MCFAUL was in New York yesterday from Buffalo.

Col. Frisco Meet Set

Columbia will hold its third and last regional sales meeting at the St Francis, San Francisco, Nov. 20-21 A. Montague and Rube Jackter will be the only home office representatives attending. Representatives from all offices under the supervision of Jerome Safron will attend.

Australian Censor Lauds Product Code

VANCOUVER, B. C., Nov. 3.—The substantial reduction in the number of pictures which were banned or in which eliminations were ordered by the censor board in Australia during the past five years, is chiefly the result of the work of the Production Code Administration in Hollywood, in the opinion of W. Creswell O'Reilly, chief film censor of Australia.

O'Reilly was here in the course of a nine-month world tour, during which he visited production centers in the United States and England. The complete text of O'Reilly's statement follows:

"During my brief stay at Los Angeles with my wife and daughter, the concluding stage of a nine months' holiday tour around the world, we have taken the opportunity of visiting the major producing companies' film studios, and have gained useful and interesting information regarding their organization, methods, and activities generally. We did the same in England, but, of course, the American studios are on a much larger scale.

"My visits were in a semi-official capacity, but the knowledge gained will be of much value when I resume duty in Sydney at the end of next month.

Conference Illuminating

"Not the least interesting contact was a Saturday morning conference with the representatives of the producers organization at their offices in Hollywood where we exchanged ideas and gained illuminating information respecting each other's viewpoints. I have great admiration for the splendid work which has been done during the last three years or so by Mr. Breen and his associates and the thoroughness with which they have exercised control over the production of the studios from the time the story is considered right down to the final preview and release for exhibition. It is a great achievement to have secured the agreement of producers not to release any film without the certificate of approval.

"The work done is reflected in the censorship figures for Australia. For instance, about five years ago, 16 per cent of feature films were rejected, and over 50 per cent suffered excision. In 1936, the corresponding figures were 1.7 per cent and 20.9 per cent respectively.

"Last year in Australia, an organization was formed under the auspices of the Roman Catholic Church similar to the Legion of Decency in the U. S. A., and our censorship cooperated with them in the preliminary discussions, and, as a result, the lists issued by the Australian organization are practically identical with the classification made by the Commonwealth censorship.

"We are deeply indebted to the executives of producing companies for facilities which have been made available to us in England, Canada and the United States, and I appreciate the kindness and courtesy extended to me by the offices of the Hays organization."

Rowley Visiting Coast

HOLLYWOOD, Nov. 4.—Edward Rowley of Robb and Rowley, Texas circuit operators, is in Hollywood on a visit. He leaves tomorrow on his return to Dallas.

Advantages Claimed For Brewster Color

A camera making three separate negatives rather than using the bi-tack system and one reflected image, the fact that it is a photographic process rather than a lithographic process, enabling the use of basic dyes which are ideal for color photography, and the use of mazda light in the studio, are the advantages claimed by P. D. Brewster, president of Brewster Film Laboratories, Newark, for his color process, Brewster Color.

In describing the process, Brewster pointed out that the color camera uses three entirely separate negatives, recording simultaneously red, green and blue separations by means of two three-plated revolving mirrors operating between the lens and film. The red and green separation negatives are printed respectively, on the two sides of a double-coated positive film and developed to produce separate black and white (silver) images, reproducing the color values, and in registry on the two sides of the film.

These silver images are converted chemically into a transparent mordaunt, and the image series, printed from the red separation negative, is treated with a blue-green basic dye, and the images on the other side, printed from the green separation negative, are treated with a basic magenta (blue-red) dye. The third color series, yellow recorded from the blue separation negative, is superimposed on the magenta image by a modified imbibition process that permits the use of a yellow basic dye.

Hays Leaves for Coast

Will H. Hays left for the coast last night but will stop over in Chicago, where he will be joined by Maurice McKenzie, M.P.P.D.A. aide, on Saturday. The latter leaves New York today and will accompany Hays to the coast, where they are due on Monday. They will attend meetings of the Producers Ass'n in Hollywood and plan to return here by Thanksgiving Day. The quarterly meeting of the Hays board here is tentatively scheduled for early in December.

Waxman to New York

HOLLYWOOD, Nov. 4.—Franz Waxman, loaned by M-G-M to David O. Selznick to do the musical scoring for "The Adventures of Tom Sawyer," is en route to New York for 10 days of conferences with Selznick.

Testimonial to Kranz

WASHINGTON, Nov. 4.—Charles Kranz, operating Artcinema Film Exchanges in New York, Buffalo, and Washington, will be given a farewell testimonial at the Variety Club here Monday. Kranz was one of the founders of the local club.

Factors to Europe

HOLLYWOOD, Nov. 4.—Max Factor, Davis Factor, A. Bernard Shore, and Murray Bois-Smith will leave tomorrow for New York to board the *Normandie*, Nov. 11, for England.

Dembow Off for Meeting

George Dembow will leave tomorrow night for Chicago to hold a regional meeting of National Screen Accessories' midwestern branch managers at the Drake Sunday.

2ND WEEK BIGGEST!

"ALI BABA GOES TO TOWN" SETS NEW ALL-TIME 2nd WEEK RECORD AT ROXY!

And in BRIDGEPORT, ROCHESTER, RICHMOND, CHICAGO, TOLEDO, SALT LAKE CITY, KANSAS CITY, SPRINGFIELD, MONTREAL, BALTIMORE, MIAMI, LOUISVILLE, it's topping such hits as "Thin Ice," "One in a Million," "You Can't Have Everything," "Life Begins in College," "Wake Up and Live"!

of course **IT'S EDDIE CANTOR'S GREATEST SHOW!..** *thanks to 20th*

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Films Replace Theatres Over U.S.—Wanger

(Continued from page 1)

it is. The thing is how we can focus publicity on the picture. We must have novelty, new ideas.

"When I speak of novelty I can refer to 'The Life of Emile Zola,' which is an enormous tonic to the box office. I think 'Conquest' also will be something different.

"We must get the picture before the public while it is playing, not after," he cautioned.

"Box-office personalities are only box-office when properly placed. There have been several big pictures with names that have not been hits. That was due to the fact that the personalities were not cast right.

"As one instance let me point out 'Private Worlds.' The part called for a Scotch doctor. Herbert Marshall was anxious to play the part and was even willing to take a reduced salary if he could get it. We felt that Charles Boyer would be the logical man and cast him for the role against the advice of the sales organization. The picture definitely established Boyer as a new personality and this is a good example of combination casting.

Lauds Publicity

"It is more important to cast a star to fit the role and keep him out of wrong pictures. This has been particularly true of our stars. We have a small organization and can watch them."

Wanger then went on to stress merchandising of films on a comparative scale with developing new stars. On publicity and advertising, he said: "I deeply appreciate the work you men do and the part you play is of international importance." He asked that proper publicity be given to novel ideas and new personalities.

In introducing the producer, Hal Horne referred to all of Wanger's pictures but "52nd Street," on which he worked. Wanger, nervous at first, said: "I believe there is no one in the picture business that has a rosier future than Hal. I expect him soon to be known from coast to coast as a leading figure."

Horne, who was in his usual form, declared that "Wanger is a man who perhaps can make a dollar go farther than anyone else in the business."

Entertainers Appear

There were several acts on the program, which included Rocco and Salters, colored song and dance team from the Kit Kat Club, who also appeared in "Vogues of 1938." Georgie Tapps, who also appears in the picture, took a bow. Jack White, who plays in "52nd Street," pulled a couple of nifties that had Horne looking to his laurels.

White said, "You know this picture. I call it 51st Street. They cut so much out of it, it lost a block."

Jack Robbins, the music publisher, said a few words. Sammy Fain, the composer, sang and played many of the numbers he wrote. After Wanger's talk Zenn Kaufman talked on merchandising and sales contests.

All Kinds

Selznick International went into a dither yesterday, all because of a cable from faraway Singapore. At the Capitol there, "The Prisoner of Zenda," it was stated, grossed $4,200 on its opening day. This was twice as much as "Garden of Allah" did in its first week; more than the weekly take on "A Star Is Born" and three times the gross for the first week of "Little Lord Fauntleroy."

Will Make Final Para. Report Soon

(Continued from page 1)

company's 1937 net to approximately $11,000,000, inclusive of dividends from partially-owned subsidiaries. The estimate is based upon normal earnings expectancy for the fourth quarter, plus the amount of the settlement, which is payable in cash immediately. Paramount recently reported combined earnings and equities amounting to $6,696,000 for the first nine months of 1937.

Para.'s Teasers Are Called Entertaining

Paramount recently decided to produce teaser trailers on eight to 10 of its big pictures a year. These are usually shown in theatres two weeks in advance of regular bookings and are distributed free. They are apart from the regular trailers released by National Screen Service. "Thrill of a Lifetime" is the first on the new season's schedule and is entertaining and different.

There is music and song and, by cleverly interweaving miniature scenes from the picture, the public is given a fairly good idea of what is to come without tipping off the story.

The Yacht Club Boys are shown in a producer's office on the Paramount lot and are warned that Adolph Zukor will not permit them to exhibit any advance material on themselves. So they sing a specially composed ditty and bring to life pictures on the wall. At the same time, the exhibitors as well as the public, will get an idea what the Yacht Club Boys themselves can do. It all takes place in three minutes.

According to Bob Gillham, similar subjects are to be made available on "True Confession," with Carole Lombard and Fred MacMurray ribbing each other, and "The Big Broadcast of 1938," in which W. C. Fields tries his skill at golf and billiards.

The idea is good and well taken.

ORNSTEIN

Berlin Attendance Low

WASHINGTON, Nov. 4. — During July, 1937, the 398 film houses in Greater Berlin were visited by 3,707,580 persons, paying 2,982,667 reichsmarks, of which 215,544 reichsmarks went for taxes, according to a report from the office of the commercial attache to the U. S. Dep't of Commerce. Thus far the high month was March, when the 403 theatres were visited by 6,143,998, paying 4,982,994 reichsmarks, of which 433,768 reichsmarks went for taxes.

Rumors Name Many For Briskin's Post

(Continued from page 1)

leaving Columbia for RKO at the expiration of his present contract and being succeeded in his Columbia post by Mendel Silverberg, attorney. Another is to the effect that Pandro S. Berman, now producing A pictures at the studio, may add to his own duties those of Briskin. Other quarters see Henry Henigson, now at M-G-M, assuming direction of the RKO studio.

Lee Marcus, at present producing most of the RKO B product, is seen as a likely candidate for the Briskin position while others being fitted into the picture include David O. Selznick, Mervyn Le Roy and Jesse Lasky.

Even the old RKO-Paramount merger rumors have been revived with adherents to this belief pointing out that RKO would be in a position to take such a step immediately upon its discharge from bankruptcy.

City Theatre to Be Mayor Equity Topic

(Continued from page 1)

report to the group on progress made to date by the American Theatre Council, the cooperative organization of producers, actors and theatre unions formed last year to popularize theatre-going and revive the road. Burgess Meredith will preside at the meeting, about half of which will be given over to a discussion of W.P.A. theatre projects.

The council of the Associated Actors & Artistes of America, the parent theatrical union for all classes of performers, will meet today for the first time since the reorganization of its administrative setup with Frank Gillmore as active head. Jurisdictional problems of affiliated unions, including those of the American Federation of Actors and Burlesque Artists Ass'n will be discussed by the board at the meeting.

Frisco Openings Gain

SAN FRANCISCO, Nov. 4.—Theatre openings have speeded up. Nasser Brothers, after expending $50,000, have reopened the Castro, partly destroyed by fire several months ago. Harry Farros has taken over the Liberty and changed it to 'Chez Broadway" with a burlesque-picture policy. Joe Enos has opened the Columbia with second run pictures and giveaways. Morris Klein will open the Palace (formerly Milano) Nov. 5. F.W.C. has taken over both the Marvel and Valmar in Vallejo. Morris Gallos is remodeling his Majestic which is located in the Mission district.

Doubles "Youth" Budget

Martin Finkelstein, president of Globe Pictures, has doubled the budget on "Spirit of Youth," which is to star Joe Louis. Original plans called for bookings in colored houses only, but this idea has been dropped and the picture will be made available for all theatres.

Renamed to City Council

HAMILTON, O., Nov. 4.—John A. Schwalm, manager of the Rialto here, a Southio unit, has been re-elected to the City Council.

Film Bill Has 2nd Reading In Commons

(Continued from page 1)

tion, he said, is held to be too uncertain.

Stanley voiced the hope that reciprocity between the British and United States industries would encourage Americans to buy British films at a price sufficiently substantial to create a special incentive to promote their exhibition in the States.

In debate the commission as well as the quality test was argued at length with some members stressing the American menace and others stating that the chief function of the British industry is to bring about a coalition between England and the United States.

Because of the Moyne suggestion regarding the films commission that "the powers of this commission were such that the House of Commons would not be prepared to part with them" there was considered by yesterday's committee the establishment of a body without quasi-legislative powers.

Tom Smith declared that the adoption of the bill would reduce British films from 200 to 80 yearly but this was denied by Capt. Euan Wallace who, replying for the Government, added that it is undesirable that Commons should give the control of such a rapidly changing industry solely to a commisssion. Concluding, he stated that the Government favors an advisory commission.

Show "Hurricane" Mon.

United Artists will hold a press preview of "Hurricane" at the Astor on Monday night.

Wall Street

Stocks Generally Decline

	Open	High	Low	Close	Net Change
Col.	16½	16½	16⅜	16½	—1
Col., pfd....	30	30	30	30	— ½
Cons.	2	2	2	2	.....
Cons.. pfd..	8½	8½	8	8⅛	— ⅜
E. K. 160	160	155¼	156	—5	
E. K., pfd..164	164	164	164	+1	
G. T. E...	13½	13½	13½	13½	— ½
K.A.O. pfd.	82½	82½	82½	82½	— ½
Loew	59¼	59½	57¾	58⅜	—1⅜
Loew, pfd..104	104	104	104	—1	
Para.	13⅝	14½	13½	14⅛	.....
Para. 1.....	99½	103½	99½	103½	—1¼
Para. 2.....	12½	13⅛	12⅜	13⅛	.....
Pathe	6½	6⅞	6½	6¾	+ ¼
RKO	5	5½	5	5½	+ ¼
20th Fox ..	22¾	23¼	22½	22¾	—1
20th, pfd...	28¾	28¾	28¾	28¾	—3¼
Univ., pfd.	32	32	32	32	—2
W. B.	8	8¼	7¾	8⅛	— ⅛

Curb Moves in Fractions

	Open	High	Low	Close	Net Change
G. N.	1⅜	1¾	1¼	1½	+ ⅛
Monogram	1¾	1¾	1¾	1¾	— ¼
Sonotone ..	1¾	1⅞	1¾	1⅞	+ ¼
Tech.	18¾	19	18⅛	19	— ½
Trans-Lux	3	3	2⅞	3	.....

Bonds Show Losses

	High	Low	Close	Net Change
Loew 3½s '46.....	99	98½	99	+ ¼
Para. B'way 3s '55	63½	63½	63½	+ ⅛
Para. Pict. 6s '55	99	98¼	98¼	— ¾
Para. Pict. '47...	77½	77	77	— ½
RKO 6s '41.....	99	99	99	—1
W. B. 6s '39.....	84	83	83½	—1

(Quotations at close of Nov. 4)


MAD ADVENTURE!..
DARING DEEDS!
...and the Romeo of Rhythm stepping high!

HOLD YOUR SIDES AND TAP YOUR TOES . . . Here comes the dizziest dancing show ever screamed ! . . . Marvelous Music ! . . . Sensational Stepping ! . . . Knockout Comedy ! . . . A smart, smooth, snappy show tingling with the mightiest screenful of super entertainment you ever saw !



RKO RADIO PICTURES

FRED ASTAIRE

GEORGE **BURNS** and GRACIE **ALLEN**

"A Damsel in Distress"

with

JOAN FONTAINE

REGINALD GARDINER • RAY NOBLE

CONSTANCE COLLIER • MONTAGU LOVE • HARRY WATSON

From the story by **P. G. WODEHOUSE**

A PANDRO S. BERMAN PRODUCTION

DIRECTED BY GEORGE STEVENS

Screen play by P. G. Wodehouse, Ernest Pagano, S. K. Lauren

The Song hits you're hearing everywhere . .

"Foggy Day"—"Nice Work If You Can Get It"—
"Things Are Looking Up"—
"I Can't Be Bothered Now"

Music by **GEORGE GERSHWIN**

Lyrics by **IRA GERSHWIN**

Circuits Give Wage Increase To Stagehands

(*Continued from page* 1)

a committee effected the arrangement with managers of Broadway houses and circuit home office representatives. The session was held in the RKO headquarters.

With the conclusion of negotiations, stage shows are expected to be restored in a number of circuit theatres which have been holding up deals pending the outcome of the salary question. One of the theatres which is expected to reinstate shows is the Strand, Brooklyn.

Circuit representatives are expected to get together with Local 306 on final details governing wage increases on a two-year pact under a 10-year master contract signed in 1935. A temporary 10 per cent advance recently was granted by the circuits.

Will Drop Games in Oklahoma City Spots

(*Continued from page* 1)

being, according to George Henger, Standard city manager. Bank Night is losing popularity with the Oklahoma City theatregoers, Standard officials believe.

At the same time Standard will cut the price at the Victoria, neighborhood subsequent run, from 30 to 25 cents effective immediately, bringing the Victoria admission down to the 25-cent level now in effect at all other Standard subsequent run houses in the city.

U. A. Offers 10-Year Deals in Dominion

(*Continued from page* 1)

chise for United Artists product to key independent exhibitors in open territory across the country.

This applies to both first and subsequent run situations in large and small cities with the result that an outlet is assured for the next decade. There is considerable activity in the six branch offices of the distributing company in the throwing open of booking opportunities.

Ross Federal Wins Mississippi Award

(*Continued from page* 1)

checker in the state. The court held that Ross checkers do not fall within the provisions of the law and at the same time confirmed the confidential nature of the checkers' reports to distributors.

Guidice in Bankruptcy

HOLLYWOOD, Nov. 4.—Louis Kingdon Guidice, director and producer, has filed a bankruptcy petition listing $15,100 in assets and $36,884 in liabilities. Included in the assets are the negatives of English, French and Spanish versions of "Timberesque," which he said were now in the possession of Consolidated Film Industries, Inc.

The Newsreel Parade

Movietone News
Vol. 20, No. 16
(20th Century-Fox)

A strong, well-paced and wholly entertaining reel is this number of Movietone News. The top spot, of course, goes to the election, with fighting speeches by the two successful candidates in New York's historic balloting, Mayor LaGuardia and Thomas E. Dewey, new district attorney. The clip is concluded with a shot of President Roosevelt voting in Hyde Park and giving his name in the manner of any other voter.

In the World Events section are excellent shots of the dash for safety of the "suicide squad" who held off the Japanese in the Chapei area of Shanghai, and the advance of the Japanese troops. Palestine is seen under martial law, with British soldiers in command of the situation. A good pictorial study shows the herding of a multitude of sheep down from the Colorado mountains as winter approaches.

Styles are displayed prettily by youngsters on the 20th Century-Fox lot on the coast, and Lew Lehr is at his funniest in his description of a water fight between two fire companies in France. It's a standout laugh. Ed Thorgersen is clear and snappy in the football sequence showing the N. Y. Giants battling the Chicago Bears in a professional game. The almost human intelligence and skillful jumping of police dogs in training in Australia is extremely interesting.

Running time, 10 mins. A.

News of the Day
Vol. 9, No. 214
(M-G-M)

This is an excellent reel, interesting and diversified. It opens with the election in New York, showing shots of Times Square, well-taken, short speeches by Mayor LaGuardia and Thomas E. Dewey, successful candidate for New York District Attorney, and an amusing conclusion as President Roosevelt, pictured while voting at Hyde Park, suggests to cameramen that they use last year's pictures, since, he says, he is probably wearing the same suit, anyway.

Splendid shots of the Chinese defenders of Chapei, the ruined section of Shanghai, and the activities of the advancing Japanese troops, feature the foreign material. Jean Batten, British girl flyer, is seen landing at Croyden Airport after her record-cracking flight from Australia. Fine angled shots from above make of the Horse Show in New York a fascinating clip.

The speeding up of lumbering activity in the far northwest is interesting and pictorially excellent, while the speedy football sequences cover Fordham-North Carolina, Kansas-Michigan State and Pennsylvania-Navy in entertaining highlight.

Running time, 9½ minutes. A.

Paramount News
No. 27
(Paramount)

Paramount comes through with a series of behind-the-front scenes of the undeclared war on China. Some of them are gruesome, but that is war and here it is unvarnished.

The rest of the subject is composed of the run-of-the-mill material with Mayor LaGuardia attacking rackets and crime on his reelection. His speech will probably get plenty of cheers locally. Thomas E. Dewey, newly-elected district attorney, and several other successful candidates in the New York election are shown briefly and without comment.

The national horse show at Madison Square Garden, the new secret Government plane in a test flight at Dayton and the Chicago-Bears pigskin tussle at the Polo Grounds are among the other topics. Interesting are the scenes showing a Denver farmer growing coffee beans in his apartment. O.

Running time, 10 mins.

Pathe News
Vol. 9, No. 31.
(RKO)

Several interesting clips in this reel. The first is the negro tombstone cutter, William Edmondson of Nashville who has carved a number of subjects and which are now on display at the Museum of Art in New York. The second is the midget boat races at Washington where tiny craft, powered with gasoline, hit up as much as 30 miles an hour. The third, and probably the outstanding of the trio, is the world's largest Bible. Louis Waynai, a carpenter of Los Angeles, has printed the book in letters two inches high and then built a special church to house it.

Other subjects include Mayor LaGuardia's speech on his reelection in which he says: "Non-political and non-partisan government is contagious and all cities are interested in it." The new army plane at Dayton in a test flight, Hindu fire walkers in a "purifying" ceremony at Singapore and the national horse show at Madison Square Garden complete the reel.

Running time, 9 mins. O.

Universal Newsreel
No. 612
(Universal)

This is an excellent midweek issue, having plenty of variety and allotting footage liberally wherever the subject matter merits it.

The Chinese war continues to hold a high place in newsreel interest although so much footage has been received and exhibited here by now that it cannot be denied that the material has begun to reflect a sameness which tends to rob any one reel's war stuff of distinction and to brand it all with an air of repetition. Universal's Norman Alley, however, seeks to avoid this in the present release by turning his camera on the human interest angles. Considerable footage is devoted to the plight of Chinese non-combatants caught in the war zone and their dependence for food upon their Japanese conquerors. His shots of prisoners of war and of the hospitalized wounded veer away from the familiar scenes of troops in action and of destruction by bombardment to achieve good camera reporting.

Opening events at the New York Horse Show in Madison Square Garden and of the Winter Dog Show in Los Angeles are well photographed and edited. The running of the Washington Handicap at Laurel Park, Md.; a record salmon run at Tanner Creek, Ore.; tryouts of a new Army bomber at Dayton, O., and the building of mystery speed boats at Atlantic City, capable of carrying 500 pounds of explosives and believed to be intended for use by Chinese "suicide" pilots complete the reel. The seven subjects comprise a varied release of sustained interest.

Running time, 9 minutes. K.

Short Subjects

"Zorro Rides Again"
(Republic)

The colorful exploits of the character in the title role of this serial in the past have proved box-office. This, too, has all the earmarks of another hit. In the first episode there is never a dull moment. The action is apparent in the opening sequence and is almost continuous up until the concluding and thrilling but never fatal fadeout. It is safe to predict that the younger audiences will mark in red the days on which it is played.

The story that introduces the famous character is one of railroading. A track is about to be laid on the California-Yucatan line. Other interests, however, are set on acquiring the road. Murder and destruction is rampant until Zorro's grandson, the last one of the line, appears on the scene and starts upsetting the outlaw plans. The action is well-portrayed and set against scenic backgrounds. The ensuing chapters should ably carry on the initial impetus of the story.

The cast features John Carroll, Helen Christian, Reed Howes, Duncan Renaldo, Richard Alexander and Nigel de Brulier. William Nobles' photography is excellent. William Whitney and John English directed.

The initial installment runs a half-hour, the rest of the 12 episodes will run 20 minutes each. "G."

Infringement Charge Denied by 20th-Fox

A general denial was filed by 20th Century-Fox Film Corp. in the U. S. District Court yesterday in answer to the infringement suit of Quirico Michelena Llanguno. The film company admitted production of the picture, "The World Moves On," which was released in South America with Spanish titles as "Paz En La Tierra" but denied that it was pirated from Llanguno's story, "Paz En La Guerra."

The answer also admitted that a decree had been rendered in Mexico City against 20th Century-Fox Films of Mexico S.A., awarding Llanguno a permanent injunction and an accounting of the profits. It was contended by the film company that the decree was not final and that a Mexican copyright could not be enforced in the United States. Dismissal of the suit with costs was asked.

Olmstead in Portland

PORTLAND, Ore., Nov. 4.—Conferences on distribution in Oregon and Washington were held here today by Ray Olmstead, vice-president of Monogram, A. M. Goldstein and Cecil J. Farnes, the latter two representatives of the firm in the northwest.

You've read the raves!

NOW—SMASH

tried out

AND *Held Over*

SAN DIEGO—*third week!*

PHILADELPHIA · FRISCO

WASHINGTON · ST. LOUIS

MILWAUKEE · CLEVELAND

NEW ORLEANS · STOCKTON

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PERFORMANCE!

IN 11 TEST ENGAGEMENTS!

Just the beginning of an avalanche of HOLD OVERS! Blasting records sky-high! Clicking everywhere! Phenomenal word-of-mouth value proven by box-office figures!

Now playing Radio City Music Hall



IRENE DUNNE
CARY GRANT

THE *Awful Truth*

"NOW THEY CALL ME MR. SMITH!"

Ralph Bellamy · Alexander D'Arcy · Cecil Cunningham · A LEO McCAREY PRODUCTION
Screen play by Vina Delmar · Associate Producer EVERETT RISKIN · Directed by LEO McCAREY
Based on Stage Play by ARTHUR RICHMAN

COLUMBIA PICTURES

See Zenith, Stewart In Swap of Networks

CHICAGO, Nov. 4.—Authoritative sources here state that the Zenith Foundation program, now on NBC, and one Chicago's most important ether shows, will transfer in a few weeks to CBS and that the Stewart-Warner program, now on CBS, will go to NBC in return.

Confirmation could not be obtained tonight.

Sisson Will Direct Canadian Net Series

Ken Sisson has been signed as musical director of the new series to be known as "Canada, 1937" over a large network of Canadian stations and sponsored by Imperial Tobacco Co. The series starts tomorrow and will be heard Fridays thereafter from 10 to 10:45 P. M.

Sisson will utilize a 30-piece orchestra, 16-voice choir and soloists. He was musical director of the Mary Small revue before he was enlisted by the Whitehall Broadcasting Co. to take over the show. He was musical arranger for the same program last year.

G. E. Experiments in Television Planned

(*Continued from page* 1)

Albany, with the fourth at Easton, Conn. All would operate on the 44,000-50,000 kilocycle band.

The two Schenectady stations would have a power of only 40 watts and would be confined to picture transmission, but the Albany and Easton stations would transmit both picture and sound, with 10,000 watts for the former and 3,000 watts power for the latter.

The F.C.C. also disclosed the receipt of applications from the King-Trendle Broadcasting Corp., for a new 1,440-kilocycle, 250-watt station at Pontiac, Mich., and F. C. Todd for a 1,420-kilocycle station at Gastonia, N. C., with 100 watts power night, 250 watts day.

An application has also been filed by WDAE, Tampa, for permission to change frequency from 1,220 to 780 kilocycles.

Albanes Named Head Of Radio Conference

HAVANA, Nov. 4.—Senator Wilfredo Albanes today was elected permanent president of the Inter-American Radio Conference at its second plenary session held here.

A feature of today's meeting was a rising tribute to the memories of Thomas A. Edison and Guglielmo Marconi.

Commander T. A. M. Craven of the United States F.C.C. was named as head of the technical committee which, among other important work, will deal with frequencies and allocations. The committee will organize its work tomorrow.

Hope was expressed today that a result of the conference would be the elimination, or at least the decreasing, of much broadcasting interference among contiguous countries. This is said to mean that the United States as well as other countries will be expected to relinquish rights to certain frequencies in order to obtain similar concessions from adjacent nations.

New Shows on the Air

Leo on the Air

When better pictures are made, M-G-M will make them. That has been the proud boast of the Metro organization, a boast generally upheld. But the Lion last night in its attempt at the building of a radio program, proved to be nothing more than an ineffectual cub.

The inaugural airing of "Good News of 1938" was a chaotic attempt, with scads of screen names dragged willy-nilly before the mike to say a few words or to sing a few bars of music, then retire, not to be called upon again. Jeanette MacDonald and Allan Jones, in scenes and songs from "The Firefly," saved the entire production from mediocrity.

The show, the first of its kind in radio history, provides for the exclusive use of the entire M-G-M talent by the one sponsor, General Foods Corp. M-G-M learned long ago, as must all picture producers, that names alone do not a picture make. But apparently that lesson was forgotten in planning the radio program.

Church Playlet Stuff

The first 30 minutes of the program sounded like something put on at an Elk meeting, with Douglas Shearer presented in a sound booth running a sound track of the picture "Rosalie," Buddy Ebsen and Eleanor Powell and George Murphy offering a few tap dance steps, Igor Gorin singing "Caucasian Melody" after Robert Z. Leonard had read a pedigree of the singer's background; Judy Garland offering some tunes from "Broadway Melody," and following, a battery of once glamorous stage and revue names, Irene Franklin, Ukelele Ike, Eva Tanguay, Trixie Friganza and Ann Pennington.

This was tied-in with an attempt to bring to the radio audience backstage glimpses of motion pictures in the making by having em cee Robert Z. Leonard guide an imaginary group of tourists about the lot and surprising the various acts as they went through their paces. The net result of the staccato pace was one of utter confusion.

Singing Exceptional

Thus passed the first 30 minutes of the production. Jeanette MacDonald and Allan Jones, for their part, almost made one forget what had transpired before by offering brilliantly re-enacted scenes from their motion picture "The Firefly." They sang and acted their roles superbly.

Between scenes, Louis B. Mayer, of M-G-M and C. M. Chester, of General Foods Corp., both voiced their opinion that a new era of air entertainment would result from this first merger of the allied motion picture and radio arts. Mayer tendered a master key to the M-G-M studio lot to Chester.

"Good News of 1938" is presented Thursdays from 9 to 10 P. M. over the NBC-Red Network. General Foods Corp. sponsors for Maxwell House Coffee. Benton & Bowles is the agency. Different M-G-M players will be featured weekly, with Robert Z. Leonard serving as permanent master of ceremonies, and with Meredith Willson providing the musical backdrop.

BANNER

It Can Be Done

Radie Harris will begin a weekly program of film comment over Mutual Nov. 10 from 6:45 to 7 P.M.

About the broadcasting of a film program, Radie says: "I believe it can be done without being sensational. A reporter covering Hollywood should have plenty to say without debunking, without tearing down, shattering illusions and broadcasting questionable rumors and scandal."

Mutual Billings in October Hit $206,194

Mutual billings for October went over the top with a total of $206,194, an increase of 2.4 per cent over the October, 1936, billings, which were $202,008.

The cumulative total from January to October was $1,418,507, up 3.8 per cent over the billings for the same period last year, amounting to $1,365,433.

Political business for October, 1936, was $69,623. The above figures do not include this sum, either in the cumulative total or the October, 1936, figure.

Music Groups Study Television Clauses

Having agreed on the mechanics of a 10-year pact between the Song Writers' Protective Ass'n and Music Publishers' Protective Ass'n, John Schulman, attorney for the songwriters' group, and A. M. Wattenberg, counsel for Warners' music subsidiaries and representing the publishers, are now working out provisions as to limitations and restrictions of bulk sales for television.

The contract, up to the point of television, is said to be satisfactory to both sides and will have nothing to do with Ascap. Both the music publishers and writers have agreed to sign another 10-year agreement with Ascap upon the expiration of the current pact in 1940.

Attorneys working on the television angle are in agreement on the principles involved and it is now a matter of reducing the terms to writing.

Set New Chrysler Programs

DES MOINES, Nov. 4.—New programs starting over WHO are for the Chrysler Corp., agency J. Sterling Getchell, for 13 periods of 15 minutes each on Fridays beginning tomorrow at 9:30 P.M.

Earl E. May Seed Co., Shenandoah, Iowa, agency L. W. Ramsey Co., Davenport, Iowa, beginning Jan. 31, 1938, 15-minute periods on Mondays through Fridays at 12:45 P.M. remote from KMA, Shenandoah.

No Windsor Broadcast

LONDON, Nov. 3.—The B.B.C. will not re-broadcast the speech of the Duke of Windsor, to be broadcast over American networks, Nov. 12.

Crandall Joins KOVC As Station Manager

DENVER, Nov. 4.—Mark Crandall, of the sales staff of KFEL here, has gone to Valley City, N. D., where he will become manager of KOVC. With him went Al Stevens, announcer, also from KFEL.

KFEL has made several additions to the local staff. To the commercial staff have been added Maxwell Hage, former assistant manager of WJAY, Cleveland, and former radio production manager for United Press; George Luck, from KGNC, Amarillo, Tex., where he was merchandising manager; and Hettie Bernhardt, formerly with the Colorado Club Women publications. Fred Graham, recently announcer for Don Lee network; and Duncan Wagner, former announcer for KGFW, Kearney, Neb., have been added to the announcing staff. Frank Ford, formerly manager of KGCU, Mandan, N. D., is now in the clients' service department; and Bert Seiver has been added to the technical staff.

Open Script Department

Sam H. Stiefel Enterprises, Inc., have opened a radio script department, with James Lyons in a writing and directing capacity. Four hundred scripts have been prepared for immediate distribution, and a staff of writers is now preparing more. A mail campaign to stations is now underway, with Lyons and Fred Robbins at the head of sales.

Babb, of NBC, to Rest

J. Vance Babb, manager of NBC's press department, at the request of his doctor, has been ordered to take a month's rest to forestall a breakdown. He will return to his post at the end of the month.

Edward Schoelwer Dead

CINCINNATI, Nov. 4. — Edward Schoelwer, 47, pianist and singer over WKRC, local CBS affiliate, died here late today as a result of a heart attack. His widow, two brothers and a sister survive.

Broadcast "Barrier" Opening

SEATTLE, Nov. 4.—Through KOL, the entire Mutual northwest chain will broadcast the premiere of "The Barrier" at the Paramount here tomorrow night from 8:30 to 9 P. M.

Imperial Tobacco Co., Ltd.
OF CANADA
presents
KEN SISSON
Director, "Canada, 1937"
With a 30-piece orchestra
16-voice choir and soloists
Over a coast-to-coast network of
Canadian Stations
Fridays, 10 to 10:45 P.M., E.S.T.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 109 NEW YORK, SATURDAY, NOVEMBER 6, 1937 TEN CENTS

Early End of Para. "Buyer Strikes" Seen

Move Started on Coast And in Minneapolis

Early settlement of the "buyers' strikes" against Paramount throughout the country was indicated yesterday with the advancement of settlement proposals in both the Minneapolis and Los Angeles territories.

An outline of Paramount's policies for settlement of the "strikes" along the lines agreed to by Philadelphia exhibitors earlier this week was presented by company representatives to Los Angeles exhibitor leaders. Striking exhibitors in the Minneapolis zone met yesterday to discuss the settlement policy previously outlined to them.

At present, indications are that other "strike" territories will follow the lead of the three major territories in ending the dispute. The other affected areas include Milwauke, Indiana, Ohio, Pittsburgh and Boston. The "strike" has been less organized in these territories, however, and all that may be required to end the stale-

(*Continued on page 2*)

Three Witmark Men Die in Motor Crash

Danny McBeth, Alex Giannini and William Kelly of Witmark & Sons, Warner music subsidiary, were killed late Thursday night in an auto accident near Rhinelander, N. Y. The three men were on their way to attend the opening of a new show at the New Kenmore Hotel, Albany, when the car they were in swerved off the road and killed the three men. A fourth man was in the car, but was not identified with the company.

The bodies are at Cornelius' Funeral Parlor, Rhinelander. Giannini's wife is due to give birth in about two weeks, it was learned yesterday.

"Awful Truth" Gets $12,500 First Day

Garnering approximately $12,500 for the first day, "The Awful Truth" is expected to tally $90,000 for the first week at the Music Hall. "Victoria the Great," which just finished a week's run there, took in about $85,500.

"Ali Baba Goes to Town" finished a second week at the Roxy with $43,350. "Heidi" opened yesterday to good business. The first week of "The Perfect Specimen" at the Strand ended with $25,000.

Warner Says LeRoy Will Be Re-Signed

CHICAGO, Nov. 5.—That Mervyn LeRoy will be signed to a new long term contract with Warners on the return to the coast of Jack L. Warner, studio head, was intimated by the latter as he paused here today between trains en route west. Hollywood reports recently named LeRoy as a possible successor to Sam Briskin, in charge of the RKO studio.

Warner reported that the company had more pictures ready for release at this time than ever before. Most of them, he said, can be classed as of "superior quality." Warner was enthused over the sales reports made to him by the company's representatives here, indicating that sales in the city and territory are the best in years.

G. N. Business Hits New Peak—Alperson

Grand National this week had the biggest week in its history in point of billings and collections, Edward L. Alperson, president, stated yesterday. Contracts with F.W.C. are scheduled to be signed next week. Few details remain to be ironed out, but major points have been agreed upon by Charles Skouras and Alperson.

Alperson now plans to leave for the coast next week. Edward Finney probably will accompany him.

Walter Nolan Gets Consolidated Post

Walter Nolan, formerly with the Loew and Lane circuits, has joined Consolidated Amusements as division manager for the independent circuit's group of theatres in the Bronx. He will make his headquarters at the Earl.

No change in the managerial setup for the Eighth Ave. theatres has been made and none contemplated, according to Laurence S. Bolognino.

AFRA Ready Soon to Negotiate Contracts

The American Federation of Radio Artists is "about ready" to negotiate with agencies and networks, George Heller, assistant secretary, said yesterday.

Heller said that the basic organizing work among radio performers was sufficiently advanced to permit A. F. R. A. to ask for recognition, negotiation of wage and hour scales and of working condition contracts, but that contractual details had not been completed yet.

Some Reception

Chicago, Nov. 5.—Jack L. Warner was much impressed when he alighted from the Twentieth Century here today to find a 60-piece band on hand and "Welcome" banners fluttering in the breeze. He intimated as much to Sam Clark, local Warner press representative.

The fact that James Roosevelt, son and personal aide of the President, was arriving on the same train to fill a local speaking engagement wasn't mentioned to Warner until later.

Kuykendall Critical Of Court Decisions

ST. LOUIS, Nov. 5.—Recent court decisions affecting the industry were criticized by Ed Kuykendall today at the annual meeting of the M. P. T. O. of St. Louis, eastern Missouri and southern Illinois.

He expressed the opinion that judges did not understand the industry's problems. While leaders in Congress, including Senator Pat Harrison, urge the necessity of closer cooperation in the industry, he said, court interpretations of existing law make this impossible.

Following Kuykendall's talk the

(*Continued on page 4*)

Monogram May Raise Total, Says Dunlap

HOLLYWOOD, Nov. 5.—Monogram may increase its production schedule for the 1938-39 season, Scott R. Dunlap, vice-president in charge of production, said after arriving from a board of directors meeting in New York.

The 1937-38 schedule consisted of 42 pictures, including 16 westerns. More than half of the product has been completed and is playing at theatres. This, according to Dunlap, puts the company a month and a half ahead of schedule.

FCC Stops Hearst's Foreign Air Service

WASHINGTON, Nov. 5.—The F.C.C. has suspended the authority of Hearst Radio, Inc., to communicate with Johannesburg, Bogota and Honolulu through station WEEW. The commission ruled, however, Hearst Radio could have a hearing on the communications links. A protest against the Hearst application by Press Wireless, Inc., has been dismissed.

Additional Radio Developments—Page 4

Equity Upset By Prospects Of Film Rule

Screen, Radio Dominate Four A Directorate

The prospect of Screen Actors' Guild domination of the board of Associated Actors & Artistes of America threw a scare into a membership meeting of Actors' Equity Ass'n at the Astor yesterday that failed to subside until it was made clear that there was nothing the older actors' union could do about it.

A resolution proposing equal union representation on the Four A's board was voted down following considerable discussion. Burgess Meredith, who presided at the meeting, which was attended by about 500 Equity members, and George Heller, assistant secretary of the American Federation of Radio Artists, whose representation on the Four A's board will also exceed Equity's, argued that there was nothing to fear from Equity's board minority and that the "protection" of union members would be the aim of the parent A. F. of L. organization for theatrical performers. That there would be dissension within Four A ranks as a result of the

(*Continued on page 4*)

Arguments Ordered On Writer Dispute

HOLLYWOOD, Nov. 5.—The National Labor Relations Board in Washington today issued orders for oral arguments to be presented there Nov. 19 in support of the testimony given at the recent Hollywood hearing on the Screen Writers' Guild petition for its designation as the bargaining agent for screen writers.

Dr. Towne Nylander, regional labor board director, who made public the national board's order here, said that notifications would be sent to the 16 producers named in the guild petition, to the guild itself and to the Screen Playwrights, which intervened in the action because at present it holds the bargaining agreement for writers.

Consider Wage Scale Rise in Kansas City

KANSAS CITY, Nov. 5.—Following conferences here with Felix Snow, I.A.T.S.E. representative, W. A. Finney, district manager for Loew's, and William Elson, managing director of the Newman and Mainstreet, agreed to forward to their respective

(*Continued on page 2*)

MOTION PICTURE DAILY

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Hutchinson Due Monday

Walter J. Hutchinson, foreign head for 20th Century-Fox, will arrive from the coast Monday after conferring with John D. Clark and Darryl F. Zanuck. Upon his return he will confer with Sidney R. Kent on new developments in Australia.

Cagney Has Two to Go

Despite persistent reports that James Cagney may rejoin Warners, it was learned yesterday that he has two more pictures to make for Grand National. The story for his next Grand National film is expected to be purchased shortly.

All Schine Deals Set

All film deals for the Schine circuit have been closed, Meyer Schine, head of the circuit of approximately 100 theatres, stated yesterday prior to his departure for Gloversville, N. Y. No expansion plans are contemplated, he said.

Prudential Keeps Games

Prudential Playhouses do not plan the elimination of games, Joseph Seider, president, stated yesterday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Hurricane"

(Goldwyn-United Artists)

HOLLYWOOD, Nov. 5.—For months Samuel Goldwyn and his publicity department have been advising the world that "The Hurricane" would take a place among the great pictures of all time. In the opinion of a small group of reviewers who have seen the film prior to its opening, this proves entirely correct.

"The Hurricane" is a great picture simply because it includes all the elements essential to a great picture. It tells a heart-touching love story. With human interest as its keynote it narrates the heroic romance of a South Sea Island pagan boy and girl who, surviving the persecutions of a white civilization seeking to impose cruel justice upon a primitive people, flowers to glory when the awful forces of nature wreak death and destruction. There is fine acting in the show. Dorothy Lamour, Jon Hall, Mary Astor, C. Aubrey Smith, Thomas Mitchell, Raymond Massey, John Carradine, Jerome Cowan and Al Kikume see to that.

If anyone were to be singled out as the star, the honor would undoubtedly go to Mitchell. Yet all the others may rightly consider their performances as marking the high spots of their careers.

Although John Ford has made other great pictures, never before has he so effectively demonstrated his talents and abilities as one of the screen's foremost directors.

In bringing the Charles Nordhoff and James Norman Hall love story to screen realism Dudley Nichols, who did the screenplay, and Oliver H. P. Garrett, who effected the dramatization, elected to let the story tell itself and to permit Ford's abilities and the talents of the players, plus one of the most amazing demonstrations of production effects the screen has ever seen, to endow the film with a potent punch, the fury of which actually stuns the senses. The hurricane sequence running approximately a half hour is an awesome thing. Compared to it, the earthquake episode in "San Francisco" is like a tempest in a teapot.

The hurricane is really the star of the show. Staged by James Basevi and R. T. Layton and photographed by R. O. Binger, this remarkable example of screen mechanics is certain to be the subject of reams of commendation.

Besides the impressive quality of the story, the calibre of acting, writing and direction, and the sensational hurricane, there are many other things which accentuate the entertainment and commercial value of the film. Not the least of these is the importance of the musical score arranged and directed by Alfred Newman. A seven-minute overture preceding the opening of the score establishes the proper mood and, as the story mounts to a pre-climax before the storm, it sets the stage for what is to follow.

Bert Glennon's photography of the straight narrative and scenic portions of the film has been done beautifully. Lloyd Nosler did a fine job of editing.

There need be no worry as to what "The Hurricane" will do at the box-office. That it will be a great attraction for those who play it is certain.

Running time, 103 minutes. "G."

Consider Wage Scale Rise in Kansas City

(Continued from page 1)

home offices a proposal by the Theatre Employes' Union which would provide for an increase in wages to ushers from 25 to 35 cents an hour and a $2 weekly raise for all other "front of the theatre" workers. The proposal also includes recognition of the union as the sole bargaining agency for this type of worker.

Fox Midwest has indicated it would go along with the union on a basis similar to that worked out for the Midland, Mainstreet and Newman. Snow's talks with Fox have covered only the first run Fox Uptown and Fox Tower and the first subsequent Fox Plaza. The proposal, if generally accepted, also would affect the first run downtown Empress. The present proposal is a considerable modification of the original agreement.

Expect Early Finish Of "Buyer Strikes"

(Continued from page 1)

mate is an informal opening of negotiations with Paramount exchanges for the settlement of old contracts or the closing of new ones.

The same terms granted to the Philadelphia exhibitors will be available to others, subject to individual negotiations on other than basic provisions.

Record from Kinetophone

An early Kinetophone record and a Kinetophone from the laboratories of the late Thomas A. Edison were brought to the Reeves Sound Studios last night where a transcription of the voice of Andrew Carnegie was made for a modern, permanent record for posterity. The re-recorded voice will be placed in the files of the Omnivox Co.

Purely Personal

MARK HELLINGER, New York columnist, leaves for Hollywood on the *Santa Paula* today to assume an executive production post with Warners. Yesterday his producing sponsors gave him a cocktail party at "21." Among those present were WALTER WINCHELL, QUENTIN REYNOLDS, GEORGE M. COHAN, EDWARD P. MULROONEY, WILLIAM GAXTON, COL. JAY C. FLIPPEN, GRADWELL SEARS, MORT BLUMENSTOCK, LOUIS SOBEL, LEONARD LYONS, DAN WALKER, CHARLES BERNS, GEORGE JEAN NATHAN, JIMMY WALKER, GENE BUCK, JACK ADLER, IRVING HOFFMAN, TRUMAN TALLEY, NICKY BLAIR, EDDIE DAVIS, SAM HARRIS, JOHN O'HARA, HERBERT BAYARD SWOPE, (JR. AND SR.), JACK HARROWER, JOHN MCCLAIN, NICK GLAD, JIMMY JOHNSTON, BERT LYTELL, ABE L. GREEN, MILTON WEISS, BENN JACOBSON, JULES BRULATOUR, LEW WERTHEIMER, DICK MERRILL, WADDELL CATCHINGS, SID RETCHETNICK, ROY CHARTIER, DR. LEO MICHEL, TOOTS SCHOR, HERB CRUICKSHANK, IKE LEVY, JAY PALEY, GENE MCHUGH and MARTIN SOMMERS.

•

LILLIAN HELLMAN is due Monday on the *Normandie*.

Flash Previews

"Manhattan Merry-Go-Round"—This film has just about everything conducive to box-office success. The recording studio background of the story permits the introduction of much excellent music.

"Thrill of a Lifetime"—A lengthy cast of well known entertainers in a struggle-to-put-on-a-play yarn. The talent saves the day.

"Swing It, Sailor"—A comedy built around the affairs of two tars. Includes some fine naval action scenes.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Wall Street

Short Gains Boost Board

	Open	High	Low	Close	Net Change
Col.	17	17¼	16¼	16¼	— ¼
Cons.	2⅛	2⅛	2⅛	2⅛	+ ⅛
Cons., pfd.	8¼	8¼	8	8	— ⅛
E. K.	158	160	158	158	+2
G. T. E.	14	14	13¾	13⅞	+ ⅜
Loew	59¼	61½	59¼	59½	+1⅛
Para.	14⅛	15	14	14⅛	.....
Para. 1	106	106¼	104½	104½	+1
Para. 2	13	13½	13	13¼	+ ¼
Pathe	6⅞	7	6½	6½	— ¼
RKO	5⅝	5⅞	5⅜	5½	.....
20th Fox	23½	24¼	23½	23⅝	+ ⅞
W. B.	8¼	8⅝	8⅛	8¼	+ ⅛

Curb Off Fractionally

	Open	High	Low	Close	Net Change
G. N.	1⅜	1½	1⅜	1⅜	— ⅛
Sonotone	1¾	1⅞	1¾	1⅞	.....
Tech.	19¼	19¾	18¼	18¼	— ¾
Trans-Lux	3	3	3	3	.....

Light Bond Losses

	High	Low	Close	Net Change
Loew 3½s '46	99	99	99	.....
Para. B'way 3s '55	63½	63¼	63½	.....
Para. Pict. 6s '55	98¾	98	98	.....
RKO 6s '41	98	98	98	—1
W. B. 6s '39	83¼	82½	82½	— ⅝

(Quotations at close of Nov. 5)

PRODUCTION INSURANCE

PRODUCERS need no longer rely upon approximate copies of original negatives. They can have true facsimiles, completely adequate for every purpose. Because the use of Eastman Fine-Grain Duplicating Films readily leads to duplicates that are actually indistinguishable from originals. Every production needs this insurance. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Fine-Grain*

DUPLICATING FILMS

MOTION PICTURE DAILY

Saturday, November 6, 1937

RCA 9-Month Net Reaches $6,599,111

Reporting net profit of $6,599,111 for the nine months ended Sept. 30 last, the RCA board of directors at a special meeting yesterday authorized the payment on Dec. 21 of dividends which will bring the total paid on the company's three classes of stock during 1937 to approximately $6,450,000. These are the first dividend to be declared in the corporation's 18 years of existence.

The 1937 nine months' net profit compares with a net of $2,847,383 for the same period last year. Profit for the third quarter of this year was reported at $1,951,726, compared with $1,083,604 for the same quarter last year. The net figures are after interest, depreciation, amortization and provision for Federal income taxes but before provision for Federal surtax on undistributed profits.

Gross operating income for the first nine months of this year amounted to $82,847,873, compared with $69,037,084 last year. For the third quarter of 1937 gross operating income was $30,052,173, compared with $25,094,558 for the 1936 quarter.

Three Dividends Declared

The dividends declared by the board yesterday were 87½ cents per share on the $3.50 cumulative convertible first preferred for the period from Oct. 1 to Dec. 31, payable Dec. 21 to holders of record on Dec. 3; $31.25 per share on the outstanding 16,196 shares of "B" preferred for the period from Oct. 1, 1931, to Dec. 31, 1937, payable Dec. 21 to holders of record on Dec. 10, and 20 cents per share on the 13,880,963 shares of common stock, payable Dec. 21 to holders of record on Nov. 12.

David Sarnoff, RCA president, stated following the meeting that the board had set Nov. 30 next as the final date for conversion of the "B" preferred stock for first preferred and common under the provisions of the company's charter. He added that only two per cent of the 766,897 shares of "B" preferred previously outstanding had not yet been exchanged. Yesterday's dividend action cleared up the arrears on the company's "B" preferred.

WNOX Observes Its Fifteenth Birthday

KNOXVILLE, Nov. 5.—WNOX Scripps-Howard station, this week celebrated its 15th anniversary. It is the oldest licensed station in the state.

New business on WNOX includes announcements for the Mishawaka Woolen Mills through Campbell-Ewald; five 15-minute programs for Rexall Drugs; announcements for Procter & Gamble through Pedlar & Ryan; a year's contract for Royal Jewelers; and three announcements daily for 52 weeks for Stein Bros. Clothes.

Renew Carnation Program

"Carnation Contented Hour," sponsored by Carnation Milk Co., and presented Mondays from 10 to 10:30 P.M. on the NBC-Red, has been renewed for a full year, starting Jan. 3.

Radio Personals

WALTER H. MOORE, formerly of NBC's press department, has been appointed director of publicity for the Northern Illinois College of Optometry . . . Irving Strouse is en route to Chicago, where he goes in advance of Paul Whiteman who opens with his band at the Drake Hotel, Nov. 19 . . . The day after it was chronicled here that George Scher of Lennen & Mitchell had been spilled from a horse, he received a letter from Julie Nassberg informing of the virtues of an accident policy, which proves that the insurance agents, at least, follow this department . . . Martin Starr, WMCA's film reviewer, has been spotted at last on a commercial program which originates on the stage of a film house, yet the sponsor insists that Starr serve anonymously, which just isn't good logic. If Starr has a following with any class, he has it with the local filmgoers . . . WHN informs that it, too, will broadcast the speech of the Duke of Windsor, if and when . . . Professor Quiz will celebrate his first anniversary on CBS today . . . Georgie Price will be the guest of honor at a Leon and Eddy party, tomorrow . . .

✚

Daniel C. Studin, executive vice-president of Star Radio, is confined to his bed with a throat infection . . . Tito Coral has been booked for a series of concerts in Mexico City. While there he will also visit his parents . . . Ralph Ballamy and Zasu Pitts will appear on the "Seein' Stars" show Sunday . . . Walter Huston and Elizabeth Patterson will appear on the Vallee show tonight . . .

✚

Daniel J. Doherty, American Legion Commander, will be heard over Mutual, Nov. 15, from 2 to 2:30 P.M. when he addresses the Indianapolis Chamber of Commerce . . . Elizabeth Etnier, author of "On Gilbert Head," will appear on Marjorie Mills' program over Mutual, Nov. 9 . . .

Thesaurus Adds One; Holds 6

The NBC Thesaurus department yesterday added a new client and received the renewals of six others. The new station is WSPD, Toledo. The renewing stations are. KELD, Eldorado, and KFPW, Fort Smith, both Arkansas; WTMV, East St. Louis, Ill.; WFEA, Manchester, N. H.; KPRC, Houston, and WREW, Lawrence, Kan.

50 Syllables

Hollywood, Nov. 5.—KFI-KECA advertising departments have hit upon a solution to the "25-word spot announcement" selling. They have changed it to "50 syllable" announcements, and charge the same rate for that as for the 25 words.

This gives advertisers an opportunity to get in from 30 to 35 words for the 25 word rate.

Conference to Talk On Ham Allocations

HAVANA, Nov. 5.—Allocations of western hemisphere frequencies used by radio amateurs (hams) will be discussed here by committees of the Inter-American Radio Conference.

The committees will also strive to reach an agreement over Canada's aspirations for the low frequencies channels between 200 and 400 kilocycles which are in conflict with the recommendations of the recent Radio-aviation Conference at Lima, Peru which desires the channels for aviation radio.

Brown Suit Settled

The infringement suit of Daniel L. Brown against Jacob and Lee Shubert, Select Theatres Corp. and Tams-Witmark Music Library was marked settled in the U. S. District Court here yesterday. The stipulation filed provided that no damages or profits were to be paid, but the defendants acknowledged the plaintiff's ownership of the rights to the opera, "Sari," which Brown claimed having acquired from the composer in 1911. It was alleged that the defendants infringed by granting radio rights to the music of the opera.

WNEW to Start New Series

A new nightly news broadcast will be presented by WNEW at 7:15 P.M. each weekday beginning Nov. 8. International News will be used for the series, with the station's news department editing the news.

Gordon Baking Signs Agency

The Gordon Baking Co. of Detroit, New York and Chicago, has appointed Young & Rubicam, Inc., Detroit office, to handle its advertising, effective Nov. 29.

Another Stokowskiism

Philadelphia, Nov. 5.—Leopold Stokowski, the "Peck's Bad Boy" of the concert music world, has done it again, this time while appearing with Powers Gourad on the Yellow Cab program over WCAU to comment on the Philadelphia Orchestra and to stimulate the sale of tickets.

Midway in the broadcast, Stokowski learned that the broadcast was sponsored by the Yellow Cab Co. Gourad almost passed away when Stokowski said: "Yellow Cab? They almost made me miss this broadcast. I called them once, then twice, and no cab came, so I had to leave for the studio." Wildly, Gourad asked if he had not called the wrong number, but Stokowski said no, and repeated the proper number. As the broadcast concluded the announcer reminded the audience of the cab company's 'phone number, but Stokowski leaned over in front of the mike and said emphatically, "You can call but it won't work."

Equity Upset By Prospects Of Film Rule

(*Continued from page 1*)

variance in board representation among the affiliated unions was not to be assumed, it was argued.

The size of the membership of the individual unions determines their representation on the Four A board. Both the Screen Actors' Guild and A. F. R. A. have approximately three times the membership of Equity.

Paul Moss, license commissioner, addressed the meeting on behalf of Mayor LaGuardia who had been scheduled to speak but did not appear. Moss said that any practical plan for a municipal theatre which was worked out by the stage organizations within the next four years would be given assistance by the city "if possible." He added that the project would have to be in the nature of a "laboratory" theatre to offer opportunity to new talent and would not be a large theatre "seating thousands."

Moss urged reduction of theatre ticket prices to make attendance "easy." A resolution was adopted by the meeting calling upon theatre groups to draft an ordinance prohibiting or regulating ticket speculation.

Brock Pemberton, producer, made a pessimistic report to the meeting on the cooperation being given the American Theatre Council by stage groups.

The meeting advocated the scaling of Equity dues according to the earning capacity of members.

Van Loon Heads Atuhors

Hendrik Willem van Loon was elected president of the Authors' Guild of the Authors' League of America yesterday. Others elected were Henry F. Pringle, vice president, and Margaret Widdemer, secretary.

Kuykendall Critical of Court Decisions

(*Continued from page 1*)

unit again went on record in favor of his 10-point program for industry reforms.

Fred Wehrenberg was reelected president. Other officers elected were: First vice-president, S. E. Pertle; second vice-president, I. W. Rodgers; third vice-president, Robert Cluster; fourth vice-president, Sam Kimm; secretary-treasurer, Louis C. Hehl; sergeant-at-arms, Walter Thimmig; directors, Maury Davis, Harold W. Evens, Louis K. Ansell, Frank Spiros, Victor Thien, Mrs. Bessie Schulter, Clarence Kaimann, Irving Lau, Louis J. Menges, L. A. Mercier, H. E. Miller and Noah Bloomer.

Agent's Suit Dismissed

Justice Salvatore Cotillo dismissed the suit of Edgar Allen for $14,250 agent's commission against Fanny Brice in the N. Y. Supreme Court yesterday. The complaint was held to be defective because Allen failed to state that he was a licensed theatrical agent. Allen claims 10 per cent of $142,500 which he says Miss Brice earned in the 1933-Ziegfeld Follies. Justice Cotillo allowed Allen to file an amended complaint within 10 days if he pays the costs.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 110 NEW YORK, MONDAY, NOVEMBER 8, 1937 TEN CENTS

Chase Sales Of 20th-Fox $3,600,000

Receives $1,200,000 in Dividend Payments

Chase National Bank has realized approximately $3,600,000 within the past year on the progressive liquidation of its 20th Century-Fox stock holdings, it was learned on Saturday. The bank has been entitled to dividends amounting to about $1,200,000.

The bank's consistent disposal of the stock at average market prices over the past 12 months has reduced its holdings of 20th Century-Fox preferred to approximately 50.05 per cent of that issue outstanding and to approximately 26 per cent of the common, it was revealed. The sales of preferred during the period from Oct. 15, 1936, to Nov. 1, 1937, aggregated approximately 88,000 shares, having an average market value for the period in excess of $2,600,000. The bank's sales of common during the period amounted to approximately 43,900 shares with an average market value in excess of $1,000,000.

Chase now holds 687,096 shares of preferred, compared with 774,753 shares a year ago, and 343,448 shares of common, compared with 387,376 a year ago. The bank retains its 58 per cent interest in National Theatres, the company's negotiations for the purchase of this stock having been held up by litigation and, currently, by market conditions.

Ask Bank Night Ban In Wisconsin Town

RACINE, Wis., Nov. 7.—City Attorney Cornelius Colbert has been instructed by the Common Council to draft an ordinance banning Bank Night and have it ready by the council's next meeting.

Alderman Kenneth Kersten, who

(*Continued on page 8*)

Report Leonard Out As Metro Air "M.C."

HOLLYWOOD, Nov. 7.—Robert Z. Leonard apparently no longer is permanent master of ceremonies of the M-G-M-General Foods Corp. program "Good News of 1938," for Robert Young will officiate on Thursday.

The dramatization will be "Mannequin," featuring Joan Crawford and Spencer Tracy.

More Radio—Pp. 12-13

October Key Takes Waver; Latest Figures $1,555,682

October key city first run grosses fluctuated slightly, but continued to hold close to the levels which set in after the Labor Day pickup. The total for 146 theatres in 24 key spots for the week ending Oct. 29-30 was $1,555,682.

This was slightly higher than the previous week, when 149 first run theatres were in operation with a take of $1,546,112. For the week ending Oct. 15-16 the total was $1,587,879. During that week 147 first run houses were open.

All three of these totals are higher than the low of $1,500,826 touched during the first week of the month.

(*Comparative grosses on page 8.*)

"Zola" at $239,300 In Three-Month Run

"The Life of Emile Zola" last night completed a three-month run at two-a-day prices at the Hollywood for a tally of approximately $239,300. The final seven days garnered about $5,000. According to Warners, 400,000 persons have seen the film at the Broadway theatre. MOTION PICTURE DAILY figures, week by week, follow:

Week Ending	*Gross*
Aug. 22 (11 days)	$41,000
Aug. 29	25,800
Sept. 5	20,000
Sept. 12	26,500
Sept. 19	23,500
Sept. 26	22,500
Oct. 3	20,000
Oct. 10	17,000
Oct. 17	16,000
Oct. 24	14,000
Oct. 31	8,000
Nov. 7	5,000
Total	$239,300

He Got the Point

The Capitol last week was running an elaborate trailer for "Conquest," next attraction at the house. The titles are in the expected style, lauding the film with all the adjectives at the command of the advertising copy writer, and pointing out that when it was thought the screen had reached the apex of achievement, along comes "Conquest."

At that point a gallery god one day reacted in a loud, clear voice with: "I guess they mean it's good." And the house collapsed in hysterics.

Theatre Regulations To Be Relaxed Soon

Changes in the new building code, effective Jan. 1, indicate a relaxation of theatre restrictions which will permit builders and exhibitors more latitude in setting up offices and storing equipment.

Offices and apartments may be built above the auditoriums of theatres under the new laws, provided sufficient space separates the theatre portion of the building by unpierced walls. The main floor of the auditorium is no longer restricted to street level and more space on street frontage may be utilized for stores. Storage of theatrical equipment beneath the stage is permitted now provided precautionary standards for safeguard

(*Continued on page 8*)

S. W. G. Asks Author League For Larger Representation

HOLLYWOOD, Nov. 7.—The Screen Writers' Guild has petitioned the Authors' League of America, parent writers' and dramatists' organization, for representation on the council of the latter organization commensurate with the membership of the guild, it was learned here today on good authority.

According to local unconfirmed interpretations, if the guild's petition was to be granted the screen writers would achieve a majority and, consequently, a position of dominance on the league's council. Its membership is believed to be greater than that of either the Dramatists' Guild or the Authors' Guild, the other two principal member guilds of the Authors' League.

The proposal has been submitted already to the council of the Authors' League in New York, together with additional requests relating to the screen writers' current moves for complete autonomy. It was reported here that the league council has acted favorably on some of the requests, denied others and deferred action on

(*Continued on page 8*)

Predict Pact On U. A. Sale During Week

"No Hitches," Declares One of Insiders

Interests close to discussions now nearing a conclusion for the purchase of U. A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford for $6,000,000 yesterday told MOTION PICTURE DAILY that "there are no hitches and not the slightest lack of understanding between the parties involved."

The date when a formal announcement will be made was hard to predict, according to the source, but at the rate the conferences are going it would not be surprising if Samuel Goldwyn and Alexander Korda called in the press for a joint statement early this week, it was stated. Only details remain to be ironed out, according to this source. What the details are was not divulged.

It was pointed out that U. A. has from 30 to 40 subsidiaries throughout the world and that these must be taken into consideration when so important a deal is about to be consummated.

Goldwyn, it was said, has a local group ready to put up his share of the money involved to complete the transaction. Prudential Assurance of England is said to be the financial sponsor for Korda. E. H. Lever, secretary of Prudential, has been sitting in on the conferences. As secretary for that company, he is vested

(*Continued on page 7*)

U. A. Sets Booking Records in London

LONDON, Nov. 7.—United Artists has set up a booking record for the next few weeks which is said to be unparalleled in the history of local exhibition.

Opening last Tuesday at the new $3,500,000 New Odeon in Leicester Square, "The Prisoner of Zenda" is expected to gross approximately $60,000 for the first week. The theatre is

(*Continued on page 7*)

"Marco Polo" Sales Aim at Scale Rises

"The Adventures of Marco Polo" will be sold by United Artists on a policy prescribing an advance in admission scales for its simultaneous first run engagements throughout the country, the distributor indicated on Saturday.

While studiously avoiding a direct

(*Continued on page 7*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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MARTIN QUIGLEY
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MAURICE KANN, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Aillberg, Representative.
TOKYO: 880 Sasazuka, Ichkawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Legion Approves 7 Of 9 New Pictures

The National Legion of Decency, in its list of nine new pictures reviewed this week, has approved four for general patronage, three for adults and classed two as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Adventure's End," "The Adventurous Blonde," "The Barrier," "West of Shanghai." Class A-2, Unobjectionable for Adults—"Conquest," "Murder in Greenwich Village," "Some Blondes Are Dangerous." Class B, Objectionable in Part—"The Lower Depths," "Merry-Go-Round."

Warner Lab Ready Soon

HOLLYWOOD, Nov. 7.—Warners' new laboratory, costing more than $500,000, will be ready within three weeks. Construction has been started on a new prop storage building.

The laboratory will turn out release prints for use in coast theatres and negatives from which prints are made in New York for houses in other parts of the country.

Construction of 24 film vaults is virtually completed.

Insiders' Outlook

By RED KANN

A BUZZ of comment has been created by Frank Nugent's review of "Conquest" in *The New York Times*. He did not like the film and, in passing the word along to his constituents, the critic did not spare the linotypes. That, we view it, is entirely alright. As one who likes to speak his mind and has, this page two space would defend to the last Nugent's prerogative. It also makes no difference in the measure of his integrity that, of all the metropolitan purveyors of Hollywood effort, he emerged this time as the non-conformist. For, correct or otherwise, a critic, if he is that, must be untrammeled in the expression of his opinion. . . .

▼

In this particular circumstance, however, it strikes us that Nugent led with his chin and that of his paper. He predicated his review on the report, largely circulated by accident or by press agentry, that "Conquest" cost $3,800,000 to produce. Taking this as his starting point and largely holding on to it thereafter, he assumed Metro had been overcharged. But he went beyond. He permitted this adding machine figure to furnish the coloration for his appraisal and placed himself in the very untenable position of reviewing an important picture—and one which we happen to believe is a notable picture, if that matters—in the light of what in the Nugent mind that attraction should have had, or might have had, at its erroneously reported near $4,000,000 cost. . . .

▼

This is a very curious approach for any critic of a daily newspaper to take. Within the trade where selling terms are a reflection of cost, if not always of merit, it could be argued a critic should reveal an awareness of the extent to which the negative charges have gone. It could be maintained, and successfully, we think, that a given attraction, expensively bound up, might do an enormous gross and leave nothing for the exhibitor in the light of what he must pay to get it. The accepted instance, for years, has been the Chaplin features, of course. Such observations, however, are trade information and presumably something sacrosanct within the borders of the industry. . . .

▼

A daily newspaper critic has nothing to bother his head over in this respect. He is supposed to tell his readers whether or not the film under discussion is worth or is not worth their time and so their money. It follows, because it axiomatically must, that the measure by which critical conclusions are reached is the footage on the screen and the impact or the entertainment, or the lack of either or both, which the sum total conveys. It is not any of Nugent's business what the charges against the Garbo-Boyer film are. At least, it is not any of his concern when he undertakes a review. If he holds it interesting to tell *Times* readers this was an attraction which cost whatever it cost, there is in the columns of his copious and very excellent newspaper a niche for such a bit of news. . . .

▼

Let us assume, which is a mighty assumption, that Heifetz does a poor concert with the Philharmonic Orchestra. Downes, Gilman, Sanborn or Chotzinoff, in their critiques the following morning, would not contemplate matching fees with disappointed performance, although they might scold the soloist. When "Virginia" opened at the Center Theatre, it was reviewed by Atkinson, Watts, Lockridge and the other dramatic critics for what it revealed, which, it so happened, proved to be not much. Some one of them might have mentioned in the passing a word about the investment. Not one of them would have reared, nor did he, his review on such a foundation. It would have been as unorthodox an approach as that in which Nugent now finds himself entrapped. . . .

Shift M. & P. Managers

BOSTON, Nov. 7.—Frank McShane, formerly manager of the Strand, has resigned from M. & P. Frank Solomont has gone to the Franklin Park from the Beacon in Boston. James Darby, formerly assistant to Henry Taylor at the Metropolitan, has taken over at the Beacon. William J. Murphy has gone to the Regent at Norfolk Downs in place of G. Kelsch. John O'Halloran has become manager of the M. & P. Waltham.

Pick RKO Final Titles

HOLLYWOOD, Nov. 7. — "Quick Money" will be the release title of Fred Stone's RKO film, and "Hubert's Folly," an original story, will be filmed as "Shooting at the Moon."

M-G-M Promotes Walden

HOLLYWOOD, Nov. 7.—Stewart Walden, of the M-G-M front office staff, has been promoted to cutter in the foreign trailer department.

Purely Personal

F. J. A. McCARTHY, now on a visit to Universal eastern and southern exchanges, went to Atlanta from Cleveland yesterday. He is due back in New York about the middle of next week.

•

WILLIAM SAULTER, art director of the Biograph Studios, will speak tomorrow at Hunter College on "Making Ready for Production."

•

JAMES A. FITZPATRICK is due shortly from England, where he has been producing a series of quota films for M-G-M.

•

ADOLPHE MENJOU, accompanied by VERREE TEASDALE, his wife, will leave Hollywood for New York on Wednesday.

•

HERSCHEL STUART, who resigned last week as treasurer of Monogram, has gone to Dallas to visit his family.

•

ARTHUR ABELES, Warner sales head for the Argentine, has returned to his headquarters at Rio de Janiero.

•

KENNETH THOMSON, executive secretary of the Screen Actors Guild, arrived from Hollywood on Saturday.

•

TOM EVERITT, of The March of Time, arrives at Hollywood Monday, November 8, on The Chief.

•

ROLAND YOUNG, MISCHA AUER and MRS. MAX REINHARDT arrive today on the *Normandie*.

•

HAROLD YOUNG, director of "52nd Street," is back in town from Europe.

•

JAMES R. GRAINGER is due back at his Universal office today from Boston.

•

JOE SCHENCK has acquired a new automobile.

•

HARRY C. ARTHUR left for St. Louis by plane yesterday morning.

•

WILLIAM POWELL has arrived from Europe yesterday on the *Roma*.

Wall Street

Stock Issues Decline

	Open	High	Low	Close	Net Change
Col.	16	16	15½	15⅝	— ⅝
Cons., pfd...	8	8	7¾	7¾	— ¼
E. K.....	158	158	156½	158	.....
G. T. E.....	13¾	13¾	13¾	13¾	— ⅛
Loew	60	60	56¾	57⅛	—2⅜
Para.	14⅛	14⅛	13½	13⅝	— ½
Para. 1.....	101¼	101¼	99¼	99¼	—5¼
R. K. O.....	5½	5½	5⅛	5⅛	— ⅜
20th Fox....	23⅝	23⅝	22¾	22¾	— ⅞
20th pfd.....	28¾	28¾	28¾	28¾	.....
W. B.....	8⅛	8⅛	7¾	7¾	— ½

Curb Off

	Open	High	Low	Close	Net Change
G. N.....	1¼	1¼	1¼	1¼	— ⅛
Sonotone ...	1¾	1¾	1¾	1¾	— ⅛
Technicolor.	18⅞	18⅞	17⅜	17⅜	— ⅞
Trans-Lux .	3	3	3	3	.....

Little Bond Movement

	High	Low	Close	Net Change
Loew 3½s '46.....	99	98⅝	99	.....
W. B. 6s '39.....	82½	82	82	— ½

(Quotations at close of Nov. 6.)



If It's Loi!e You're After...

If It's Laughter You're After...



"It convulsed the preview audience"! — *Motion Picture Daily*

"Endowed with everything needed to make a great comedy! It should not fail to score as one of the outstanding box-office triumphs of the season." — *Variety Daily*



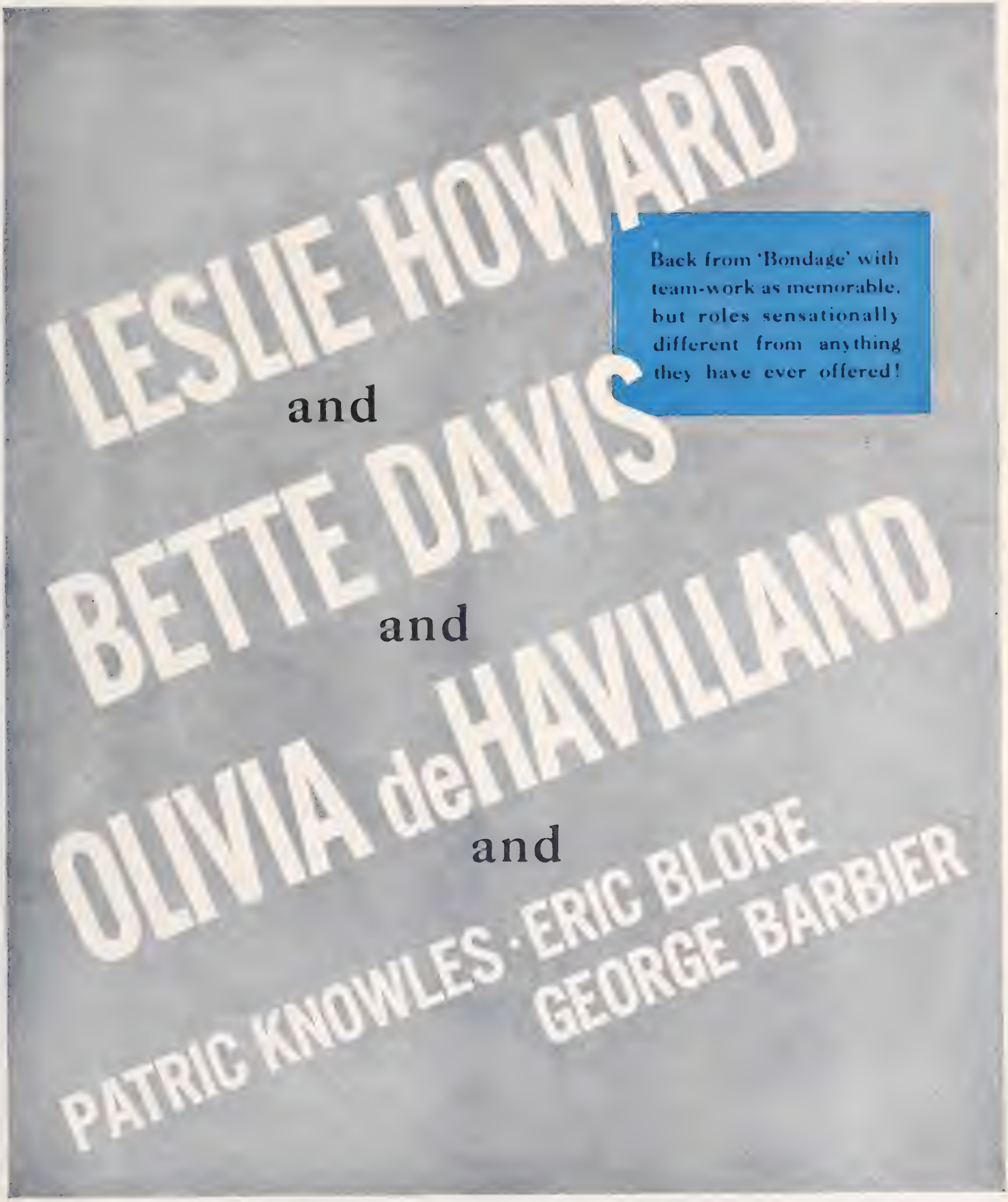
"The audience laughed long, loudly and often enough to convince the most pessimistic hearer on the sidewalk outside that something extremely funny was going on inside!" — *Motion Picture Herald*





"Hilarious farce! One of the smartest, gayest comedy offerings of the year. Will garner sustained laughter from every type of audience!" — *Hollywood Reporter*

If It's Names You're After...



If It's a *Smash* You're After...

Get Right After

WARNER BROS.

for a Fast

Booking On

It's LOVE I'm After

LESLIE HOWARD
BETTE DAVIS
OLIVIA DeHAVILLAND
in
"IT'S LOVE I'M AFTER"
with
PATRIC KNOWLES • ERIC BLORE • GEORGE BARBIER
Directed by Archie L. Mayo
Screen Play by Casey Robinson
Original Story by Maurice Hanline

"A box-office delight!"
–Film Daily

"Should not fail to score as one of the outstanding box-office triumphs of the season!"
–Variety Daily

"Exhibitors can prepare to dust off that SRO sign and brace themselves for landslide business!"
–Box Office

"Spells box-office of the first water!"
–Hollywood Reporter

Predict Pact On U. A. Sale During Week

(*Continued from page* 1)

with the authority from the executive committee on operations to pledge the insurance company's money.

Prudential, it is said, invests approximately $250,000,000 annually. The company is the prime backer of London Films, Korda's producing company. While here, Lever has been spending most of his time on business other than the U. A. purchase.

Meanwhile, reports persist Hemphill, Noyes & Co., in which Stanton Griffis, chairman of the Paramount executive committee, is a partner, will participate, either directly or indirectly. Griffis has had numerous meetings with Korda, not only during the current negotiations, but also when the London Films' head was here on his last trip.

Joseph M. Schenck, chairman of the 20th Century-Fox board, also has been consulted several times on the deal by interests involved, it was learned authoritatively yesterday. However, Schenck's interest has been out of friendship for the parties concerned and he will in no way participate in the deal, it was stated.

Schenck Goes West Today

Schenck spent the weekend at the Long Island estate of Nicholas M. Schenck. He will leave for the coast today, accompanied by Lew Wertheimer, his executive assistant; Jay Paley, uncle of William, president of CBS, and Ike Levy of Philadelphia. Schenck had planned to remain several weeks longer, but cut his stay short because of business matters on the coast.

Reports continue that David O. Selznick, who has been discussing an extension of his current U. A. pact, will not participate in the financing. However, he may get a revised distribution deal to his satisfaction. Admitted within the U. A. ranks is the fact that his pictures have been setting new records, not only in this country but abroad as well.

To put it briefly, one of the men sitting in on the discussions said yesterday:

"Although it was expected the deal would be concluded sooner, its scope requires more time, but the interests concerned now see eye to eye."

Maurice Silverstone, head of U. A. for England, plans to leave for Hollywood on his yearly trip in about two weeks. While on the coast he will attend the annual stockholders' meeting, which is to be held about the middle of November.

Dembow Holds Meeting

CHICAGO, Nov. 7.—George Dembow today held a regional sales meeting of National Screen Accessories' managers from this city, St. Louis, Kansas City, Des Moines and Milwaukee.

Charge Libel in London

LONDON, Nov. 7.—Joynson Hicks has filed an action against the magazine *Night and Day*, on behalf of Shirley Temple and 20th Century-Fox, alleging libel.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Manhattan Merry-Go-Round"

(*Republic*)

HOLLYWOOD, Nov. 7.—Mark "Manhattan Merry-Go-Round" down as a definite money-maker, one destined, judging by preview audience comment and reaction, as perhaps one of the best grossers in Republic's history. It has everything—well-woven story, neat production, skilful direction, good music, brisk comedy, excellent spacing of situation—treated by distinct novelty in filmusical plots and variety of marquee names.

There is a potpourri of talent—Phil Regan, Leo Carrillo, Ann Dvorak, Tamara Geva, James Gleason, Ted Lewis and his orchestra, Cab Calloway and his Cotton Club orchestra, Kay Thompson and her ensemble, Henry Armetta, Luis Alberni, Max Terhune, Smiley Burnette, and a fellow who really draws them in with westerns—Gene Autry—in a special sequence which throws the spotlight temporarily upon him.

This first production effort of Harry Sauber, veteran film writer, who wrote the original screenplay based on a musical revue of the same name by Frank Hummert, is literally a knockout as a picture.

Interspersed with musical numbers which run from opera to hi-de-ho, and sprinkled with comedy, the Sauber script and Charles Riesner's direction avoided situations which could have tripped the easy flow of the story and spotted musical numbers, supervised by Harry Gray, as subordinate to the plot.

Carrillo, more or less a racketeering money-lender, takes over a recording studio on which he has foreclosed following the plant's failure because of inability to get known performers for platters. Carrillo has his henchmen, headed by Gleason in a grand character, "Danny the Duck," bring in name people by force. He complicates the lives of Regan and Miss Dvorak, who are in love, by forcing Regan to court Miss Geva to influence her to make records for the firm. Everything turns out all right in the finale which presents Autry singing "Round-up Time in Reno," written by Autry and Jack Owen. The tune appears to be set for great popularity. Other songs are by Jack Lawrence, Peter Tinturin, Jerome Jerome, Richard Byron and Walter Kent.

The only complaints to be heard from patrons is that there isn't enough of Autry and that Armetta and Alberni merely have bits. The entire cast does well, and, properly plugged the production should satisfy exhibitors.

Running time, 78 minutes. "G."

Looking 'Em Over

"Swing It, Sailor"

(*Grand National*)

There is weak, reasonably pleasant entertainment in a minor key in "Swing It, Sailor," and the film is entirely acceptable as double bill material. There are flashes of battleship maneuvers and the takeoff of a flying squadron from a ship to engage in bombing practice, all of which serve to establish an interest-holding background to the comedy romantic affairs of a couple of sailors on shore leave.

Wallace Ford and Isabel Jewell have the leads, with Ray Mayer and Mary Treen in support. Ford is the idol of Mayer, and the latter, bigger than he is smart, does all Ford's dirty work. Consequently, Ford is interested in having Mayer re-enlist instead of marrying Miss Jewell, and does his best, by two-timing Mayer, to prevent the marriage. He succeeds, rather, in getting himself into hot water romantically, as Miss Jewel makes a play for him, and his scheme appears to be a boomerang.

But it is straightened out when Mayer is accidentally left aboard the target when he is knocked out, and Ford goes back to save him. Much in the way of suspense action might have been made of the rescue sequence, but the opportunity is ineptly handled and completely lost.

Raymond Cannon directed from an original and screenplay by Clarence Marks and David Diamond.

Running time, 63 minutes. "G."

(Additional Reviews on Page 13.)

Chertok Signs Writers

HOLLYWOOD, Nov. 7.—Jack Chertok, M-G-M short subjects producer, has signed Marion Cooper, Jr., and Sam Warshawsky as writers.

Schanberger Recovering

BALTIMORE, Nov. 7.—Fred C. Schanberger is recovering from an operation recently performed at West Baltimore General Hospital.

U. A. Sets Booking Records in London

(*Continued from page* 1)

the latest in the Odeon Circuit and seats 2,300. The tally, U. A. officials claim, would be the largest of any film for seven days in England. The picture will continue indefinitely.

Following its runs at the New Odeon, "The Prisoner of Zenda" has been booked into G. B.'s West End theatres. It will also follow into the John Maxwell houses and then into Odeon units in January. U. A. sales executives state that this will be the quickest playoff ever known in England for a picture and they add it will shatter the six months' release plan. Ordinarily, a picture is not released to subsequent runs until six months after a first run showing.

"A Star Is Born" is now in its ninth week at the Tivoli and will continue for three more weeks. After the Tivoli engagement, U. A. has booked the film for six weeks at the Marble Arch Pavilion.

"Dead End" in a week will start a six weeks' run at the Gaumont, ace G. B. house. "Stella Dallas" is now in its third week at the Regal. "Knight Without Armour" is currently enjoying a seventh week at the London Pavilion. "Stand In" will succeed "A Star Is Born" at the Tivoli. The booking for "Stand In" calls for four weeks. When "A Star Is Born" leaves the Tivoli it will begin an immediate engagement at the Marble Arch.

Local U. A. offices have been in daily touch with Maurice Silverstone, in New York, by telephone. Silverstone has approved the bookings in this manner. He is not due back for some weeks, probably around Christmas.

"Marco Polo" Sales Aim at Scale Rises

(*Continued from page* 1)

statement on the sales policy for the Samuel Goldwyn picture, the company's publicity release declared that "the long anticipated advance in admission prices throughout the country will be inaugurated with the nationwide first run engagements" of the picture. With no general exhibitor movement for the increase of admission prices under way, the inference is clear that United Artists plans to make first run deals for the picture on the basis of a price increase in the houses to which it is sold. The picture will be booked simultaneously in all key cities during Christmas week, according to George J. Schaefer, United Artists vice-president and general manager.

The company reported at the same time that "a new record in played and earned figures resulting in the largest gross intake since the company was founded in 1919" was achieved during the week ended Nov. 5, last.

Skouras, Rosenberg West

Charles P. Skouras, operating head of F. W. C., and Mike Rosenberg of Principal Theatres, will leave Thursday for the coast via Union Pacific. During his three-week stay here Skouras has been conferring with Joseph M. Schenck and Sidney R. Kent. Spyros Skouras is now due from an extended vacation abroad on Nov. 15.

Film Authors Seek Control In the League

(*Continued from page* 1)

still others. The entire program, however, remains in a state of discussion between the guild and its parent organization and, pending its final determination, action will be postponed on the guild's initial move to obtain local autonomy, which was approved by the Authors' League council three weeks ago, but has not been submitted to the memberships of the organizations for ratification yet.

Under the plan for screen writers' autonomy, the guild would become an "affiliate" of, rather than a member of the Authors' League and would have as great or as slight a tie with the parent organization as it chose to effect. It would, however, have the benefit of joint action with other affiliated guilds in the event of emergencies. The move was admittedly undertaken to placate the Screen Playwrights, who have charged that the guild heretofore has been under New York domination.

The guild's present overtures, if local interpretations are correct, would appear to reverse the dominant roles in Hollywood's favor.

The screen writers' moves closely parallel the development of the Screen Actors' Guild to an already realized position of importance, if not of dominance, in the administrative affairs of its parent organization, the Associated Actors & Artists of America. Where Actors' Equity Ass'n once dominated the Four A's by virtue of membership strength, the younger Hollywood organization has succeeded to that position by the same means.

Theatre Regulations To Be Relaxed Soon

(*Continued from page* 1)

against fire and other hazards are observed.

The new law goes into effect in less than two months, but the number of new buildings planned by circuits and independent exhibitors locally is at a minimum.

Okla. MPTO Convenes

OKLAHOMA CITY, Nov. 7.—The M. P. T. O. of Oklahoma will hold its annual convention at the Biltmore starting Monday and concluding on Tuesday. Ed Kuykendall is scheduled to appear and he will present his 10-point plan to the meeting. Fred Wehrenberg, M. A. Lightman, Judge Roy L. Walker, Dave Palfreyman, Col. H. A. Cole and Bob O'Donnell have been invited.

Allied Meet Nov. 22-23

DALLAS, Nov. 7.—The Allied of Texas meeting has been definitely dated for Nov. 22 and 23, according to Col. H. A. Cole, president. Final details of the program have not been ironed out.

Arkansas I.T.O. Meeting

LITTLE ROCK, Nov. 7.—The Arkansas I. T. O. goes into its second of a two-day convention at the Hotel Marion Monday.

Ask Bank Night Ban In Wisconsin Town

(*Continued from page* 1)

has sponsored the movement for such a measure, declared that of several hundred local persons with whom he has discussed the proposed ordinance, only three have signified their opposition to it.

Hears Conn. Game Case

MIDDLETOWN, Nov. 7.—Judge Alfred E. Baldwin took no action in the case of the State vs. Ernest Dorau, manager of the Capitol here, expected Bank Night test cast, before completing his recent term in the Superior Court for Middlesex County. Judge Edward J. Quinlan, who succeeds him on the bench, heard both sides in an informal statement of position, and took the matter under consideration. The case was appealed from a city court decision this summer, charging Dorau with conducting a lottery and fining him $13.

Conn. Groups Meeting

NEW HAVEN, Nov. 7.—Both Allied Theatres of Connecticut and the Connecticut M. P. T. O. will hold luncheon meetings at the HofBrau Haus Restaurant Tuesday. The Connecticut M. P. T. O. will hear a full report of the Paramount strike, consisting of information newly received from officials of the Philadelphia committee.

Budd a Justice

Ralph Budd, personnel manager for Warners, is now Justice of the Peace at Wycoff, N. J., and not by his own choice.

After being mayor of the town for three years, Budd told his home town friends that he wouldn't take a job even if it were the Justice of the Peace.

Unknown to him, Budd's friends got together and wrote in his name on the ticket. There were enough friends to carry the vote and the former mayor of Wycoff is now a judge.

Herb Crooker to Studio

Herb Crooker, director of Warner publicity, will leave for the coast today to consult with S. Charles Einfeld, director of advertising and publicity, and Robert S. Taplinger, director of studio publicity. Crooker will be gone about two weeks.

"Mayerling" Continues

"Mayerling" has started its third month at the Filmarte in New York and its second month at the Europa in Philadelphia. Skouras has booked the film, which is distributed in this country by Pax Films, in several Westchester and New Jersey houses.

October Key Takes Waver; Latest Figures $1,555,682

Estimated takings for the latest available periods:

	Week Ending Oct. 29-30		Week Ending Oct. 22-23	
	No. Theatres	Gross	No. Theatres	Gross
Boston	7	$110,000	7	$116,000
Buffalo	5	54,400	5	58,300
Chicago	8	122,300	8	139,600
Cincinnati	8	58,500	8	52,850
Cleveland	6	66,000	6	63,100
Denver	6	42,000	7	36,750
Detroit	6	85,400	6	83,300
Houston	4	26,850	4	23,300
Indianapolis	5	34,000	5	29,300
Kansas City	5	34,600	5	45,400
Los Angeles	10	107,242	10	97,472
Milwaukee	5	34,100	6	30,300
Minneapolis	5	33,500	5	32,900
Montreal	5	43,000	5	46,000
New Haven	4	26,200	4	18,100
New York	10	294,740	11	278,000
Oklahoma City	4	10,700	4	15,290
Omaha	3	23,900	3	21,300
Philadelphia	9	86,500	9	88,200
Pittsburgh	5	53,200	5	64,200
San Francisco	8	83,900	8	92,000
St. Paul	4	14,800	4	13,500
Seattle	7	38,450	7	38,850
Washington	7	71,400	7	62,100
	146	$1,555,682	149	$1,546,112

Key city grosses for the week ending Oct. 8-9:

Week Ending	No. Theatres	Gross
Sept. 3- 4	143	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682

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Philadelphia Warner Managers Are Moved

PHILADELPHIA, Nov. 7.—Several important promotions have been made by Ted Schlanger, zone manager, in the local Warner theatre managerial setup. Steve Barutio, key run district manager, has been moved up to South Philadelphia district manager; Jack Flynn, South Philadelphia district manager, is now city zone manager; Joe Feldman, manager of the Bromley, succeeds Louis Brager as personnel manager, Brager having been transferred to an executive post in New York. Larry Graver, manager of the Stanley, is now key run district head.

List a Lengthy One

Other changes include transfer of Al Reh, manager of the State, to the Stanley; Marty Goldenberg, from the Nixon to the State; Matty Rosenbluth, from assistant at the Orpheum to manager of the Grange; Dick Parks, from assistant at Cross Keys to manager of the Capitol; Gerson Shalita, from manager of the Grange to a similar post at the Bromley; Henry Eltinge, from assistant of the Logan to a same post at the Orpheum; Andy Schechtman, assistant at the Colney to assistant at the Logan; Max Kuperstein, from manager of the Harrowgate to the Felton; Nathan Watkins, from assistant at Stanton to manager of Harrowgate; I. Fletcher, from assistant at Auditorium to assistant at Colney; Jack Minksy, from manager of the Capitol to the Astor; William Israel from manager of the Circle to the Stanton; William Yearsley, manager of the Roosevelt to the Circle; Elmer Hollander, from manager of the Forum to the Roosevelt; Dave Seaman, from manager of the Felton to the Forum; Harry Almes, from manager of the Astor to the Orient.

Phil Manes, from manager of the Lindley to the Model, South Philadelphia; Milton Lewis, assistant at the Keystone, to manager of the Lindley; Marty Aninsman, manager of the Model, to the Wynne; Al Cohen, manager of the Wynne, to the Nixon.

Open New Warner House

PITTSBURGH, Nov. 7.—Warners this week will open the latest theatre in the Pittsburgh zone, the Boulevard, a 550-seat spot in the Brookline sector. The inaugural ceremonies are scheduled for Wednesday afternoon. Henry Bruger, who has been at the Hollywood in Dormont for Warners, will manage the new house.

Warners Reach Coast

HOLLYWOOD, Nov. 7.—Jack L. and Albert Warner arrived from New York today. Jack Warner has been away about six weeks, during which time he visited London, Paris and Budapest and signed two English actors. Irving Asher, British production head, is due here the end of the month.

Warner Club Party Held

ALBANY, Nov. 7.—The combined Albany and Troy units of the Warner Club held their fall barn dance at Cropseyville Saturday night. Members and their wives had to attire themselves in farmers' clothing to gain admission. Andrew M. Roy, manager of the Strand, Albany, was in charge.


RUSH
RECORD SMASHING FILM • INFLAMMABLE!
TO Theatres Everywhere
VALUE A Million Dollars
UNITED ARTISTS CORPORATION
USE NO HOOKS

A new all time high for your house... wrapped up...shipped...and delivered to your door!



with
CHARLES WINNINGER
WALTER CONNOLLY

Directed by
William A. Wellman
Presented by
Selznick International Pictures
Released thru United Artists

"Navy" with Vallee Smash Hit on Coast

Los Angeles, Nov. 7.—"Hold 'em Navy," with Rudy Vallee and his orchestra on the stage at the Paramount, were the big noise of the week downtown. The $27,000 gross topped normal by $9,000.

"Double Wedding," on a dual with "45 Fathers," was strong at both the Chinese and Loew's State. The $14,732 gross at the former was $2,232 into the profit column, and at the latter the $18,883 tally was up by $4,883. "Stage Door" held up well at the Hillstreet and Pantages for a second week.

Total first run business was $106,091. Average is $90,950.

Estimated takings for the week ending Nov. 3:

"DOUBLE WEDDING" (M-G-M)
"45 FATHERS" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $14,732. (Average, $12,500)

"MADAM X" (M-G-M)
4 STAR—(900), 40c-55c, 7 days, 2nd week. **Gross:** $2,335. (Average, $3,250)

"THE GOLEM" (Metropolis)
GRAND—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,400. (Average, $1,200)

"STAGE DOOR" (RKO)
"THERE GOES THE GROOM" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $8,707. (Average, $8,000)

"DOUBLE WEDDING" (M-G-M)
"45 FATHERS" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $18,883. (Average, $14,000)

"STAGE DOOR" (RKO)
"THERE GOES THE GROOM" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $10,204. (Average, $8,000)

"HOLD 'EM NAVY" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, Rudy Vallee and his orchestra. **Gross:** $27,000. (Average, $18,000)

"THEY WON'T FORGET" (F. N.)
"LOVE IS ON THE AIR" (F. N.)
WARNER BROS. (Hollywood) — (3,000), 30c-65c, 7 days. **Gross:** $11,200. (Average, $14,000)

"THEY WON'T FORGET" (F. N.)
"LOVE IS ON THE AIR" (F. N.)
WARNER BROS. (Downtown) — (3,400), 30c-65c, 7 days. **Gross:** $11,530. (Average, $12,000)

Building 4 Houses In Vancouver Area

Vancouver, B. C., Nov. 7.— Suburban theatre building has produced a miniature building boom for this class of structure in Vancouver during recent weeks. Four theatres in the Vancouver-New Westminister area, with an aggregate cost of more than $100,000, are now in various stages of construction.

The theatres are the Cambie, costing $20,000; the Rio, $40,000; a North Vancouver theatre, $25,000, and the Westown, $20,000. It is expected that all houses will be opened by Jan. 1.

Build in Detroit Suburb

Detroit, Nov. 7.—Sol and M. Krim have begun work on a new 400-seat theatre in Birmingham, Detroit suburb, directly across from the United Detroit operated Birmingham, a 1,500-seat house that has been the town's only theatre. This new house probably will be opened about Nov. 15.

Another new house for the suburb also is announced by George W. Trendle, president of United Detroit. It will be an 800-seater, also on Woodward Ave.

Variety Club Chatter



This is No. 5 sound truck of the Variety Clubs. It is fully equipped for sound and projection and is used to give entertainment in orphan asylums, old people's homes and institutions for crippled children. John H. Harris states eventually all club chapters will be similarly equipped.

Cleveland

Cleveland, Nov. 7.—Harry H. Goldstein, Paramount district manager, was elected commander of the Variety Post No. 313 of the American Legion at a meeting held at the Variety Club, celebrating the first anniversary of the founding of the post. Goldstein succeeds Col. Harry E. Long, Loew division manager. Other officers elected are: First Vice-Commander, Howard Roth; Second Vice-Commander, J. S. Jossey; adjutant, Dave Lederman; chaplain, Dave Miller; historian, Jim Lavery; judge advocate, Dick Deutsch; first sergeant-at-arms, John Himmelein, and second sergeant-at-arms, Jack Sogg.

Dallas

Dallas, Nov. 7.—New club members are: Charles D. Lyne, M-G-M salesman; Louis Novy, Paramount Theatre, Austin; Will Horwitz, Jr., Texan Theatre, Houston; J. Frank Shea, United Artists manager, Dallas; E. B. Whorton, Rule Theatre, Rule; W. R. Gerhard, Martin Theatre, Mt. Pleasant; W. Clyde Houseman, M-G-M salesman, Dallas; Fred V. Cannata, Texan Theatre, Houston.

Indianapolis

Indianapolis, Nov. 7.—A. O. Zaring, owner of Zaring's Theatre, is the new chief barker of Indianapolis Tent No. 10. He succeeds Carl Niesse. Other officers chosen are Curtis G. Butler, first assistant barker; Fred Greenberg, second assistant barker, and Al Blocher, treasurer; Sol Greenberg, treasurer.

Named to the board of directors were Niesse, Louis Stockman, Joe Neger, Guy Craig, Larry Shubnell, Claude Davis and Abe Kaufman. Joe Cantor and Marc Wolf, both past presidents, are holdover members.

Barkers held a farewell party for Martin Solomon, Columbia branch manager, who will go to the Los Angeles office of the company. A wrist watch was presented him by his fellow members.

Kansas City

Kansas City, Nov. 3.—Variety Club at the weekly luncheon honored Jack A. Cameron, district superintendent here the past four years for Erpi, who has been promoted to branch manager at Boston. Arthur Cole of Paramount presented Cameron a "going away present." Cole pointed out, however, that the club definitely wanted the present back in case Cameron did not, after all, go to Boston.

With Finton Jones presiding, barkers heard reports on progress of their seventh annual charity ball at Pla-Mor, Nov. 15, from Earl Jameson, general chairman; Frank Hensler of M-G-M, in charge of ticket sales, and R. R. Biechele, who included a report on a successful Hallowe'en party which was held at the club Oct. 30.

Pittsburgh

Pittsburgh, Nov. 7.—Harry Feinstein took the weekend off to see Pitt and Notre Dame play at South Bend.

John Harris has been taking an active part in the annual Community Drive here.

More than 500 are expected to attend the testimonial dinner to Ira Cohn on Dec. 6.

Jerry Mayhall will be in charge of the music for the show at the annual banquet.

Those weekly Ladies' Days on Tuesdays have been growing in attendance by leaps and bounds.

The Walker brothers have just opened a new theatre in Crafton.

There hasn't been a ticket left for the banquet since the middle of October.

Gets New Dickinson Job

Kansas City, Nov. 7.—The Glen W. Dickinson circuit has named a circuit publicity and promotion director, Skeets Mills. Mills will travel from theatre to theatre.

Hughart Quits Republic

Salt Lake City, Nov. 7.—William Hughart, formerly manager of the local Republic office, has resigned. He will take a post with a theatre in Anaconda, Mont.

Exhibition in Holland Shows Heavy Decline

By PHILIP de SCHAAP

Amsterdam, Oct. 29.—Dutch exhibition is experiencing a steady decline, which is attributed in part to the general economic situation in the country, but chiefly to the Government admission tax of 20 per cent, in addition to other taxes.

Exhibitors in Holland, through the Dutch M. P. Federation, claim that they have no opportunity of showing a profit as a result of the heavy burden of taxes. The Government has shown no disposition to reduce the admission tax. Dutch exhibitors are paying approximately 4,000,000 florin per year in admission taxes, which amounts to 11,000 florin per year per theatre.

At the same time gross receipts are experiencing a continuous decline. In Amsterdam and Rotterdam receipts are off approximately 18 per cent. Also, since 1930, the average admission price has dropped about 34 per cent in Amsterdam, Rotterdam and the Hague.

In spite of restrictions on new theatres, the fixing of minimum admissions, the prohibition of coupon books and like measures undertaken by the federation, the federation claims the exhibitor's chances of profit are remote. The only hope for the exhibitors of the country, the federation insists, is a drastic reduction in the admission tax.

Cinesound Budgets $500,000 on 5 Films

Sydney, Oct. 13. (*By Air Mail via London*).—During the next year, Australia's almost lone producing unit, Cinesound Prod., will deliver five features. The company has voted an expenditure of £100,000 for production costs. Cinesound executives state that their new policy of almost continuous productions will reduce the studio's overhead.

Their confidence in local production arises out of the success achieved by "It Isn't Done." Indications of a repetition of that success are given by "Tall Timbers," which has clicked in Brisbane, the scene of its world premiere. Lloyd Hughes, who was brought from Hollywood to star in "Lovers and Luggers," now in the cutting stage, will be retained to play the lead in "The Broken Melody."

Says Children Work 60 Hours in Houses

London, Oct. 30.—Viscontess Astor asserted in the House of Commons, during questions as to the progress of the Ministry of Labor's inquiry into hours of film employes, that hundreds of children work 60 hours a week, and some of them 15 hours a day.

Ernest Brown, for the Ministry, replied that details of labor conditions in 4,800 theatres were being obtained with the cooperation of the Cinematograph Exhibitors' Ass'n and that it was impossible to form any definite opinion until the investigation is completed.

Weed Representative For Montana Station

Weed & Co. has been appointed national representative for KFBB, Great Falls, Mont., effective Nov. 5.

KFBB is a CBS affiliate, operates on a power of 5,000 watts day and 1,000 watts night and is owned by the Buttrey Broadcasting Co. Mrs. J. Jacobsen is manager.

White Sues on Radio Skit

Roger White filed suit in the U. S. District Court on Saturday for alleged infringement of his radio skit, "Fun in Swingtime," against Charles Dallas Reach, Tim Ryan, Irene Noblette, Fred Norman, the Bamberger Broadcasting System and the Mutual Broadcasting System. He claims to have originated the program in February, 1937, and to have created an audience of 5,000,000 listeners for the program.

On Oct. 17, he says a program using the same title, employing his artists and "consisting of the same material and general pattern" started on WOR and affiliated Mutual stations. Besides damages for alleged infringement of his copyright, an injunction restraining Tim Ryan, Irene Noblette and their manager, Fred Norman, from breaking an alleged contract with the plaintiff is asked.

Davis Award to Hildebrand

PITTSBURGH, Nov. 7.—The annual H. P. Davis Memorial Award for the best announcer in Pittsburgh during 1937 has been given to Kenneth Hildebrand, of WJAS-KQV. The prize, presented each year by Mrs. Davis in memory of her husband, "The Father of Radio Broadcasting," is a gold medal and $150 in cash. William Beal, of KDKA, and John Davis, of WWSW, came out second and third, respectively. Last year William Sutherland, of KDKA, was the winner.

Hollywood Town Pump

HOLLYWOOD, Nov. 7.—Pauline Gale, fan magazine writer, will go on a new sustaining program on KECA starting Monday, with "Hollywood Speaks," devoted to interviews with persons in the film industry in every craft except actors . . . James Vandiveer, publicity director of KHJ and producer of "Meet Some People," will switch to KFI-KECA to conduct his program there and handle special events.

ZaSu Pitts and Ralph Bellamy will be guests on the Feg Murray program Sunday . . . Joe Miller's Opera House resumes for the fall Wednesday on KECA. Don Clark will produce, and Charlie Lung and Beatrice Benaderet will be featured . . . From Chicago comes news that "Vanity Fair," sponsored by Campana Sales Corp., through the Aubrey, Moore & Wallace agency, will go off the air Monday and will be replaced by "Grand Hotel."

M-G-M has placed Earl Brent and Arthur Rosenstein in charge of a radio technique school to familiarize the lot's talent with the microphone before going on the Maxwell House Coffee show. . . .

Hearing List for the Week Arranged by the F. C. C.

WASHINGTON, Nov. 7.—The F.C.C. has announced its calendar of hearings for the current week, as follows:

Nov. 10, before an examiner—Application of KLO, Ogden, Utah, for increase of power from 500 watts to 1,000 watts night, 5,000 watts day.

Nov. 12, before an examiner—Applications of Radio Enterprises, Inc., and Associated Arkansas Newspapers, Inc., for a 1,310-kilocycle, 100-watt, daytime station at Hot Springs, Ark.

The commission also made public a tentative calendar for the coming week, as follows:

Nov. 15, before an examiner—Applications of Platt & Platt, Inc., for a 1,000-kilocycle, 1,000-watt daytime station at Poughkeepsie, and WDZ, Tuscola, Ill., for increase of power from 250 to 1,000 watts.

Nov. 16, before an examiner—Application of WNEL, San Juan, P. R., for change of frequency from 1,290 to 590 kilocycles, and contesting applications of Citizens Broadcasting Corp. for a 1,240-kilocycle station at Schenectady, N. Y., 1,000 watts night, 5,000 watts day; Thomas J. Watson for a 1,240-kilocycle, 1,000-watt station at Endicott, N. Y., and The Hampden-Hampshire Corp. for a 1,240-kilocycle station at Holyoke, Mass., 500 watts night, 1,000 watts day.

To Hear Ithaca Plea

Nov. 17, before an examiner—Application of WESG, Ithaca, N. Y., for increase of time to operate nights with 1,000 watts.

Nov. 18, before an examiner—Application of WSAY, Rochester, for increase of day power from 100 to 250 watts.

Nov. 18, before the broadcast division—Contesting applications for a new station at Wichita Falls, Tex., of West Texas Broadcasting Co., 1,380 kilocycles, 1,000 watts; Wichita Broadcasting Co., 620 kilocycles, 250 watts night, 1,000 watts day, and Faith Broadcasting Co., Inc., 1,380 kilocycles, 1,000 watts night, 5,000 watts day; and applications of KFPL, Wichita Falls, Tex., for change of frequency from 1,310 to 1,500 kilocycles; Chase S. Osborn, Jr., for a 1,440-kilocycle, 500-watt station at Fresno, Cal.; *Bend Bulletin* for a 1,310-kilocycle station at Bend, Ore., 100 watts night, 250 watts day; and Waterloo Times-Tribune Publishing Co., for a 1,370-kilocycle, 100-watt daytime station at Waterloo, Iowa.

Nov. 19, before an examiner—Application of Charles F. Engle for a 1,210-kilocycle station at Natchez, Miss., 100 watts night, 250 watts day; and WFBR, Baltimore, for increase of power from 500 watts night, 1,000 watts day to 1,000 watts night, 5,000 watts day.

Kroger Presents Lenore Ulric

Kroger Grocer Co. and its advertising agent, the Ralph H. Jones Co., will present Lenore Ulric on their present transcribed series, "Linda's First Love," the week of Nov. 15. Similar guest star parts are planned. "Linda's First Love" is transcribed by the World Broadcasting System and spotted five times weekly on 23 stations in the Kroger chain store territory from Pittsburgh to Kansas City and from Atlanta to Chicago.

Trophy

Oklahoma City, Nov. 7.—Ever since Gayle Grubb, WKY station manager, and Edgar T. Bell, WKY general manager, brought back several seven-foot sailfish from a fishing trip, M. H. Bonebrake, WKY advertising manager, has had to look at them hanging on the walls of WKY offices.

Now he has his own display. Over his desk is a specimen stuffed and mounted on a board. The inscription:

"Caught by M. H. (Deep Sea) Bonebrake. Hooked at 12:11 P. M., landed after terrific struggle 12:12 P. M., 12-ounce rod, 80-lb. imported Japanese silk line, piano wire leader, worm bait."

The fish is a three-inch perch.

Advertising Plugs San Diego Headache

SAN DIEGO, Nov. 7.—San Diego station bosses are nursing a number of prime headaches over the apparent shortsightedness of prospective sponsors.

Local accounts turn thumbs down on programs unless every other line of dialogue is a plug for the product, plus long-winded commercials at the start and finish.

Listeners find even the Mexican programs easier to take—and the result is that the local broadcasters' best creative efforts go out as sustainers, and usually die for lack of sponsorship, all because prospective time-buyers feel every second between plugs is just wasted.

WHN Gets New Contract

WHN will broadcast spot announcements for five weeks starting Nov. 15. The Caples Co. is the agency. Also, the Bernard Perfumers of St. Louis, starting Nov. 16 for 52 weeks will broadcast a program titled "Arthur Chandler—Organ and Chats." The program will be heard over the WLW line. Sel Johnson Co., Chicago, is the agency.

Seek New Station Permits

WASHINGTON, Nov. 7.—Applications for authority to construct new broadcasting stations have been submitted to the F.C.C. by Harry M. Ayers, seeking a 1,420-kilocycle, 100-watt daytime station at Anniston, Ala., and Michael J. Mingo, planning a 1,400-kilocycle, 250-watt daytime station at Tacoma, Wash.

WOPI in New Quarters

BRISTOL, Tenn., Nov. 7.—WOPI today will establish permanent studios in the Homestead Hotel, in Kingsport, 20 miles west of Bristol. The opening of the new studios will be celebrated with a gala program, in which salutes will be given to the large manufacturing concerns.

New Wave Length for CBS Station, W2XE

A new wave-length schedule for CBS international station W2XE, will be placed in effect Nov. 15, in order to insure efficient short wave operation during the winter months. The transmitter will be heard on antennas directed either at Europe or at Latin America from 7:30 A.M. until 12 Midnight on weekdays, with a slightly different schedule for Saturdays and Sundays.

There is to be one intermission in addition to several short periods of silence when W2XE's technicians will be changing wavelengths and antennas.

San Diego Stations Fight Interference

SAN DIEGO, Nov. 7.—J. Clark Chamberlain, executive manager of the local Bureau of Radio and Electrical Appliances, in a wire to the Inter-American Radio Conference in Havana, is protesting the opening of the new 100-watt XERB, scheduled to start transmitting soon at Rosarito Beach, Mexico. Chamberlain has pointed out that the interference difficulties already existing here will become much worse when the new station cuts in.

News Program Opens Today

SAN DIEGO, Nov. 7.—The Goodyear Tire & Rubber Co. are the sponsors of a new morning news period over KFSD, local NBC-Blue outlet, effective tomorrow. Titled "Your Sunup News" and narrated by Dick Cutting, broadcasts will be heard daily. The contract is for three months.

New Milwaukee Station Opens

MILWAUKEE, Nov. 7.—The new 5,000-watt W. E. transmitter, the last step in a $100,000 modernization program for WTMJ here, is now on the air.

New Shows On the Air

"Melody Puzzles"

Something really new and novel in the way of an audience participation program is "Melody Puzzles," the American Tobacco Co. series now undergoing a test on the Mutual network.

Short dramatic skits are enacted in which are given the title of a song. Members of the studio audience who are able to detect the song title nestling in the dialogue are rewarded with $5 in cash and a carton of Lucky Strike cigarettes. For listeners-in, the sponsor offers a like prize for acceptable melody puzzle skits. The program should catch on nicely, but shorter skits would remove the lag which was manifest during the opening broadcast.

Featured are Richard Himber and orchestra, Stuart Allen, vocalist, and Fred Uttell as "em cee." The orchestra and Allen supplied the music and chorals of the puzzle tunes.

"Melody Puzzles" is broadcast Tuesdays from 8 to 8:30 P.M. over Mutual under the sponsorship noted above. Lord & Thomas is the agency.

BANNER

Radio Personals

J. R. POPPELE, chief engineer of WOR, flew to Havana Saturday to attend the International Radio Conference being held there. . . . Irene Wicker, the "Singing Lady," has been flying regularly to Boston to visit her injured son, who is convalescing at a hospital here from injuries received while playing football at Andover Academy. . . . Dick Baird, formerly of the networks and magazines, has joined the staff of the Earle Ferris publicity office. . . . "Senator Fishface" has been signed to a two-year renewal contract by NBC. . . . Ozzie Nelson yesterday celebrated his seventh anniversary in radio. . . . Paul Brenner, formerly of WSYU and WFBL, Syracuse, has joined the announcing staff of WNEW. . . . Curt Peterson, radio director of Marschalk & Pratt, will speak tonight at the Jane Manner Speech and Drama Institute at Steinway Hall. . . .

✚

The Young & Rubicam gang shoving off for the coast to help Fred Allen's return to the air will include announcer Harry Von Zell, producer George McGarrett and assistant producer Bill Russeau, John Brown, a "mighty Allen art" player, and Don Stauffler, vice-president. Bill Thomas, who was scheduled to go, cannot be spared from his publicity duties here . . . Incidentally, Bill Stuhler, of Y. & R. will be hospitalized for the next three weeks as the result of an operation and is not "leaving" the agency, as has been intimated elsewhere . . . John Barrymore has been signed for the Vallee show, Nov. 11 . . .

✚

Jack R. Howard, president of Scripps-Howard Radio, is away on a visit to Knoxville to visit his station in that city . . . Sidney Kaufman, WQXR film critic, is inaugurating a new system of rating films via a report card way, grades A, B, C, D, E and F . . . William Benton, formerly president of Benton & Bowles and now vice-president of the University of Chicago, will broadcast an address directed particularly to businessmen over CBS Nov. 15 at 7:30 P.M. . . . Anna Neagle will guest appear on Chase & Sanborn Nov. 14 . . .

✚

Pierre Monteux will arrive here today from France to begin rehearsals of the NBC Symphony Orchestra . . . Clark Dennis will replace Perry Komo as vocalist on the "Fibber McGee and Molly" program . . . Associated Technical Employes of NBC will conduct their third annual dance at the Ambassador Nov. 19.

Add Johnson Stations

Grove Laboratories, beginning Tuesday, will extend the number of stations carrying the talks of Gen. Hugh S. Johnson.

The General now is heard Mondays and Thursdays at 8 P. M., and Tuesdays and Wednesdays at 10 P. M. over 24 Blue network stations. Beginning Tuesday, the McClatchery group of stations will be added, affording the sponsor 36 outlets for this spot; and on Wednesdays a group of mountain and west coast stations are to be added, for a total of 32 stations. Stack-Goble of Chicago is the agency.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Thrill of a Lifetime"

(*Paramount*)

HOLLYWOOD, Nov. 7.—Produced by Fanchon, this light and tuneful fancy has about it a touch of the Fanchon & Marco "idea." There is a formal story, but it is of less importance than the individual performances of numerous exploitable personalities engaged, if but slightly in its narration.

These include the Yacht Club Boys, who go Ritz brothers without apology or need of any; Ben Blue, at his constantly better best in everything from pantomime to his classic ice skating routine; Dorothy Lamour, in an interpolated song number; Judy Canova, playing a part and also hillbillying with Zeke and Ann; Tommy Wonder, doing his familiar dummy dance; Larry Crabbe, Leif Erikson, Betty Grable, Franklin Pangborn, and Johnny Downs and Eleanore Whitney as the frequently forgotten romantic leaders. This collection of talent contrives to put by a lot of singing, dancing and comedy during the proceedings, the outcome being a screenworthy product of general usefulness.

The story, by Senna Owen and Grant Garrett, with added dialogue by Paul Gerard Smith, concerns a playwright who owns a summer resort and stages his own play in that setting with the aid of various unemployed professionals among his guests. Of course, everybody falls in love with somebody and the play is a hit, but the plot is never treated as more than an incidental background.

George Archainbaud directed with manifest intent to give the talent free rein. Frederick Hollander, Sam Coslow, Carmen Lombardo and the Yacht Club Boys collaborated variously on music and lyrics of the five original song numbers, the Canovas swinging a couple of ditties of obscure and possibly folk origin.

Running time, 75 minutes. "G."

Out Hollywood Way

HOLLYWOOD, Nov. 7.—Paramount is apparently dropping its plans to co-star BOB BURNS and MARTHA RAYE, following their success in "Mountain Music." The studio has announced that MISS RAYE and BOB HOPE, new contractee, currently in "The Big Broadcast of 1938," will be co-featured in their next two pictures, "College Swing" and "The Wall Flower."

FRED MACMURRAY's next at Paramount, to follow "Men with Wings," will be "Vacation from Love," story by HARLAN WARE and PATTERSON MCNUTT. . . . ANN SHERIDAN has replaced JUNE TRAVIS in "The Mystery of Hunting's End." MISS TRAVIS is ill. . . . WILL JASON, songwriter at M-G-M, has been made a director in the short subjects department, drawing "A Canary Comes Across." . . . JULES LEVINE has joined Warners publicity department.

✚

Casting—ERIK RHODES, VIRGINIA GREY, TOM KENNEDY, OSCAR O'SHEA, GEORGE COOPER, JOE CAITS, GEORGE TAYLOR and HARRY TYLER in "A Canary Comes Across," M-G-M short. . . . PRISCILLA LAWSON and LEO CARRILLO in "The Girl of the Golden West," M-G-M. . . . FERDINAND GOTTSCHALK and TORBEN MEYER in "Romance in the Dark," Paramount. . . . HENRY ARMETTA in "Everybody Sing," M-G-M. . . . JANE DARWELL, HALLIWELL HOBBES and GRANVILLE BATES in "More Than Love," Universal.

✚

Music—WALT DISNEY is putting eight songs in "Snow White and the Seven Dwarfs." The titles are "The Wishing Well Song," "One Song," "With a Smile and a Song," "Whistle While You Work," "Hi-Ho," "The Washing Song," "Some Day My Prince Will Come," and "Isn't This a Silly Song?" They are by FRANK CHURCHILL and LARRY MOREY of the Disney music department.

✚

Contracts—WADE RUBOTTOM has been signed as art director at M-G-M.

✚

Writers—JOHN WEXLEY is working on the screenplay of "The Amazing Dr. Clitterhouse," Warners.

Simmons Signs Pact

HOLLYWOOD, Nov. 7.—Michael L. Simmons has signed a year's writing contract with Columbia. It comes on the heels of five scripts for that studio in the last year: "Wonder Child," "American Legion," "Murder in Greenwich Village," "All American Sweetheart" and "Mayor for a Day."

"Barrier" Has Opening

SEATTLE, Nov. 7,—"The Barrier," Harry Sherman production for Paramount release, had its formal premiere Friday night at the Paramount here. Jean Parker and James Ellison, the film's stars, appeared, and the opening was broadcast from the lobby over the Mutual system and KOL.

Fields Leaves Republic

HOLLYWOOD, Nov. 7. — Leonard Fields, Republic producer, has settled his contract with the studio amicably, and has left the lot. He will take an extended vacation before announcing new plans.

Short Subjects

"Playing with Danger"

(*Vitaphone*)

The second of the "Your True Adventures" series with Floyd Gibbons is a thrilling film that will find good acceptance in all localities. It concerns a group of boys who go swimming in a railroad water tower while the stationmaster is away. A train draws up and lowers the level of the water making it impossible for the kids to get out. One of them almost drowns from exhaustion before they finally manage to get out. The other boys give him up for dead and load him on their donkeycart. The ensuing jolting forces the water from the unconscious one and he is later brought around. The incident is dramatically and realistically acted. The author of the yarn is also on hand to get his check. Running time, 13 mins. "G."

"From the Minuet to the Big Apple"

(*Paramount*)

Will Hudson's and Eddie De Lange's band provides the musical setting for this demonstration of the current dance craze which has been done better. Of course, the two band leaders manage to inject a few popular numbers they have composed and the dancers offer the insane gymnastics of the dance in the expected style. It will manage to hold interest. Running time, 11 mins. "G."

"The Sitter Downers"

(*Columbia*)

The Three Stooges build their comedy around matrimony. But before they are wed they go on a sitdown strike against the girls' father who finally consents to the matches. They learn to regret it. What follows is a melange of slapstick activity interspersed with rather clever comedy lines as the trio attempt to erect a house that was given them as a publicity stunt. The comedy, which borders on the sadistic, is good for many laughs. Running time, 18 mins. "G."

"The Foxy Hunter"

(*Fleischer-Paramount*)

Where Betty Boop cartoons provide a few minutes of animated merriment, this will fill the bill. It is the usual cleverly drawn stuff that pleases the entire audience. The theme is the hunting exploits of a youngster with Pudgy. The chase eventually concludes with an irate duck spanking the naughty hunter and his hound. Running time, 7 mins. "G."

"The Clock Goes Round and Round"

(*Columbia*)

This Scrappy cartoon is different and imaginative stuff. Against photographic backgrounds Scrappy gets an idea to stop clocks. Everything else also stops. The plight of his dog makes him start the timepieces again and things finally are normal. Trick camera effects are used and one sees runners, automobile racing, explosions and whatnot in stop action. A good novelty. Running time, 6½ mins. "G."



Reflections

ON SHOWMANSHIP PROGRAMS

After all, nothing takes the place of variety . . . it's elemental showmanship . . . without good shorts, it just isn't there . . . and good shorts give a showman so much to "play with" . . . for example, just a few new releases of *The Showmanship Shorts* . . . there are big star names . . . **Willie Howard**, for one . . . there's smartness, cleverness . . . **Jefferson Machamer** and his "**Gags and Gals**" . . . music and romance . . . **Niela Goodelle** and **Lee Sullivan** in "**Who's Who?**" . . . a touch of goofy fun in **Tim and Irene's "Heir Today"** . . . youth and pep, with **Herman Timberg Jr.** and **Pat Rooney Jr.** hot-stepping in "**Meet the Bride**" . . . and the first sepia-toned cartoon, "**The Dog and the Bone**" . . . the year's funniest **Terry-Toon** . . . all excellent materials with which to *build fine shows.*

☆

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 111 NEW YORK, TUESDAY, NOVEMBER 9, 1937 TEN CENTS

C.E.A., Labor Seen in Deal On Films Bill

Plan Reciprocal Support On Amendments

LONDON, Nov. 8.—With Oliver Stanley, president of the Board of Trade, believed open to persuasion on the idea of providing for a film commission in the new Films Bill, now in House of Commons committee, the legislative committee of the Cinematograph Exhibitors' Ass'n, is expected to ask the cooperation of the labor groups opposing the present bill in pressing for the commission, in return for support of labor's demands for revision of the measure.

Already more than 25 amendments have been offered by the opponents of the bill in its present form, and considerable revision of the measure is forecast. The major amendments thus far offered include: the employment of not more than one foreign technician on each film, the inclusion of a fair wages clause, employe representation on the administrative council, establishment of a film commission and a committee to view films for determination of quota eligibility, the deletion of clauses providing minimum

(*Continued on page 12*)

Makeup Row Curtails Columbia Production

HOLLYWOOD, Nov. 8.—Production was curtailed today at the Columbia studios when the I.A.T.S.E. called out a number of men in a dispute in which the studio assertedly had attempted to have stars and featured players apply their own makeup. There were no picket lines but I.A.T.S.E. craftsmen failed to report for work and the players were paid off after a few hours of inactivity. The reason for the walkout, according to officers of the makeup union,

(*Continued on page 2*)

Assert M-G-M Show Hurt in Cleveland

CLEVELAND, Nov. 8.—Cleveland independent circuit owners agree, with one exception, that the M-G-M Maxwell House broadcast last Thursday caused their business to drop anywhere from 25 per cent to 35 per cent from their average Thursday night business. Warners also report a drop

(*Continued on page 8*)

Radio—Pp. 26-27

Spitz Delays on Briskin Job; May Stay on Coast Some Time

Hollywood, Nov. 8.—Leo Spitz is proceeding carefully in the search for a successor to S. J. Briskin as head of production at RKO. It is probable that the new appointee will not be named for some time.

In the meantime, Spitz is temporarily at the helm of the studio and is reported to be prepared to remain indefinitely.

While the president of RKO, it is understood reliably, has neither the intention nor the desire to switch his base of operations from New York to Hollywood, he is ready to stay until the executive reorganization at the studio is completed.

Majors to Ask Stay On Dallas Decision

DALLAS, Nov. 8.—Defendants in the Government's anti-trust suit here will apply to Federal Judge W. H. Atwell for a writ of supersedeas to defer the application of Judge Atwell's decree against them until their appeal from his decision has been ruled on by the U. S. Supreme Court, it was learned today.

Assistant U. S. Attorney John

(*Continued on page 7*)

No More Changes at Republic, Says Siegel

No further changes are contemplated at the Republic studios in California, Moe Seigel, president, stated upon his arrival yesterday for a 10-day stay. "We have made all the changes we want for the next few months," he added.

Seigel said he came on for the open-

(*Continued on page 12*)

Production Active With 38 Shooting

HOLLYWOOD, Nov. 8.—Production this week totaled 37 pictures before the cameras, as six were started and seven were finished. A total of 38 were in work last week. Sixteen are in final stages of preparation and 60 are being edited.

Those starting were: "The Girl of the Golden West" and "Arsene Lupin Returns," M-G-M "Hawaii Calls,"

(*Continued on page 12*)

"Truth" Heads for $95,000 First Week

"The Awful Truth" is heading for a $95,000 first week at the Music Hall, it was indicated yesterday. The take for the first four days was $64,000. The picture will be held a second week with a third probable. "Heidi," at the Roxy, garnered $25,300 for the first three days and will do better than $50,000 for the week.

"Ali Baba" and "Wedding" Week's Box-Office Leaders

"Albi Baba Goes To Town," "Double Wedding" and "The Life of Emile Zola" were the highlight box-office attractions of last week at the nation's key city theatres.

The Cantor comedy took a strong $14,000 to lead at the Albee in Cincinnati, also led in Milwaukee, where it took a good $10,000 at the Fox Wisconsin, was outstanding, with a gross $5,000 over average, at the Fox Tower in Kansas City, and was a smash hit in Montreal, going over average by $2,500 at the palace, while the rest of the city's theatres were weak.

"Double Wedding" brought the biggest gross of the year. The Penn in Pittsburgh, with $22,500, was good in Minneapolis and St. Paul, took the lead in Oklahoma City, with $7,300 at the Midwest, held up well in its third week at the St. Francis in San

(*Continued on page 12*)

Pathe News Takes Modern Dress

Pathe News today will appear in a new and revised form, with new commentators a chief feature of that revision. A section treating the revamping of the newsreel, as well as of the physical changes in the Pathe News headquarters here, starts on page 13.

Alger Prunes Rockefeller's Claim on RKO

Reported He Favors Cut To $5,100,000

A tentative recommendation for a drastic reduction in Rockefeller Center's $9,150,628 claim against RKO highlights the preliminary report on the RKO reorganization plan issued over the weekend by Special Master George W. Alger.

The report, it is understood, recommends the reduction of the claim to $5,100,000. If treated as an unsecured claim under the provisions of the reorganization plan, Rockefeller Center would receive 38,250 shares of new RKO preferred stock and 76,500 shares of new common stock, in place of the 500,000 shares of new common which the plan originally proposed to issue to Rockefeller Center in satisfaction of the claim. The special master's recommendation, it is reported, is based upon the expectancy that RKO common stock will have a market value of $10 to $12 per share at the time of consummation of the plan.

The tentative report approves the reorganization plan in its basic principles in practically all other respects. Drastic reductions in claims against the company are proposed, however, with indications that the

(*Continued on page 7*)

Hoyts in All First Runs—Hutchinson

Purchase of a 51 per cent interest in the Snider & Dean circuit of 11 theatres now gives Hoyts first run representation in all key spots in Australia, Walter J. Hutchinson, foreign chief for 20th Century-Fox, said yesterday. At the same time he confirmed MOTION PICTURE DAILY'S exclusive story last Thursday.

Hoyts will have complete control

(*Continued on page 8*)

Sale of Kromocolor Ordered Cancelled

PATERSON, Nov. 8.—Vice-Chancellor Vivian M. Lewis has signed an order cancelling the sale of the Kromocolor Laboratory at Paramus, N. J., for $105,000 and at the same time ordering a resale of the property on Nov. 16. No decision has yet been made on the petition by Joseph O'Donnell for refunding of a $21,000 deposit on the former bid.

William Krimsky, co-receiver for

(*Continued on page 7*)

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Critics See "Hurricane"

"The Hurricane" was previewed for the press last night at the Astor. Elsa Maxwell had a number of prominent persons as her guests at the special screening following a dinner at the Waldorf Astoria. The film will have its initial public showing tonight.

Seattle Manager Wed

SEATTLE, Nov. 8.—Dan Redden, manager of Hamrick-Evergreen's Coliseum and Music Box, and Lel Mitchell, head usherette at the latter house, were married here.

Tradeshow "Manhattan"

"Manhattan Merry-Go-Round" will be shown to the trade at a special screening on Wednesday morning at 11 A. M. at the Astor.

LAWYER, seven years experience, desires position in LEGAL DEPT. of motion picture company as assistant to executive, a managing clerk, or a secretary.

LILLIAN C. RINER
Barbizon Plaza Hotel
CIrcle 7-7000

Purely Personal

ARTHUR LEE of G. B. will leave Thursday on a western tour. CLINTON WHITE, assistant general manager, is in Atlanta today. ARTHUR GREENBLATT, eastern division manager, will leave today for Washington, Pittsburgh, Detroit and Cleveland.

•

WOLFE COHEN, Canadian district manager for Warners with headquarters in Tononto, is here for conferences with ROY HAINES, eastern and Canadian sales manager.

•

MRS. SOL WURTZEL is having an exhibition of her paintings at the Sterner Galleries. The exhibit opened with a private showing yesterday afternoon.

•

HARRY A. GOURFAIN'S "Jamboree," a musical comedy revue, has been booked into E. M. Fay's Capitol in Binghamton starting Nov. 11.

•

RENE FULLOP-MILLER'S original story dealing with the life of William Morton and the discovery of ether has been purchased by M-G-M.

•

SAUL KRUGMAN, assistant to SOL EDWARDS, eastern division sales head for Grand National, returned yesterday from a midwestern trip.

•

DANIEL F. GREENHOUSE, new RKO manager for the Philippines, will fly to the coast tomorrow on the first leg of an air journey to Manila.

•

WALTER WINCHELL is through with being an actor, he says, and will resume his newspaper column Nov. 15 and his air series Nov. 14.

•

JACK WHITING, who recently finished work in G. B.'s "Sailing Along," will arrive from London Thursday.

•

WILLIAM CAGNEY has arrived from the coast to discuss his brother's next picture for Grand National.

•

MOLNAR'S play, "Delilah," has been purchased by M-G-M for production during the coming season.

•

MIRIELLE BALIN, European player recently signed by M-G-M, will leave tomorrow for the coast.

•

B. S. Moss will add vaudeville weekends at the New Central, Cedarhurst, starting Friday.

•

EDWIN J. LOEB of Loeb, Walker & Loeb, coast attorneys, arrived from Hollywood yesterday.

•

CLAY HAKE, assistant to WALTER J. HUTCHINSON, has returned from a Caribbean cruise.

•

SOPHIE TUCKER got back from Hollywood yesterday by train.

•

DON MERSEREAU will return from the coast tomorrow.

•

RALPH ROLAN left for Hollywood by plane last night.

•

SOL LESSER is due from the coast next month.

Turtle Love

Warners last night used Western Union to send around town small live turtles as a gag for "It's Love I'm After." Trade paper editors' names and the title of the picture were penned on the inoffensive turtle's shell.

It was all designed, no doubt, to capture mention for the picture. This demonstrates how well the idea succeeded.

Expect Educational To Sign with Guild

Educational is expected to sign the Screen Actors' Guild contract today, according to Kenneth Thomson, executive secretary of the guild, who is in New York from the coast. Arbitration and other review provisions of the contract have been changed in accordance with Educational's request and the pact is regarded by the guild as in final form.

Thomson will leave for the coast Friday following a meeting of the council of the Associated Actors & Artistes of America. The council of that organization met yesterday, but deferred action on several matters before it until the Friday session.

Makeup Row Curtails Columbia Production

(*Continued from page* 1)

was the discharge of five men and the studio order to actors to apply their own makeup. Teamster Union members walked out in sympathy.

It was reported late this afternoon that the studio was attempting to contact the I.A.T.S.E. for the quick settlement of the walkout. The union move was the climax of the growing resentment of the attempts of other studios than Columbia to establish schools to instruct players in makeup. Difficulties over this practice on other lots have been settled.

It was estimated that 250 men were out. Sympathetic action by other crafts swelled the total to 500. The men all reported to work and walked out at 9 A. M. About 200 actors appearing in four pictures which were currently shooting on the lot were kept until 2:30 P. M. and then paid a full check. The I.A.T.S.E. headquarters here sent out wires to projectionist locals throughout the country informing them of the strike call.

Circuits-306 Meet Again

Another meeting yesterday was held between representatives of Local 306 and major circuits with both still undecided on final terms of the scale to prevail for the next two years under a master 10-year contract.

Schenck Delays Trip

Joseph M. Schenck has delayed his departure for the coast until tomorrow and may be accompanied by his brother, Nicholas M. Others who will accompany the 20th Century-Fox chairman include Lew Wertheimer, Jay Paley and Ike Levy.

Hicks Going to Coast

MILWAUKEE, Nov. 8. — Robert Hicks, attached to the local Warner publicity and advertising staff, is planning to leave for the coast shortly.

Seattle Houses Sign Contract with Union

SEATTLE, Nov. 8.—Higher wages and shorter hours were granted usherettes, cashiers and doormen in local theatres in an agreement between Theatrical Employes' Union Local A 22, A. F. of L. unit, and the Seattle downtown and suburban operators. The agreement is retroactive to Oct. 17, and will be in effect until Sept. 1, 1938.

The new scale calls for a 40-hour, six-day week as a maximum for all employes. Downtown theatres will pay $20 a week for usherettes, $20 for cashiers and $22.50 for doormen. Suburban theatres will have a minimum scale of $13 for usherettes, $14 for cashiers and $14 for doormen. The wage scale represents a 10 per cent average increase for all employes. Approximately 43 theatres in central Seattle and neighborhood districts are involved.

F. P. General Strike Threatens

TORONTO, Nov. 8.—The possibility of a general strike of operators in the 200 theatres of Famous Players Canadian Corp. loomed as a result of the signing of an agreement between the 15 independent theatres of Winnipeg, Man., and the One Big Union, a Winnipeg labor organization which is local in scope.

W. P. Covert of Toronto, Canadian vice-president of the I.A.T.S.E., has wired E. Turner, president of the Winnipeg local of the International Motion Picture Operators, as follows:

"Have advice from G. E. Browne, union president, that unless Famous Players settle with the local in Winnipeg, a general strike order will be granted."

Turnbull in Charge Of Australia Sales

Ernest Turnbull, who has been handling the sales of British films for 20th Century-Fox in Australia for a number of years, has been promoted to general manager of distribution for the company in that territory under Stanley S. Crick, managing director, Walter J. Hutchinson, foreign head, stated yesterday.

Francis L. Harley, managing director for 20th Century-Fox in England, and Ben Miggins, sales manager for the Continent, are scheduled to sail from London Dec. 8 on the *Normandie*.

L. L. Alterman Dead

Louis L. Alterman, owner of the Comedy, Victory and Rialto, Jamaica, died Sunday at his home, 144-58 8th Road, Jamaica. Death was due to a complication of diseases.

In addition to his exhibition interests Alterman was founder of the Biltmore Film Exchange and was active in real estate. He is survived by his widow, Mrs. Rebecca Alterman; two sons, Daniel and Montague; two daughters, Mrs. Charles Zerner and Janet Alterman, and four brothers, Jay, Lewis B., Herman and Samuel.

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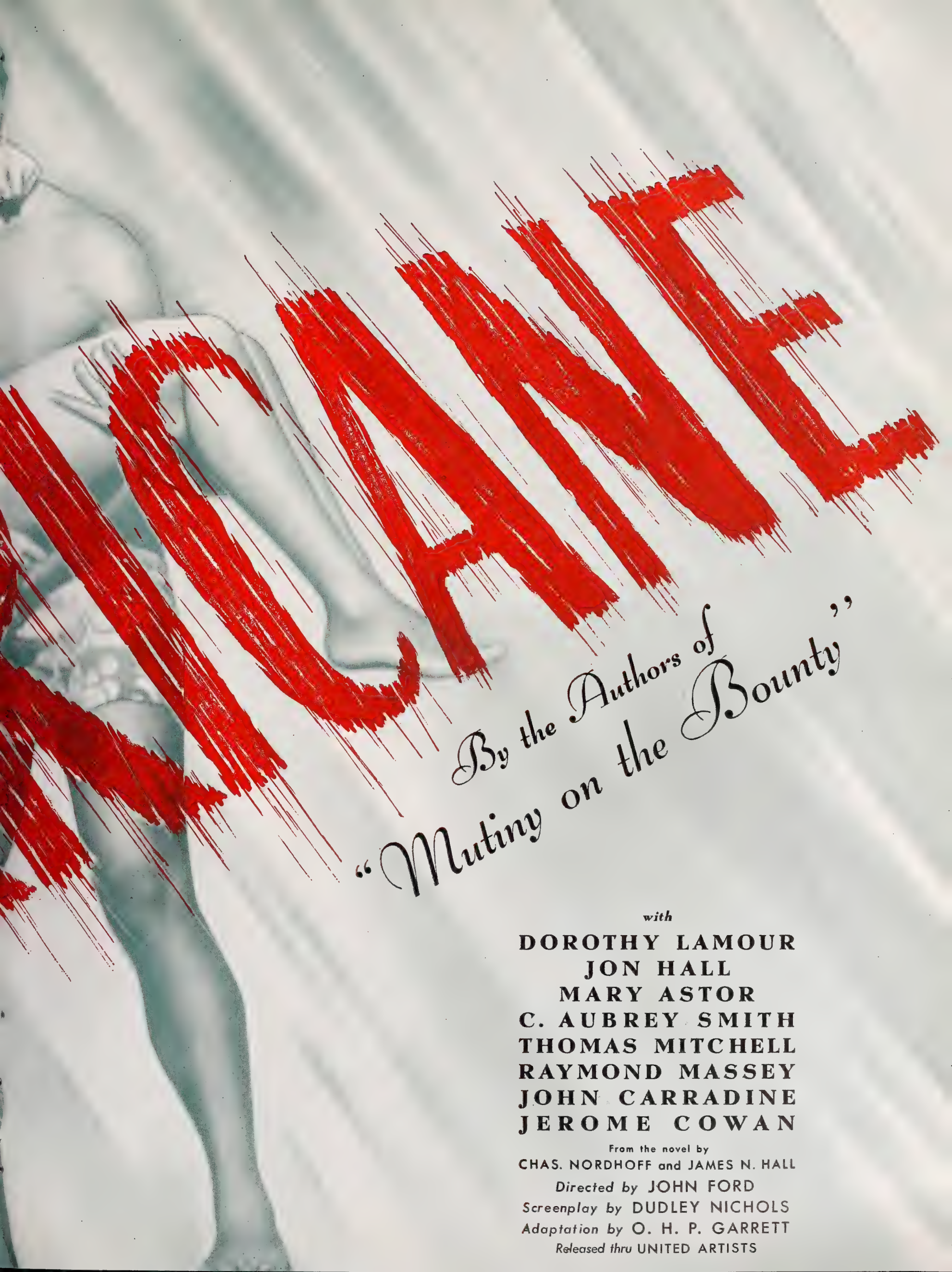
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Coast critics and syndicate writers have already proclaimed "The Hurricane" Samuel Goldwyn's greatest picture. Now watch tomorrow's New York Newspapers....

Alger Prunes Rockefeller's Claim on RKO

(*Continued from page* 1)

allowable claims against the company, now amounting to slightly in excess of $21,000,000, may be scaled down to approximately $14,000,000.

The report, on the whole, is regarded as highly favorable to reorganization factors and is regarded in the main as auguring early completion of the reorganization on a basis favorable to the new company. While approving the plan's provisions for the treatment of the secured and unsecured creditors, as well as the holders of debentures and common stock, the preliminary report is said to recommend that no dividend be paid on the common stock until debentures are fully taken care of, presumably through retirement or conversion into common.

The report is understood to favor the proposed new capitalization set up in the plan, consisting of an authorized $18,000,000 of sinking fund convertible debentures, $11,000,000 of cumulative convertible preferred and 4,000,000 shares of common.

The report was issued by Alger for the primary purpose of permitting attorneys of record in the reorganization to familiarize themselves with its contents prior to the scheduled hearing on the RKO reorganization plan next Monday. On the basis of the tentative report they are expected to be prepared to argue for or against the indicated recommendations which Alger will make in his final report to Federal Judge William Bondy on the conclusion of the hearings. The plan is also subject to further hearings and changes before Judge Bondy.

Sale of Kromocolor Ordered Cancelled

(*Continued from page* 1)

the property, made known today that a new $60,000 bid has been made by the Border Realty Co., through a Newark attorney. The sale Nov. 16 will be open to the public and other bids are expected. Kromocolor, according to Krimsky, is the only fully equipped color laboratory in the east and is open for inspection.

Interests behind Border could not be learned. Vice-Chancellor Lewis has issued a show cause order, due Nov. 16, why the $60,000 should not be accepted.

With the collapse of the deal for the purchase of Kromocolor Laboratory, Paramus, by Joseph O'Donnell, it was reported yesterday that William Fox is not longer identified with British Chemicolor, for whom it was reported the O'Donnell bid was made.

Majors to Ask Stay On Dallas Decision

(*Continued from page* 1)

Erhard said the Government would oppose such an application.

"It may take a year or more to get this case through the Supreme Court," he said, "and we certainly do not want to hold up the victory we won in this case by having the judgment set aside and left inoperative until the higher court acts."

Attorneys for defendants did not agree that it would take "a year or more" to have the appeal determined. Pointing out that the case was brought by the Government and is entitled to a preference in the Federal courts in consequence, they estimated that the Supreme Court's decision might be expected by next March or April.

The defendants have until Dec. 13 to file their appeal. Some believe that the application to supersede may be made at the time of the appeal.

Looking 'Em Over

"The Last Gangster"

(*M-G-M*)

If "The Last Gangster" by any chance brings to a conclusion the long cycle of films of that nature, it does so in a melodramatic and thrilling manner that will register effectively at the box-office. Here Edward G. Robinson portrays a super-egotistical and self-styled underworld Napoleon. He is a racketeer first and a convict later. His hard-boiled characterization, at first, is entirely without restraint, but later, when he is helpless in Alcatraz on an income tax evasion rap, he gives a memorable portrait of near-insanity. The story mingles the reliable hokum with a domestic problem. It is also heavily shadowed with the underworld. The casting of the principal and supporting players permits Rose Stradner, James Stewart, Lionel Stander, Douglas Scott and John Carradine the opportunity to deliver first-rate characterizations. The story is a timely yarn, gruesome, realistic and as uncompromising in action as many of its characters.

The narrative opens in 1927. Robinson returns from Central Europe with a bride from his home town. A few weeks later he is arrested on the tax evasion charge. The Federal government finds him guilty and he is shipped to Alcatraz for 10 years. Meanwhile, Miss Stradner, his wife, becomes the mother of his son. The publicity attendant with being the wife of a public enemy opens Miss Stradner's eyes to the type of man she has married. When she brings her baby to see his caged father the visit brings her into contact with James Stewart, a newspaperman. Stewart takes her and the baby away from the Robinson ego and the yellow press to Massachusetts where he marries her.

The years pass and the child grows to know Stewart as his father. The domestic scene is one of utter peace and tranquility until time draws near for Robinson's release. Robinson, out of jail, meets his double-crossing former associates who fairly torture him into telling where he had cached his great racket lucre. Only when they bring young Douglas Scott into the scene and proceed to hurt the child does Robinson agree to talk. Later the pair return to the boy's home, where Robinson, full of fatherly anguish, remorse and heartbreak, finally sees the true state of things. He leaves the house and goes to his death at the hands of the brother of three of his victims whom he also manages to slay.

Edward Ludwig directed the picture with an eye to capturing heart throbs and dramatic value. He achieved this in good form. The story is based on an original by William A. Wellman and Robert Carson.

Running time, 81 minutes. "A."

"Trouble at Midnight"

(*Universal*)

LINCOLN, Neb., Nov. 8—Gangsters, forced from more lucrative rackets in the big cities by vice raids and the repeal of prohibition, have turned to rural areas, according to "Trouble at Midnight," and are not above purloining the dairyman's cattle and selling them to his neighbor at good prices.

Low price action and western policy houses will be the place best suited for this one, a story drawn from the Kimball Herrick yarns, "Night Patrol." It's one of the hasty make with generous action.

Noah Beery, Jr., top feature, is a dairyman who is fond of Catherine Hughes. She's Charles Halton's daughter, and he's a banker. The gang boys are Frank Melton and Ernie Adams, and it looks a bit shady for a while where Bernadene Hayes, counter hopping blonde, and Larry Blake are concerned. Earl Dwire is the town's newspaperman. Dwire must make an average of a picture a week viewing the number he's in.

The wartime friendship of a dead man for Larry Blake finds the dead one's brother, Beery, carrying on, even though the story indicates Blake is a yegg. Raids are made on dairy barns and losses are high, always with suspicion pointing to Blake, but he's shielded by Beery. The latter's judgment is finally vindicated.

Ford Beebe did dual duty, directing and co-authoring the screenplay with Maurice Geraghty. The associate producer was Barney Serecky.

Running time, 69 minutes. "G."

Short Subjects

"Porky's Double Trouble"

(*Vitaphone*)

Humorous burlesque of The March of Time and a takeoff on a hit film of a few years back go to make a very satisfactory cartoon starring the comic pig. Porky, a bank teller, is kidnapped by a vicious gangster who also looks like him. The latter uses his resemblance to rob the bank. The piece concludes with a great deal of shooting and the eventual capture of the outlaw. It is good stuff. Running time, 7 mins. "G."

"Tuna"

(*Paramount*)

The commercial fishing for tuna off the coast of Lower California is vividly pictured here. The camera rocks all over the place with the motion of the sea, but, nevertheless, catches the big moments. These are the scenes where the 200 and 300 pounders are hauled in. The narrative is good and the film should be found an interesting departure from regular short subjects. Running time, 10 mins. "G."

"Vitaphone Frolics"

(*Vitaphone*)

A fair assortment of vaudeville acts is offered here. The performances move quickly and are topped off by the L. I. M. E. Trio, a comi-acrobatic turn that pleasantly ends the short. Also seen are the Stanley Brothers, dancers; Jack and Loretta Clemens, radio singing act, and Zeb Carver and his Cousins, a hillbilly troupe. Running time, 10 mins. "G."

"The Little Match Girl"

(*Columbia*)

The well known fairy tale is treated to kaleidoscopic color in this new version and it screens as a pleasant bit of cartoon that will find great favor with the young audiences, particularly on those Saturday morning shows. The tinting and execution of the reel is clever and at times achieves beauty. It has the air of being thoughtfully produced. Running time, 8½ mins. "G."

"Land of the Kangaroo"

(*Vitaphone*)

Although the color is not quite up to what it might have been, this E. M. Newman Colortour Adventure proves interesting. The scenes on the continent "down under" reveal the modern and primitive aspects of life in Sydney, the interior and finally the big event of the Australian year, the Melbourne Cup Race. It also gives glimpses of government buildings, boomerang wielding and the main attraction in the menageries, the kangaroos. Running time, 10 mins. "G."

Famous Shifts Managers

TORONTO, Nov. 8.—Famous Players Canadian Corp., has appointed George E. Dowbiggin, for three years assistant manager of the Metropolitan, Winnipeg, to manage the Gaiety there. Dowbiggin succeeds William Novak, now in charge of the Metropolitan, Regina. Lester Novak of the Winnipeg Capitol has become assistant manager of the Winnipeg Metropolitan.

Oklahoma MPTO Has Meeting Under Way

OKLAHOMA CITY, Nov. 8.—Approximately 225 members and guests of the M.P.T.O. of Oklahoma convened here today at the Biltmore Hotel for the first of a two-day annual meeting. Morris Loewenstein, president; L. A. White, vice-president; Orville Enloe, secretary and Ralph Talbot, L. C. Griffith, Max Brock, Homer Jones and Fred Pickrel, directors, were nominated for re-election, this afternoon.

Ed Kuykendall spoke briefly in the morning session and will deliver another address tomorrow.

Claude Stone, representing the Oklahoma City Chamber of Commerce, made a bid for the 1939 M.P.T.O. national convention which will coincide with the Oklahoma Golden Saga in the same year. Kuykendall said he would give the matter every consideration.

Arkansas Unit Holds Its Fall Convention

LITTLE ROCK, ARK., Nov. 8.—More than 100 members of the Independent Theatre Owners of Arkansas gathered at the Hotel Marion here yesterday for the opening of the annual fall convention. No election is scheduled and no drastic action relative to theatre problems was taken.

Governor Carl E. Bailey was scheduled to speak at the banquet which closed the convention tonight. Attorney General Jack Holt spoke on legal problems. A banquet climaxed the two-day session.

Allied Meet Dec. 6-8

COLUMBUS, Nov. 8.—The fifth annual regional Allied convention will be held Dec. 6-8, with the annual banquet the second day and the election the third day.

Examinations Barred

An examination before trial in Los Angeles of Bradford Ropes, author of the original story of "Go into Your Dance," and Earl Baldwin, author of the screenplay and script, also Hal Wallis, in charge of production for Warners, was denied by Federal Judge John C. Knox in the U. S. District Court here yesterday in the $1,000,000 libel suit of Yermie Stern and Casino Prod., Inc., against Warners.

Judge Knox refused to allow the examination by written questions because he felt that an oral cross examination might be necessary. Stern and Casino Prod. are each asking $500,000 for alleged damage to their reputations as a result of the Warner picture.

Wind Up Kent Drive

Home Office sales executives and local exchange heads yesterday held the last of a series of S. R. Kent drive meetings at the New York branch. Among the speakers were John D. Clark, J. P. O'Loghlin, William Sussman, W. J. Kupper, W. C. Gehring, Lee Balsly, Roger Ferri, Harry H. Buxbaum and Joseph Lee. In addition to the sales staff, attending were C. E. McCarthy, Arch Reeve, Earl Wingart, Jack Sichelman, Martin Moskowitz, Harvey Day, Jack Bloom, C. A. Hill, E. H. Collins, Ted Shaw, Harry Mersay and Eugene McEvoy.

New Chopper Times Deposit of Tickets

After working on the device for three years, Ralph Budd, personnel director for Warners, has developed a new type of ticket box designed to prevent collusion between cashiers and ticket takers in the re-sale of tickets. The new machine is called the Newman-Budd Chopper Box and is manufactured by Newman Bros. Mfg. Co., Cincinnati.

Eight removable compartments are provided so that each can be mechanically adjusted to the hour designated by a time disk. The disk is in black and white, the former for afternoon and evening sales and the latter for morning tickets. The time clock is set by the theatre treasurer and a connecting bell rings simultaneously in the box-office and ticket box when the hopper moves to a new compartment. Tickets are not mutilated by the hopper and can later be checked against time sheets made out by cashiers, or for tax purposes.

The device is now being installed in de luxe Warner houses. About six have them now. The exteriors are finished to suit colors of lobbies. Cardboard containers are being made up for the compartments so that inserted tickets can be shipped to New York, or other points, for double checking.

Approve 108 in Reich

WASHINGTON, Nov. 8.—During the first eight months of 1937, 108 films were passed by the German board of censors, it was reported to the U. S. Dep't of Commerce by the commercial attache's office in Berlin. The films originated as follows: Germany, 56; United States, 30; Austria, seven; France, six; Great Britain, Hungary, Czechoslovakia, two each, and Japan, Sweden, Italy, 1 each.

Radium Short for Schools

HOLLYWOOD, Nov. 8.—Pete Smith's M-G-M short, "Romance in Radium," has been selected by the visual education section of the Los Angeles Board of Education as a test subject in the curriculum of the schools division. A special study guide based on the film will be prepared for use of teachers.

Speaks on School Films

COLUMBUS, Nov. 8.—Dr. Edgar Dale of the Bureau of Educational Research, Ohio State University, spoke on "Teaching Educational Objectives Through Use of Films," at the fifth annual convention of the Ohio M. D. Council, at the Deshler Wallick.

Nathanson at Ceremony

TORONTO, Nov. 8.—N. L. Nathanson, president of Famous Players Canadian Corp., and other outstanding figures of the film business in Canada, officiated at the laying of the cornerstone of the new Holy Blossom Synagogue, Toronto, which is to cost $250,000.

Plan New Griffith Office

OKLAHOMA CITY, Nov. 8.—The Griffith Amusement Co., through its subsidiary, the Griffith Realty Co., has purchased a two-story building, which will be remodeled as a new headquarters for the company as soon as alterations are completed.

Paper Value Off

The market value of amusement stocks traded in on the floor of the N. Y. Stock Exchange as of Nov. 1, totaled $379,183,696. This compares with a valuation of $437,783,318 as of Oct. 1.

The latest tally places average prices at $21.16 as against $24.43 for the previous month.

Assert M-G-M Show Hurt in Cleveland

(Continued from page 1)

in business as compared with average Thursday takes.

Nat Holt, RKO Great Lakes division manager, reports that "taking everything into consideration, business in the territory last Thursday night was normal."

Ohio ITO Seeks Opinions

COLUMBUS, Nov. 8.—Members of the Ohio I.T.O. are being asked by Secretary P. J. Wood to express themselves on the M-G-M air program.

In the latest organization bulletin Wood says one Loew house reported a new low the opening night of the air show.

W. Ward Marsh, film editor of the Cleveland *Plain Dealer,* is quoted as saying that studio sponsored shows can bring only disaster.

Gay to Complete Dubbing

HOLLYWOOD, Nov. 8.—Frank Gay, Grand National producer, will complete dubbing on "King of the Sierras" as soon as a release is received from Lester Cowan, president of the reorganized Hollywood (Condor) Pictures, through which company Gay obtained financing for his production. Prints have been held up for some months pending settlement of Condor's affairs. Gay is now preparing for a series for Grand National which will probably be started when "King of the Sierras" is completed. The deal will be in association with Lou Rantz.

To Try Stage Shows

OKLAHOMA CITY, Nov. 8.—Cushman unit stage shows will be tried out here beginning Nov. 12 when the "Stork Club Scandals," made up of eight acts including 28 persons, will appear on the Warner stage, according to Todd Ferguson, manager. While the units are run, three times weekly, the admission will be raised from 15 cents to 25 cents.

To Entertain Johnston

PITTSBURGH, Nov. 8.—W. Ray Johnston and Edward Golden, Monogram executives, will be the guests of D. J. Selznick, manager of the company's exchange here, at a luncheon to be held on Nov. 12 at the William Penn Hotel.

Now "Mama Runs Wild"

HOLLYWOOD, Nov. 8.—"Mother Runs Wild," first production of Ralph Staub at Republic under his new director-producer contract, has been renamed "Mama Runs Wild." Mary Boland and Ernest Truax are featured.

Hoyts in All First Runs—Hutchinson

(Continued from page 1)

over the management and operations of Snider & Dean. Charles Munro, managing director of Hoyts, made the deal with Snider & Dean and Dan Carroll, the latter a partner in the independent circuit. Snider & Dean has three first runs in Sydney which will come under Hoyts management Jan. 1, when the deal becomes effective.

Last week, at a meeting of Hoyts' board of directors, an announcement was made to the shareholders that no new deal had been made with Greater Union and none was contemplated. The five-year alliance between Hoyts and Greater Union will expire Dec. 31.

With the addition of the Snider & Dean group, Hoyts will boost its total units to more than 70. It is also likely that further expansion will be undertaken at a later date.

Hutchinson was away three months and spent most of his time in Australia and New Zealand. No other foreign theatre expansion is planned, he said. After the first of the year, he will make a trip to the South American territories.

Melbourne Paper in Film Space Donation

SYDNEY, Oct. 15. (*By Air Mail via London*).—Victoria's leading national daily, the *Melbourne Herald* has made a practical gesture towards the industry in the form of a donation of space for institutional advertising to the value of approximately £400. The industry is using the space by taking 10-inch by three column advertisements each alternate day over a month's period.

The *Herald's* action is the aftermath of an application by the Victorian Exhibitors' Ass'n for a reduction of advertising rates for such time as children under 16 are banned from theatres during the infantile paralysis epidemic.

Wall Street

Board Generally Off

	Open	High	Low	Close	Net Change
Col.	15	15¼	15	15¼	— ⅜
Col., pfd.	31	31	31	31	+1
Con.	2⅛	2⅛	2	2	— ⅛
Cons., pfd.	7¼	7½	7¼	7½	— ¼
E. K.	155	155	153	153½	—4½
E. K., pfd.	164	164	164	164	.....
G. T. E.	13½	13½	13½	13½	— ¼
Loew	56	56⅝	55⅛	56½	— ⅝
Loew, pfd.	102	102	102	102	—2
Para.	13⅛	13⅞	13	13⅝	.....
Para. 1	96⅝	100	96	100	+ ¾
Para. 2	12¼	12½	12⅛	12⅛	— ⅛
Pathe	6¼	6¼	6⅛	6¼	— ¼
RKO	5⅛	5¼	5	5¼	+ ⅛
20th Fox	22½	22¾	22½	22¾	.....
W. B.	7½	8	7½	7⅞	+ ⅛

Light Curb Increases

	Open	High	Low	Close	Net Change
G. N.	1¼	1⅜	1¼	1⅜	+ ⅛
Monogram	1½	1½	1⅜	1⅜	— ⅜
Sonotone	1⅝	1⅝	1⅝	1⅝	— ⅛
Tech.	18	18	17⅜	18	+ ¼
Trans-Lux	2⅞	2⅞	2⅞	2⅞	— ⅛
Univ. Corp.	2	2	2	2	.....

Little Bond Change

	High	Low	Close	Net Change
Loew 3½s '46	98¾	98¾	98¾	— ¼
Para. Pict. 6s '55	98	98	98	.....
Para. Pict. '47	77⅝	77⅝	77⅝	+ ⅝
W. B. 6s '39	82	82	82	.....

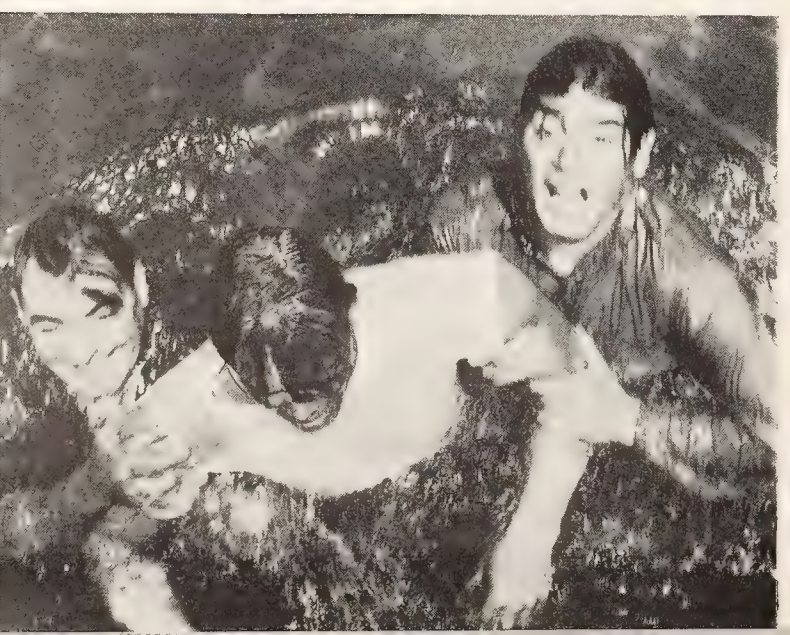
(Quotations at close of Nov. 8)

IN GRATEFUL ACKNOWLEDGE-
MENT OF INSPIRATION AND
ASSISTANCE, 'SUBMARINE D-1'
IS DEDICATED TO THE UNITED
STATES SUBMARINE SERVICE.
TO THE NAVY DEPARTMENT,
TO THE OFFICERS AND MEN
OF THE SUBMARINE SERVICE,
WARNER BROS. HERE EXTEND
THEIR SINCERE THANKS FOR
INVALUABLE COOPERATION.

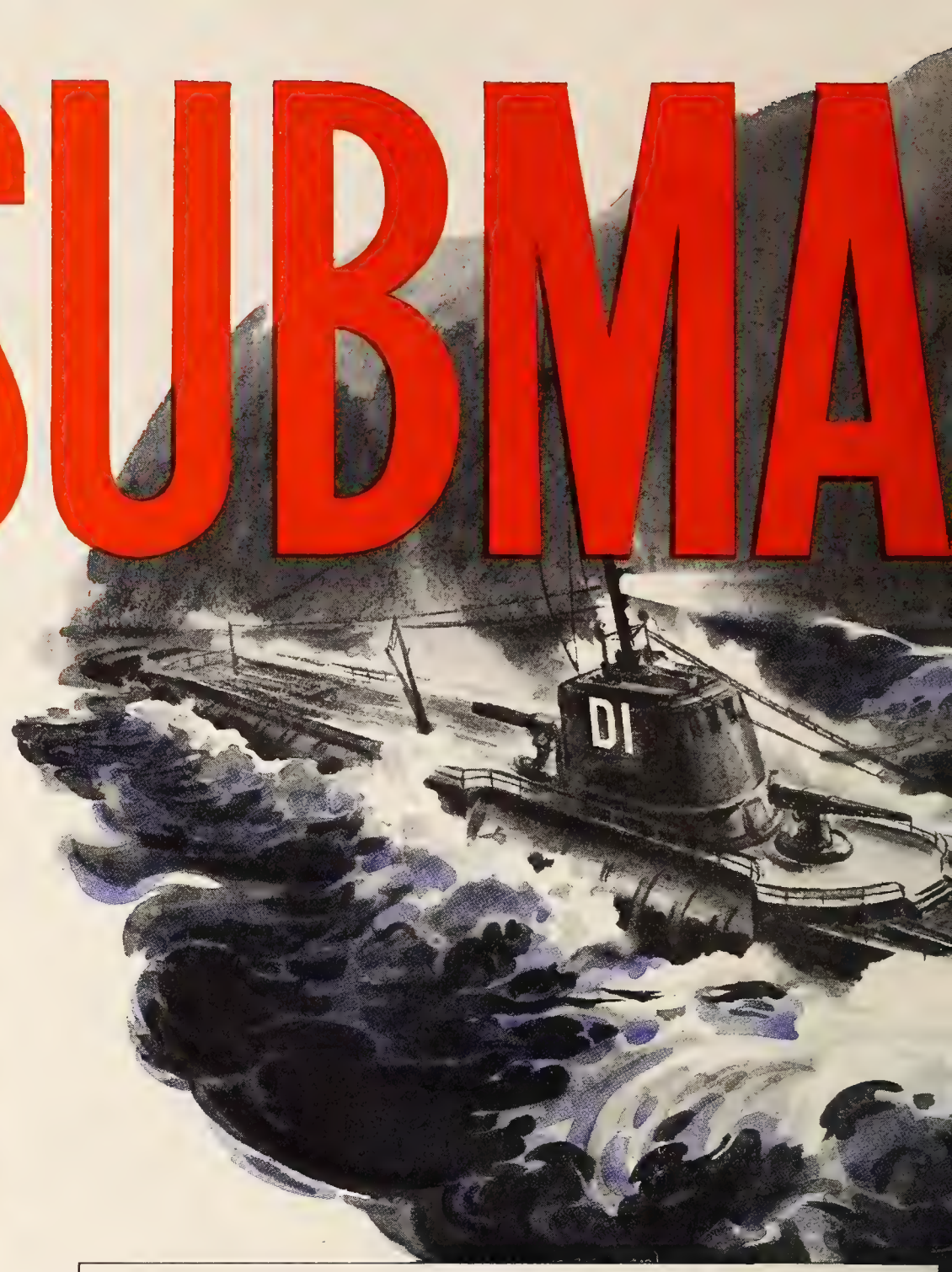








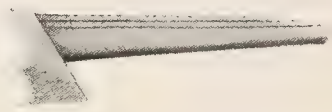
"SUBMA



LOYAL
to the Blazing Tradition of 'Here Comes the Navy' and 'Devil Dogs of the Air'

A Thrill-Filled Film as Big as Both—with a News Topic Bigger, Bolder and Timelier Than Ever Before from

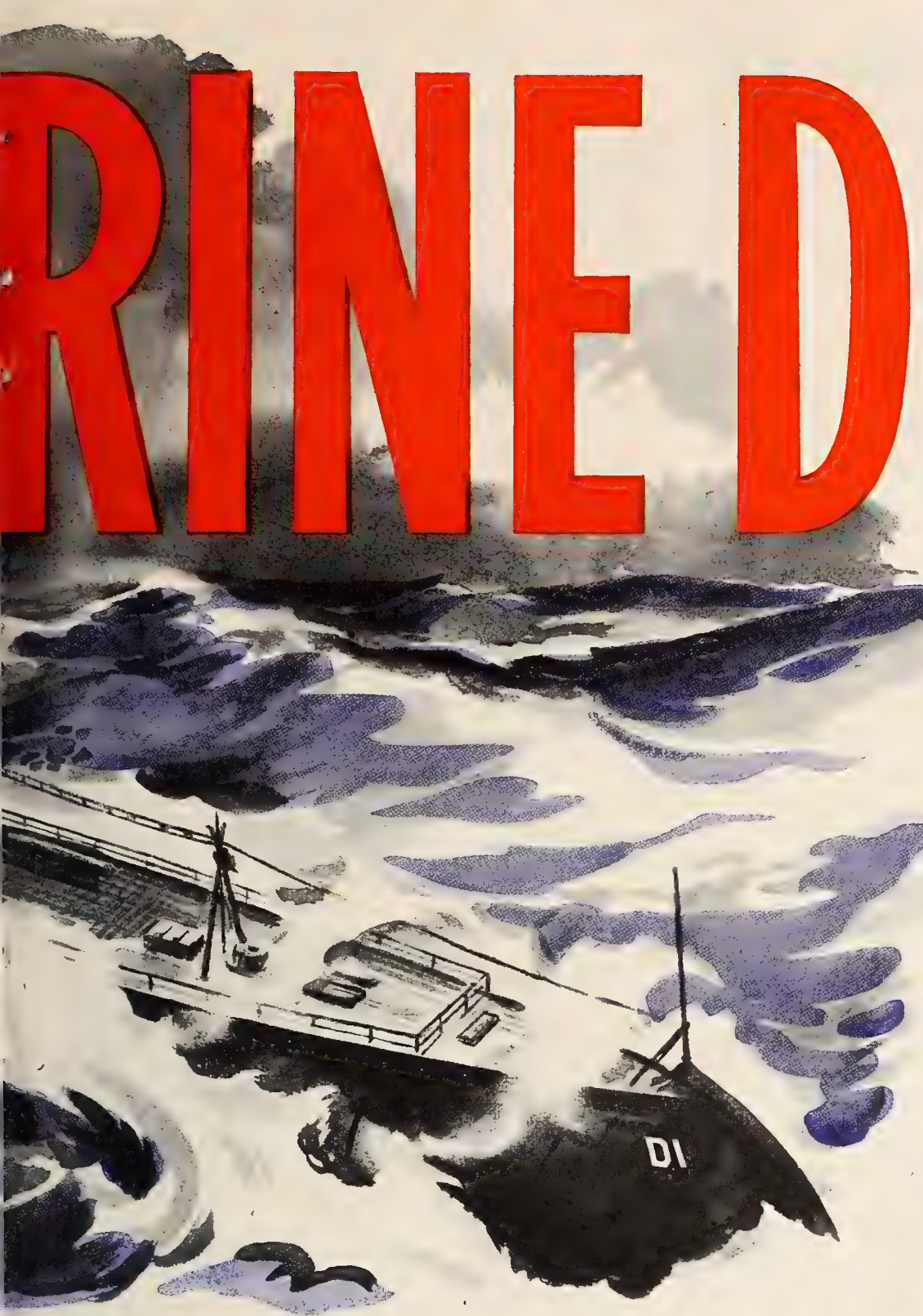
WARNER BROS.



FIRST BLAST STARTS THIS WEEK

Set For 1500 Cities—To Be Follo

RINE D-1"











Pat O'Brien
Wayne Morris
George Brent

FRANK McHUGH • DORIS WESTON • Directed by LLOYD BACON

Screen Play by Frank Wead, Warren Duff and Lawrence Kimble • From a Story by Frank Wead • Music by Max Steiner • A First National Picture • A Cosmopolitan Production

With A Colossal Cross-Country 30-Day Poster Barrage
ved By A Gigantic Day-And-Date Newspaper Campaign!

C.E.A., Labor Seen in Deal On Films Bill

(Continued from page 1)

costs of £7,500 and £22,500, free admission to exhibitors at all pre-trade show openings.

Observers familiar with Parliamentary opinion are of the belief that the amendments most likely of success are the fair wages clause, employe representation and the establishment of a film commission.

An agreement on quota policy is expected between the labor interests and the producers, who will meet jointly on the situation. Concessions from both sides already have been achieved in preliminary conversations. The joint policy, when determined, will be presented to the Board of Trade, and probably will be incorporated in the measure during committee consideration. The joint policy will cover a separate quota for exhibitors and distributors, a minimum cost clause for the exhibitor quota, provision that no film registered for more than three years shall be available for quota, reciprocity on the Empire quota, and an increased quota for distributors.

Agreement on Policy Expected

Labor is understood to be opposed to the reciprocity schemes as concerning the United States especially, espoused by John Maxwell and the Ostrers. A demonstration by labor interests yesterday was attended by technicians, directors, electricians, actors, writers and theatre employes, with members of Parliament and Lord Strabolgi present. The speakers agreed on making representations to the Government asking increased quota percentages, a fair wages clause, the exclusion of alien interests and labor representation on the proposed advisory committee.

He Likes Magic

Fred N. Rothenberg's vocation is supervising the photo gelatine lobby photo divison for Morgan Lithograph Corp. His avocation is pulling rabbits out of hats and things like that. He has just been awarded a prize for most original magical effects by the Parent Assembly of the Society of American Magicians.

Now he wants to make a series of film shorts based on magic.

Lehman Quits B. & K.

KANSAS CITY, Nov. 8.—Lawrence Lehman, associated with the theatre business for 30 years, has resigned as manager of the B. & K. Newman, and is now associated with his brother-in-law, Albert Schoenberg, in the real estate business. Lehman was succeeded by Jerry Zigmond, of Paramount Theatres in Denver.

Best in 20 Weeks

M-G-M, in the midst of considerable excitement, yesterday reported "Conquest" is doing the best business at the Capitol in the past 20 weeks.

"Firefly," stated the company, is running 22 per cent ahead of "Maytime" at the Wisconsin in Milwaukee.

"Wedding," "Ali Baba" Top Grosses

(Continued from page 1)

Francisco, and led the parade in Omaha, with $8,800, over par by $3,300 at the Omaha.

"The Life of Emile Zola" was a smash at the Madison in Detroit, where it more than doubled the house average, and doubled par in its second week at the Minneapolis Century.

"Something to Sing About," on a dual with "Madame X," was second best to "Double Wedding" in Omaha. "Lost Horizon" and "The Perfect Specimen," the former at the Fox and the latter at the Michigan, were strong in Detroit. "Stage Door" led in Seattle, with $8,100, and was moved to the Music Box. "Life of the Party," aided by stage show, was strong, but the rest of the Seattle houses were under average.

"High, Wide and Handsome" went $2,000 over average at the RKO Palace in Cincinnati, where "Double Wedding" and "Heidi" did fair business. "The Perfect Specimen," plus a stage show at the Stanley, was excellent with $20,250 in Pittsburgh, where the week was generally dull. "Life Begins in College" on a dual with "Borneo" in New Haven, took the lead at Loew's Poli, the rest of the houses showing little.

"The Awful Truth," dualled with "Counsel for Crime," was second to "Ali Baba Goes to Town" in Milwaukee. "Breakfast for Two," plus Fred Waring's band on the stage, took the lead at the RKO Palace in Cleveland, with $26,000, over par by $6,000. "Heidi" held up well in its second week at the Fox Uptown in Kansas City. "Stage Door" led the way in Philadelphia, going over average by $7,500, while the rest were weak. "The Awful Truth" took a strong $9,400, over average by $5,100 at the Metropolitan in Washington, where the Earle was the only other house to reach par, showing "The Perfect Specimen" with a stage show. "Stage Door" and "Dead End" were strong in Oklahoma City, with "Double Wedding" in the lead. "Breakfast for Two" was fair, behind the leader, "Double Wedding" in a generally weak stanza in San Francisco.

Al Adams Resigns

Al Adams, for the past two years advertising and publicity director for Republic, has resigned, effective Nov. 13. Adams will go to Lake Placid for two weeks and on his return will announce his future plans. No successor has been named to fill the vacant position.

Invoke Curfew Law

ELK CITY, OKLA., Nov. 8.—In a move to curb a series of juvenile crimes, ranging from petty thievery to vandalism, Elk City authorities have invoked a 9 P.M. curfew for children.

Powell Auto Show Guest

CLEVELAND, Nov. 8.—Dick Powell, Warner star, will be the chief entertainment feature of the Cleveland Automobile Show opening here at the Public Auditorium on Friday.

Production Active With 38 Shooting

(Continued from page 1)

Principal; "Easy Millions," RKO; "Sally, Irene and Mary," 20th Century-Fox and "More Than Love," Universal.

The tally by studio:

Goldwyn finished zero, shooting one, preparing zero, editing one; Grand National, zero, zero, zero, one; M-G-M, three, six, zero, seven; Monogram, one zero, zero, two; Paramount, zero, six, three, seven; Principal, one, one, zero, one; Republic, one, one, three, five; RKO, zero, five, two, five; Roach, zero, one, zero, zero; Selznick International, zero, zero, zero, two; 20th Century-Fox, one, five, four, four; Universal, zero, one, three, two; Wagner, zero, zero, zero, one; Warners, zero, five, one, 22.

Roach started one short, the only one shooting. M-G-M and RKO are each preparing one, and a total of six is being edited.

No More Changes at Republic, Says Siegel

(Continued from page 1)

ing of "Manhattan Merry-Go-Round" which will be shown to the trade tomorrow morning at the Astor.

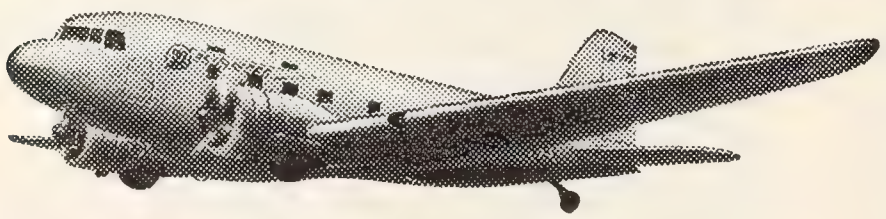
"Our program, as announced at the convention, will be completed as scheduled," the Republic head declared. Four "A" pictures top the program. Negotiations are under way for several big personalities and Seigel believes that term contracts will be signed shortly.

Reports that Irving Briskin would join the studio were described as "ridiculous."

Martin Brennan Dead

Word has been received at the Paramount offices of the death last Saturday of Martin C. Brennan, founder and editor of *The Film Weekly,* in Sydney, Australia. Brennan formerly had been editor of *Everyone,* a weekly film paper.

EXTRA LUXURY



$10,000 MORE PER PLANE

. . . only on TWA TWA Skysleepers are first . . . $10,000 extra lavished on their luxurious interiors . . . 17 seats in planes licensed for 25 . . . separate club lounge and sleeping compartments . . . air conditioned . . . sound proofed . . . wider seats, richly upholstered . . . softest full-length beds . . . Travel TWA first—the nation's Luxury Line.

Member National Safety Council

For All Airline Information Call Your Nearest TWA Office . . . or Any Hotel, Travel Bureau, Postal Telegraph or Western Union Office.

In New York, call Mu. 6-1640 . . . *In Los Angeles, Mich.* 8881

TWA first

THE LUXURY LINE . . OVERNIGHT COAST TO COAST





AIR EXPRESS

Nation-wide. 2500 miles overnight. There in the morning! For service, phone any RAILWAY EXPRESS office and ask for AIR EXPRESS DIVISION.



Ned E. Depinet, President of Pathe News, Inc., RKO Vice-President.



Frederic Ullman, Jr., Vice-President in charge of operations.



Frank R. Donovan, Production Manager of the newsreel.



Allyn Butterfield, Editor, and in newsreel work since 1917.



Adelaide Finch, Assistant Editor, coming from WPA film and radio.

Pathe News Takes On Modern Dress

By CHARLES S. AARONSON

IN 1910 the famed Teddy Roosevelt, ex-president of the United States, displaying his toothy smile, returned to this country from his much-heralded trip to Africa—and Pathe News took pictures of his arrival. That was 27 years ago. Today, Nov. 9, 1937, that same newsreel, revised, whipped into a new and brighter style, in news treatment, commentators and a wealth of those appurtenances, in the physical and technical aspects of production, which are a part of the making of the newsreel, will go to the theatres of the world.

The old rooster is gone! For these many years a symbol of Pathe News, which name came to have for the public the all-embracing connotation denoting all newsreels—and is still today—the proudly overbearing cock of the roost, is no more. In the RKO Pathe reel which emerges from what used to be, he may be discerned, amazingly reduced in size, perched in a corner of the end title, and seen, as a large, but extremely dim shadow, flitting across the world in the main title, merely a memory of yesterday.

Only a memory, for Frederic Ullman, Jr., vice-president in charge of operations of Pathe News, Inc., and the guiding spirit in the change that has come over the reel, does not like to think of that which happened yesterday. He is concerned exclusively with today, plus an ample consideration for tomorrow. Practical, vigorous and alert, he has plans and visions for Pathe News, and is beginning to translate those ideas into concrete form.

That transplantation of ideas into facts has taken the form of a new group of commentators to give the reel its voice, a completely rejuvenated physical makeup, in Pathe News' old 45th St. home, to bring the most modern and convenient facilities to the production of the reel, new ideas in treatment of the news, new tieups to make its contents of wider interest and greater authority.

Ullman has unbounded confidence in his charge, which has a lengthy heritage of names as executives and editors. Emanuel Cohen and Terry Ramsaye were among the heads of the reel in years past. "The responsibility of newsreels increases as they reach for larger audiences," says Ullman. "Its influence grows as it develops improvements in the technique of newsreel presentation. The spectacular and the superficial are the obvious sources of its material. To evaluate it fairly, to emphasize the important elements of the passing show, become the prime task of a newsreel producer."

✦ ✦

"This is no simple task," Ullman declares. "The management of Pathe News realizes that entertainment is the first function of theatres. Hence its newsreel will be geared to entertain in the sense that its presentation of news will be lively, fast paced and attractive in appearance. We are prepared to keep alive the significant phrase, 'I saw it in Pathe News.'"

For the rejuvenation of the reel Ullman has arranged a tieup with *Vogue*, the fashion criterion, whereby the editors of that august style magazine will collaborate with Pathe News editors, reproducing the highlights of each issue as it appears on the newsstands. Adelaide Finch, assistant editor, will be the fashion director and contact with the magazine.

In his treatment of news, Ullman has the idea, and intention, of attempting to "get behind the news" to a greater extent than has been done in the past. He plans to be dissatisfied with the superficial, and, where that is possible, to look through it.

Something of an innovation in the field will be the human interest story. Among the new commentators will be David Ross, long in radio. Clem McCarthy will continue with his vigorous, peppy description of the sporting events which the reel will film. Andre Baruch, Paris-born, with years as a radio commentator behind him, seven of them with CBS, will handle the "voice" on general news stories. Arlene Francis, slated for a role in George Abbott's next play, "All That Glitters," who has spent the last three years on the radio, will be the "voice of fashion." Sidney Walton, once commentator and dramatic director of WBAL, Baltimore, now "m.c." for numerous air shows, will offer the vocal material on foreign and similar news films.

New titles have been designed by Albert Binder, the artist who has done work for *Fortune* Magazine in the past few years, and

[*Continued on page* 25]



David Ross, Commentator, long known as radio announcer.



Clem McCarthy, Commentator, many years in the sporting field.



Andre Baruch, Commentator, nine years on air, seven with CBS.



Arlene Francis, Commentator, actress, on the air for three years.

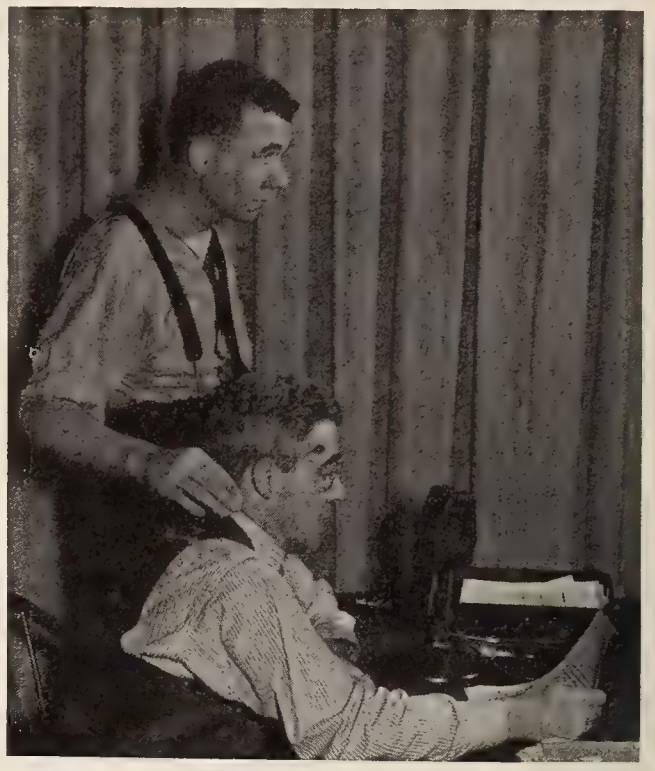


Sidney Walton, Commentator, "m.c." on numerous air programs.

The Men Behind The Main Title



Recording the News. Cameraman and sound recorder train their apparatus on the passing show, making an indelible record for the edification and entertainment of the world at large.

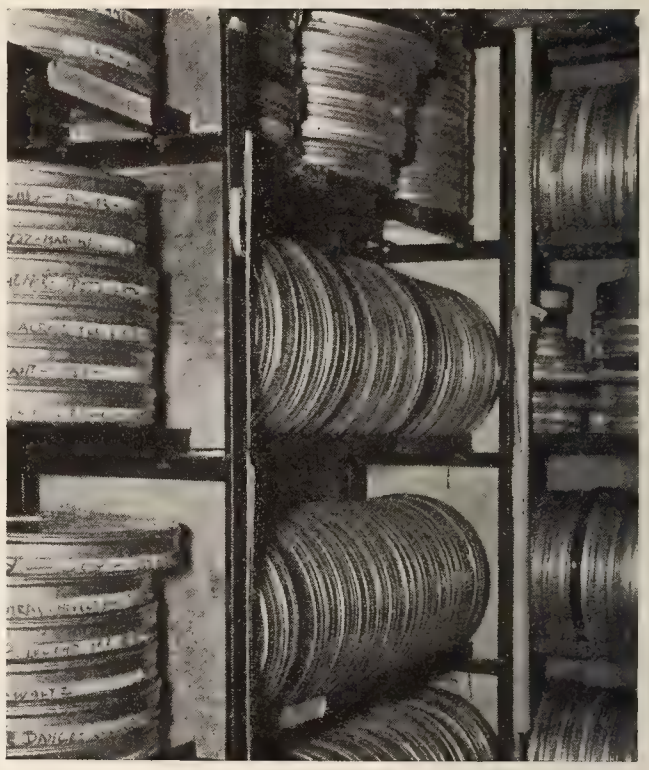


The Reel's Voice. The commentator, with a script man in close cooperation, amplifies, explains, describes the screen's pictures, for transplantation to celluloid, to make the story complete.



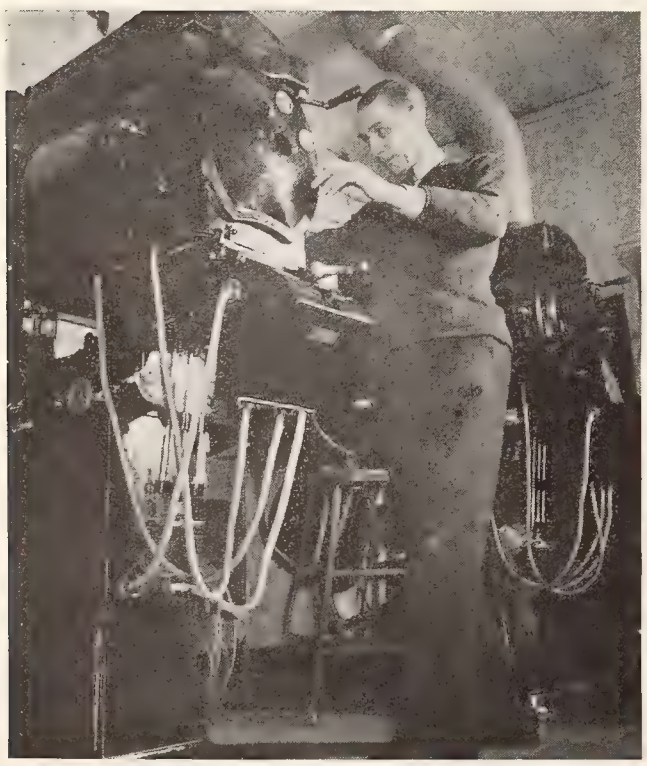
Cutting the Reel. From the thousands of feet taken for every big news event, only the best must be culled, for the essence of the newsreel is brevity, commensurate with clarity.

✦



The Film Vault. Wherein is stored finished reels, making a record for posterity of the news of today, and including, as well, recorded music for background and enhancing of news reproduction.

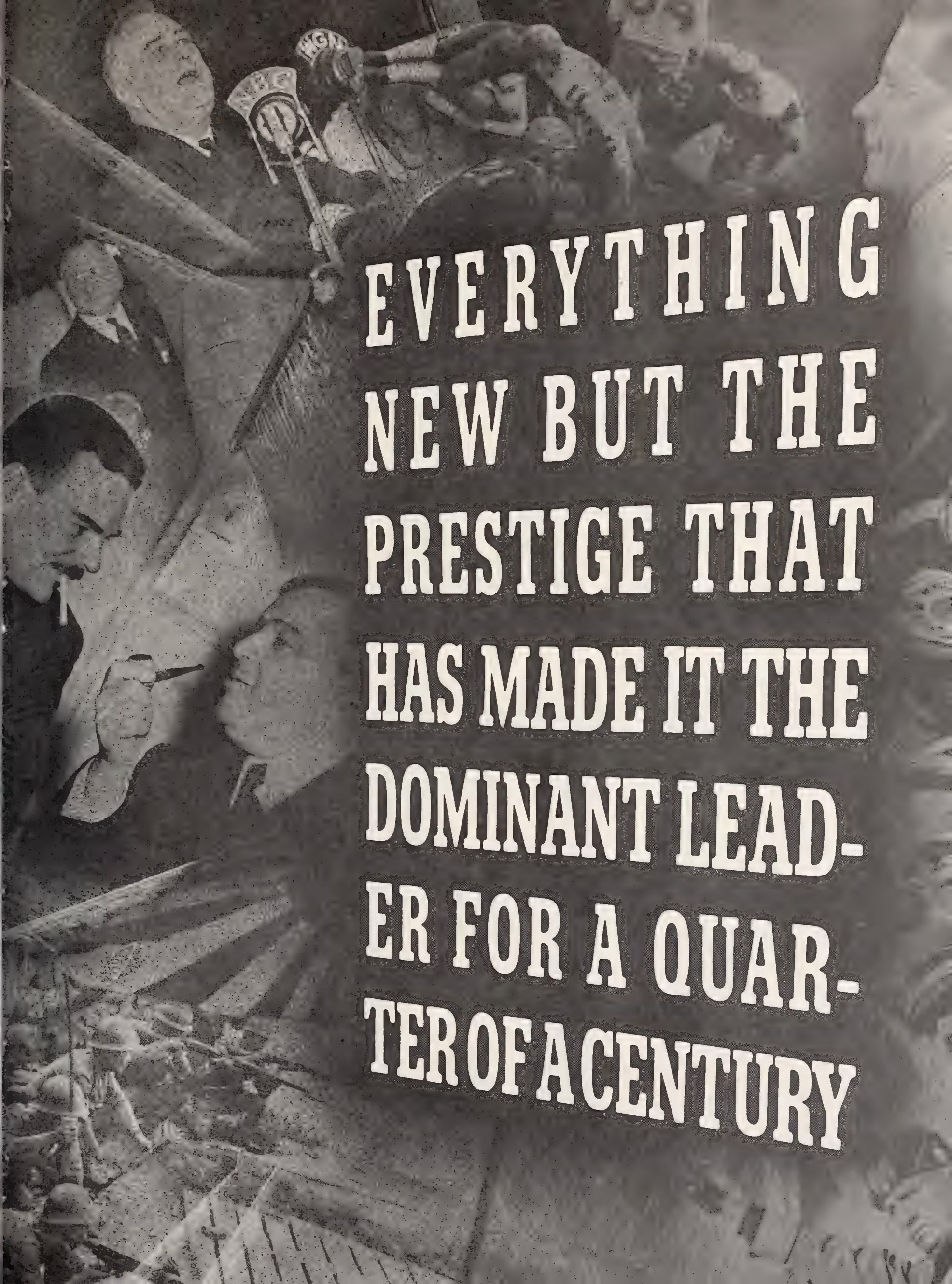
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Projection. The finished reel, complete, is threaded into the projector for all the world to see, into projectors from Racine, Wis., to Rangoon, and spreading over all the space between.



The Title Frame. (Right) That which the audience first sees on the theatre screen, accompanied by a fanfare of distinctive music, foretelling of the reproduction of the world's news.


EVERYTHING
NEW BUT THE
PRESTIGE THAT
HAS MADE IT THE
DOMINANT LEAD-
ER FOR A QUAR-
TER OF A CENTURY



PATHE NEWS

—Dynamically re-geared to the headlong tempo of the times. . . .

—Dramatically giving the theatre a new idea of showmanship in the presentation of that great world commodity—NEWS! . . .

—A reel bristling with the surge, the thrill, the onrush of today's mad pace! . . .

—Physical changes and improvements? . . . Naturally, plenty of them! . . . But more than physical changes, a re-birth in tone, in vitality, in freshness . . . You can't name the change . . . you can't describe it—BUT IT'S THERE ON THE SCREEN FOR ALL THE WORLD TO SEE—AND FEEL!



—A new treatment, a new slant on the newsreel as the flashing sparkplug of every theatre's show! . . .

—Wait till you see the first and succeeding issues of the NEW RKO Pathe News . . .

—You'll know why showmen everywhere are beginning to ask—

HAVE YOU SEEN RKO PATHE NEWS *lately?*

DISTRIBUTED BY RKO RADIO PICTURES

Congratulations!



takes a step forward in newsreel service

For the swift, vivid portrayal of the news of the day DuPont Ciné Film Products are the choice for many leading newsreels.

•

DU PONT FILM MANUFACTURING CORPORATION
INCORPORATED

9 ROCKEFELLER PLAZA, NEW YORK, N. Y.
PLANT . . . PARLIN, N. J.

SMITH & ALLER, LTD.
6656 SANTA MONICA BLVD., HOLLYWOOD, CAL.



The Radio Corporation of America salutes

PATHÉ NEWS

Engineers have long realized the inherent difficulties in recording sound for news reels. Speed and portability have made demands not easily fulfilled.

The problem of combining rapid recording, easy portability and high fidelity sound has been solved by the joint efforts of RCA engineers and Pathé recordists.

As a result, Pathé has placed orders for all new RCA sound equipment, convinced that it's the finest for portable recording. New RCA equipment has also been installed in the Pathé studio.

Radio Corporation of America

RADIO CITY, NEW YORK



In November, 1910, we started printing Pathé News . . . and we are still doing it today.

During the past quarter century, the Pathé rooster, as the best known symbol in the industry, has led the parade of progress in laboratory work and service. To Producers, Distributors and Exhibitors it is always an assurance of perfect printing and conscientious service.

pathé laboratory

EXECUTIVE OFFICES: **RCA BUILDING**
ROCKEFELLER CENTER

"BEHIND THE NEWS"

PATHE NEWS in spite of its twenty-seven years of useful existence does not stand still. Its management felt the need of new quarters, a modern plant to produce a modern product.

BUT the News had to continue uninterrupted production—in spite of the fact that its premises were to be rebuilt.

ERWIN S. WOLFSON, INC.
are undertaking this job, working nights and Sundays—adjusting their schedules so that the News can be compiled twice a week without delay or interference.

AT 35 West 45th Street, New York a modern plant will house Pathe News. Other space in the building will be available through Erwin S. Wolfson, Inc. Pathe News has seen fit to let us solve its building problem; it has also named us as rental agents of the Pathe Building.

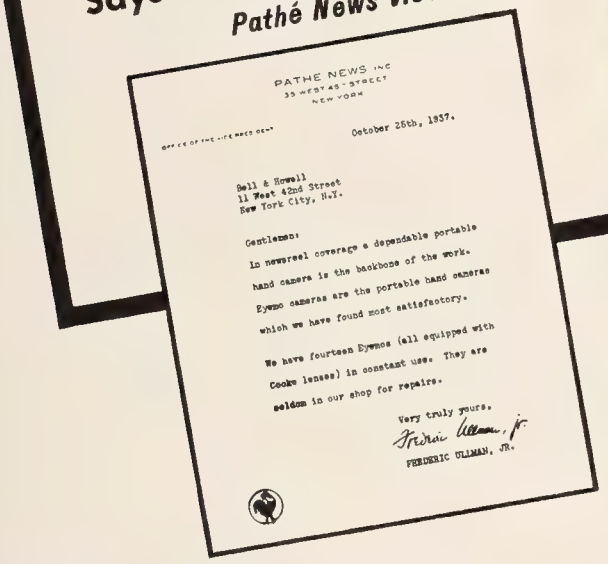
NO film building in New York is better located; few offer such interesting opportunities for modern and reasonable space.

ERWIN S. WOLFSON, INC.
TWO PARK AVENUE
NEW YORK, N. Y.

"Eyemo CAMERA THE BACKBONE OF NEWSREEL WORK"

Says Frederic Ullman, Jr.

Pathé News vice-president



PATHE NEWS, INC
35 WEST 45 - STREET
NEW YORK

October 25th, 1937.

Bell & Howell
11 West 42nd Street
New York City, N.Y.

Gentlemen:

In newsreel coverage a dependable portable hand camera is the backbone of the work. Eyemo cameras are the portable hand cameras which we have found most satisfactory.

We have fourteen Eyemos (all equipped with Cooke lenses) in constant use. They are seldom in our shop for repairs.

Very truly yours,
Frederic Ullman, Jr.
FREDERIC ULLMAN, JR.



Bob Donahue, ace Pathé News cameraman, with the Eyemo—his indispensable companion

Bob Donahue, veteran newsreel reporter of Pathé News, voices the opinion of camera newsgatherers when he says, "My Eyemo camera is an indispensable part of my equipment. Its small size makes it easy to hide, enabling me to take it into places where the taking of motion pictures is frowned upon."

He continues: "I always carry it on trips with the President of the United States for emergency use where time would not permit setting up tripods for large cameras. It is particularly adaptable for making reverse actions, which is done by simply turning the camera upside down while taking the picture. And I use it a great deal in making crowd pictures, such as cut-in shots of sports spectators. *The uses of the Eyemo are unlimited.*"

THE EYEMO IS INDEED VERSATILE...

The new Eyemo is made with typical Bell & Howell precision—with a sturdiness that gives it unmatched dependability for the strenuous work which it is so often called upon to perform. Such features as three-lens turret, focusing and diaphragm controls visible through the spyglass viewfinder, interchangeability of auxiliary electric motors and external film magazines, standard S. M. P. E. sound aperture, and vibrationless governor assuring accurate speeds, make the new Eyemo even more perfectly suited to newsreel requirements than the popular earlier Eyemo models.

Write for literature describing the new Eyemo in detail—it will be mailed without obligation. Bell & Howell Company, 1801 Larchmont Avenue, Chicago. New York, Hollywood, London. *Established 1907.*

Mail this coupon for further information

Bell & Howell Company MPD 11-37
1801 Larchmont Ave., Chicago, Illinois

Please mail me a copy of your ☐ Eyemo catalog, ☐ Taylor-Hobson Cooke lens catalog.

*Name*_____

*Address*_____

*City*_____ *State*_____

BELL & HOWELL

Congratulations

MR. FRED ULLMAN, JR.

IN APPRECIATION OF THE SWELL JOB–
YOU ARE TURNING OUT IN THE

NEW PATHE NEWS

TRANS-LUX THEATRES

Congratulations

AND

Best Wishes

TO

FRED ULLMAN, Jr.

AND

NEW PATHE NEWS

CHARLES ROSS, INC.

Motion Picture Lighting Equipment

244 WEST 49th STREET CI. 6-5470-1-2

Sole Eastern Distributors for
Mole-Richardson Inc., Hollywood, Calif.

Congratulations
and
Best Wishes
to

Fred Ullman, Jr.

and

New Pathe News

•

Motion Picture Camera Supply, Inc.

J. BURGI CONTNER, Pres.

723 Seventh Avenue, New York City

Pathe News in A Modern Dress

(*Continued from page* 13)

a completely new music library has been devised for the reel. A 50-piece orchestra will supply the musical backgrounds for the heavier material, martial music and the like, while a 28-piece group will furnish the accompaniment to the lighter stories.

In the old quarters of Pathe News on 45th St. the carpenters, plasterers, electricians and painters are falling over one another. The 15,000 square feet of space Pathe will occupy in the building, thus far, represent a complete rebuilding. Working from the top down are 14 entirely air conditioned film vaults on the 13th floor. The 12th floor will be occupied chiefly by a modern, automatic laboratory, with chromium and glass in abundance, wherein, if necessary, as many as 50 release prints an hour may be turned out. Specials will be finished in the building's laboratory, although the regular release printing will continue to be done at Bound Brook, N. J. All this will be ready by January.

Executives on Ninth

On the 11th floor are to be the editorial offices, screening room, cutting rooms and the like, the ninth will contain the executive offices, while the fourth floor will be for cameramen, with a camera repair and construction shop. An amazing innovation will be a shower for tired cameramen working late. Eventually the lobby of the building will be renovated and even the elevators are scheduled for a modern retouching.

New cameras, new lenses, new sound equipment, new commentators and virtually new working quarters are the backbone of what Ullman plans to do with the revised RKO Pathe News. The rest is a matter of ideas, and people to put them into execution.

"Future issues will bring additional improvements," Ullman promises.

The executive has drawn heavily from the ranks of radio for his new commentators, and Ullman declares that "Pathe is determined to adhere to a policy of editorial fairness. Its news pictures will speak for themselves. Its announcers will describe rather than philosophize. When it presents controversial material, every attempt will be made to present both sides of the story."

First Edition Ready; A Midnight Preview

Out of a welter of sound mixing, vocal rehearsals and "takes," negatives flashing off and on the small screen in the similarly small projection room of Pathe News, before renovation, as the hour of midnight and the shadow of the deadline loomed closer, there emerged the new Pathe News, a revitalized newsreel—and the result was good.

Imbued with a snap and sparkle vocally and pictorially which the reel definitely lacked in recent years before this rejuvenation, it is good enough to stand with the best. Subject matter may differ from issue to issue, from week to week, in inherent interest and popular appeal of one sort and another, but the basic materials of voice, camera work and technical facility were readily apparent, and they promise well for the future of the revised newsreel.

This particular issue, as the audience will see it, is interesting, diversified and intelligently handled, and the inclusion of the voices of the commentators is all to the advantage of the finished product. Each one knows his work and does it well. There is no attempt at coloration, as rightly there should not be, nevertheless the descriptive material, where that is called for, is punchy, clear and effective.

Green Addresses Windsor

This first issue of the reborn reel opens with a newsworthy clip, as William Green, president of the American Federation of Labor, at Washington, officially invites the Duke of Windsor and his American-born wife to visit the United States, to make any sort of social or economic study he sees fit, and assures him of a hearty welcome should he come. The record-breaking attempt at a new land speed record by the English racing driver in Utah is a well handled shot, with the description of Andre Baruch clear and strong.

The celebration of the 15th anniversary of the Black Shirt march on Rome makes a significant and spectacular picture, with the vocal work of Sidney Walton especially good. Walton is likewise effective in an interesting clip of the return of the Pope to the Vatican from his country home.

In the fashion review, for which Pathe News has established an imposing contact with *Vogue* Magazine, and which Arlene Francis describes clearly in an attractive voice, the reel is especially effective. The material, and particularly the manner in which it is presented, should find full favor with the feminine contingent of the audience. Outstanding in its presentation is the use of mirrors, behind the model as she is seated, which enables the audience to see the back and front of the gowns at once.

Farmer Exodus Pictured

A particularly effective, and likewise nationally significant clip, beautifully photographed, pictures the migration, under government auspices, of the poor mountain folk of the Shenandoah Valley in Virginia to more productive areas, while their shacks come down. David Ross handles the descriptive material effectively. Clem McCarthy is his usual peppy self in his descriptions of the Purdue-Fordham and Notre Dame-Pittsburgh football games, of which the highlights are shown.

A word for the clip titles, clear, printed in a modern faced type, neat and specific, without background news material, they are extremely effective. Also the musical scoring, much of which comes from an entirely new musical library compiled for the new reel, adds much to the effectiveness of the revised newsreel.

Running time, 11 minutes. A.

Westland Theatres In Shift of Policy

LINCOLN, Nov. 8. — A complete about face in policy of Westland Theatres here has been made. The Kiva, 440 seats, has been operating at a 15-cent top and carrying on with second run, while the Varsity, 1,100 seats, has been the class spot at a 25-cent top.

Under the new plan, the Varsity is running Westerns at 15 cents anytime, the Kiva being closed for remodeling and to open as the first run house, at 30 cents. City Manager Milton Overman will handle the operation of the Kiva and Ed Burke will take over the Varsity, replacing Alvin Hendricks, who goes to Colorado for Westland.

To Take Hartford House

HARTFORD, Nov. 8.—Proven Pictures, Inc., a newly organized Connecticut corporation, will take over the Cameo in mid-January from Hartford National Bank & Trust Co., which has taken title formerly held by Abraham Goldberg. The new operators plan to spend $25,000 renovating the house.

Hartford's first new theatre since the depression, the Webster Cinema, will open Nov. 19. It is a neighborhood house owned and operated by Maurice Shulman.

Our Very Best Wishes
to
FRED ULLMAN
FRANK DONOVAN
and their associates for
continued success with
THE NEW
PATHE NEWS
•
WEST COAST SERVICE
STUDIOS, INC.
510 WEST 57TH STREET
Circle 7-2062

THEY'RE OFF!
—AND IT'S A
GREAT START
NEW
PATHE NEWS
Best Wishes
from
CLEM
McCARTHY
PATHE NEWS
SPORTS VOICE

To Pathe News
USERS OF
AKELEY EQUIPMENT
•
Best Wishes to
FRED ULLMAN
and the
NEW PATHE NEWS
AKELEY CAMERA
INC.
175 VARICK STREET
NEW YORK, N. Y.

ARTA Cables Toscanini on NBC Layoffs

The American Radio Telegraphists' Ass'n, C.I.O. affiliate, has asked Arturo Toscanini to protest discharges of numerous employes by NBC. The cable to the conductor, who is in London, stated that NBC is giving the expense of the forthcoming Toscanini series as the reason for the discharges.

The cable reads: "NBC discharging employes citing cost of your engagement necessitates budget slash. This organization confident that you, as an artist and a liberal, will not tolerate this misuse of your name and urges that you take immediate steps to force NBC to admit these discharges part of vicious open shop policy and stop attempting to conceal anti-labor activities under the cloak of the expenses due to your engagement."

The cable was sent by Kendall E. Davis, vice-president of the Broadcast Division of the A.R.T.A., with the approval of Mervyn Rathborne, head of the A.R.T.A.

Apprised of the A.R.T.A. cable to Toscanini, Lenox R. Lohr, NBC president, cabled the following message to the maestro:

"False," Says Lohr

"Cable to you from Kendall has come to our attention. The statements are entirely false. The A.R.T.A. are members of the CIO and their message seems to be motivated by some inter-union controversary as the musicians belong to the A. F. of L. NBC has not cited your engagement as reason for discharging anyone, but, to the contrary, your engagement has resulted in the employment of 55 additional union musicians. The few people released some weeks ago were in no way connected with your engagement, but were due to readjustment of departments motivated by sound business practice. That there were any anti-labor activities involved in this is preposterous and we deplore this unjustifiable annoyance to you."

A.R.T.A. President Rathborne, informed by this publication of the nature of the Lohr reply, said that there was no question of rivalry between the A. F. of L. and the CIO in this particular matter. He said he was glad to hear that musicians had been added to NBC's payroll as a result of the network's engagement of Toscanini, but that at the same time his organization was in sympathy with those who had been let out. He said that many of those discharged had approached A.R.T.A., stating that NBC had given as its reason for their discharge the high expense of putting on the Toscanini broadcasts.

No official estimate of the number of employes recently discharged by NBC has been given, but their number is reported to be approximately 75 in New York, with additional discharges in other key cities.

Spears, Brown to Hollywood

SAN FRANCISCO, Nov. 8. — Harry Spears and James Brown, KPO technicians, have been transferred to NBC's technical staff in Hollywood, according to A. H. Saxton, western division engineer.

Higgins Leaves CBS To Form Own Firm

Don Higgins, acting director of publicity of CBS, has resigned to form his own public relations bureau. Pending the designation of his successor, he has been replaced by Luther Reid, news editor.

Higgins has been with CBS for the past six years, the past year as acting director of publicity. He succeeded Jap Gude to the post when Gude was advanced to serve as assistant to the head of the station relations department. Prior to his CBS affiliation Higgins was with NBC, and before that was with the United Press as a Washington correspondent.

P & G Buys 5 Hours Weekly on CBS Web

Procter & Gamble, greatest buyers of radio time, yesterday purchased five hours weekly on CBS, beginning Jan. 3. It is one of the largest bulk time orders ever written by CBS and marks the end of the virtual monopoly NBC has enjoyed with P. & G. Last year P. & G. spent approximately $3,000,000 for radio time, all with NBC save for spot and recorded business.

The order is for four quarter-hour strips, Mondays through Fridays. The schedule is as follows:

9:30 to 9:45 A. M., "Road of Life," for Chipso. The series will originate in New York and will be broadcast coast-to-coast.

10:45 to 11 A. M., "The Goldbergs" for Ivory Soap from New York to Chicago, and "Ma Perkins" for Oxydol from Chicago westward to the Pacific coast.

2:15 to 2:30 P. M., "The O'Neils" for Oxydol from New York to Chicago, and "Kitty Keene" for Dreft from Chicago to the west coast.

4:30 to 4:45 P. M., "Guiding Light" for Naptha, coast-to-coast.

Three agencies are involved in the transaction, Compton & Co. for Ivory and Naptha; Pedlar & Ryan for Chipso; and Blackett-Sample-Hummert for Oxydol and Dreft.

The dramatic serials mentioned above all are currently heard over NBC networks. It is not known yet whether they will be duplicated over both NBC and CBS or will be cancelled over NBC. The order, however, is definitely marked as an "expansion of P. & G. radio activities," therefore it is presumed that the company will not curtail its current expenditures over NBC, but will supplement its schedule with the CBS time.

Two More for NBC

Two Canadian stations will become affiliated with NBC Nov. 14. They are CBM and CBF, both in Montreal. NBC already has CFCF as a Montreal member.

CBM will take the Red network programs. CBF, a French language station, will be available either to the Red or the Blue and may also be used in combination with either CBM or CFCF. CFCF is a Blue network affiliate. CBF is a new station which will go on the air officially for the first time Nov. 14 with a power of 50,000 watts. CFCF and CBM each has 5,000 watts power.

With the new additions NBC will have 144 affiliates.

KFWB to Be Hearst So. California Spot

HOLLYWOOD, Nov. 8.—KFWB replaces KEHE, the Hearst station, as the Southern California outlet of the California Radio System, formed by the McClatchy newspaper and radio interests.

Announcement to this effect was made with the departure of Harry Maizlich, manager of KFWB, owned by Warners, for northern California to discuss the start of the affiliation.

KEHE will be operated as a private station under the management of Murray Grabhorn.

Metro Plans Films From Air Programs

SAN FRANCISCO, Nov. 8.—A series of films, based on John Nesbitt's "Passing Parade" commentator series, aired coast-to-coast via Mutual, each from KFRC, each Sunday, will be produced by M-G-M, according to a deal now being negotiated.

Jonathan Pierce Dies

Jonathan Dorr Pierce, 35, former president of Bermingham, Castleman & Pierce, Inc., advertising agency, died yesterday. Surviving are his widow and daughter.

"Prof. Quiz" Is Renewed

Nash Kelvinator has renewed "Prof. Quiz" currently heard over CBS, 61 stations, Saturdays from 9 to 9:30 P. M. The renewal is for 43 weeks and is effective Dec. 4. Geyer, Cornell & Newell is the agency.

New Canadian Radio Policy Irks Dailies

TORONTO, Nov. 8.—The program expansion of the Canadian Broadcasting Corp. from six to 12 hours daily on a continuous basis has had an unexpected development that may bring a reconsideration of policy on the part of the Government-owned network.

The lengthening of the daily broadcasting period from noon until midnight under the supervision of the new general manager, Murray Gladstone, who was brought from England by the Dominion Government to reorganize the Canadian system along the lines of the B.B.C., was accompanied by the practical elimination of commercial programs which had been sponsored by business enterprises or large industries.

Comment Curtailed

The immediate result was that Canadian daily newspapers chopped down current radio comment to a negligible quantity, little or no space being devoted to references to individual programs each day. The obvious reason is that, without commercial sponsorship, the daily broadcasts now hold little prospect for advertising tieups or support for the newspaper in exchange for news mentions. Thus the radio department of various important dailies has become largely a log of the current broadcasts in the briefest possible form as a matter of news and service to readers.

Officials of the C.B.C. had emphasized that fans would be entertained by 12 solid hours of radio programs entirely free of commercial advertising. Later it was said that it was too early to make any statement with regard to how the new schedule was being received by the listening public, but they were certain it was successful from an entertainment viewpoint. There was also the promise that the Government network, which includes nearly all stations in the Dominion on an owned or controlled basis, would increase the number of broadcasting hours as time goes on. But there may be repercussions, political or otherwise, regarding the shutting off of commercial features during the C.B.C.'s lengthy schedule each day.

IRNA's Agreement Now in the Mails

Joseph N. Weber, president of the A. F. of M., yesterday said that copies of the IRNA agreement are now in the mails and that copies will be dispatched to the A. F. of M. locals today.

He said also that the license forms for the transcription and recording interests have been completed, and will go out to them some time this week. He said the terms of the licenses were identical.

Mutual Has New Progoram

"Charles Stookey's Mountain Minstrels" is a new Mutual commercial, which began Monday over stations WGN and KWK. Currently the series is heard Mondays through Fridays from 5 to 6 P. M.

Radio Personals

IRMA PHILLIPS and Gale Page, the latter a Chicago singer, the former writer of the network serial "Today's Children," and other scripts, are en route here. . . . Miss Page is to be screen tested; Miss Phillips will write the material for the test. . . . The Kay Kyser band yesterday celebrated the eleventh anniversary of its formation. . . . Jeanette MacDonald will be replaced by weekly guests on the Vicks "Open House" series during the period when she will be on location filming "The Girl of the Golden West." The first guest, Nov. 14, will be Nadine Connor. . . . Ben Hawthorne, script writer and comedian, has been signed under CBS artists' bureau management and will be given his own variety show over the network beginning Nov. 18, from 3 to 3:30 P. M. . . . Don Kerr, featured on the "Sports Parade" over WMCA, is back at the mike after a tussle with grippe. . . . Charles Harold's "Norsemen," heard over NBC, have just completed a musical short. . . . Joe Bolton, WHN sports commentator and a voice of the Paramount newsreel, is the daddy of a baby boy born yesterday. Mrs. Bolton is at the Lenox Hill Hospital. . . .

New Music Contract Is Signed with WGN

CHICAGO, Nov. 8.—WGN has made a three-year contract with the local musicians' union effective from Jan. 16, 1938, to and including Jan. 15, 1941. The contract calls for a 40-hour week of five days with eight hours availability per day and five hours rehearsal and broadcasting each day. This places the staff musicians of WGN on the same five day week basis as all other workers.

No changes will be made in the present weekly salaries of the musicians until the year 1940, when the scale shall be increased $10 per week for both sustaining and commercial broadcasting.

Increases were also granted in the solo and single engagement services, and slight increases were granted in the salaries of staff arrangers. The minimum number of musicians required was raised in the present contract from 15 to 20, but WGN has long since exceeded that number of staff musicians.

Musicians to Meet On Radio Problems

NEW ORLEANS, Nov. 8.—Representatives of southern musicians' unions will meet here Nov. 14 in a conference to cover problems of radio work and salaries. Discussions will be based largely on a possible strike because many radio stations have been using recordings rather than musicians. The musicians claim that records made for one purpose are used for many others. Jack Pepitone will talk for the local group.

Improving WLW Transmitter

CINCINNATI, Nov. 8.—Extensive improvements are under way in the WLW 500,000-watt transmitter at Mason, O., made necessary by the revamping of the studio-factory building of the Crosley Radio Corp., on Arlington St., which includes construction of three new studios, several offices and a new artists' lounge. The company recently discontinued its downtown quarters in the Union Central Annex, and will centralize its entire activities in the Arlington street building.

Charles Locke Appeals

Charles Locke, radio script writer, yesterday filed notice of appeal in the Appellate Division from an order by Supreme Court Justice Edgar J. Lauer who dismissed his $150,000 suit against Floyd Gibbons. Locke's suit is the outgrowth of Gibbons' broadcast of the Ohio flood scenes in January. Locke claimed that Gibbons' interpretation of the script damaged his reputation.

Starts "Talent on Tap" Program

HOLLYWOOD, Nov. 8.—KEHE tomorrow will inaugurate a "Talent on Tap" program to present radio, stage and screen entertainers for listeners' votes. The persons appearing will be selected at auditions. The program, a weekly one, will be produced by M. J. Hanna.

Holden on Disney Show

HOLLYWOOD, Nov. 8.—Eddie Holden has been signed by Lord and Thomas to work with two Walt Disney studio writers on the new air show featuring the Disney characters, plugging Pepsodent.

'Frisco Will Continue as Key Origin Point for NBC

SAN FRANCISCO, Nov. 8.—San Francisco will continue a key production point on both NBC networks, according to a statement issued by Lloyd E. Yoder, manager of the local office (KPO-KGO).

The statement was issued in response to civic protests, concerning the transfer of various network programs to Hollywood.

"KPO releases approximately 150 live talent programs each week, all produced in San Francisco," said Yoder. "KGO produces and releases about 100 each week."

Yoder declared that NBC maintains the largest artist and musical staff in local radio.

Frisco CBS Studios To Be Ready Feb. 22

SAN FRANCISCO, Nov. 8.—New CBS studios here, now under construction, will be dedicated Feb. 22, according to Donald W. Thornburgh, vice-president.

The layout includes six studios and executive offices, located on the roof of the Palace Hotel. A new transmitter went into service two months ago.

Newscast from Theatre Stage

SAN FRANCISCO, Nov. 8.—Promotional tieup between KGGC and the President Theater has a nightly newscast originating from stage of the house. Harry LeRoy, newscaster, sits on the stage in the "world's largest radio," in full view of audience. Program also is relayed to KLS, Oakland. Contract is for one year.

"Shopping Parade," New Show

NEW HAVEN, Nov. 8.—WICC has signed Franklin Simon Co., the John G. Patou Co., Four in One Decoration Shop of Stamford and Hatch and Bailey Lumber Co., Norwalk, to a new Tuesday morning participation period, entitled "Shopping Parade." Virginia Blackford Miller is commentator.

KMOX Extends Closing Time

ST. LOUIS, Nov. 8.—Because of an extremely heavy commercial schedule, KMOX has extended the closing time of the station from 12:15 to 12:30 A.M. This will enable the station to pick up the orchestras at the Park Plaza and Jefferson Hotels and the Showboat Ballroom.

KGGC Seeks Power Increase

SAN FRANCISCO, Nov. 8.—Station KGGC has applied to the F.C.C. for a power increase from 100 watts, day and night, to 100 watts night and 250 watts day. Authority also is asked to install a new antenna, and to move the transmitter to a downtown hotel.

KSFO Extends Time

SAN FRANCISCO, Nov. 8—KSFO, local CBS outlet, has extended its time on the air to accommodate a new variety hour, broadcast from midnight until 1 A.M., seven days each week. Program is sponsored by Milens, credit jewelers.

New Shows On the Air

Pepperell Fabrics Show

Dr. Karl Reiland's inspirational talks, presented by Pepperell Fabrics, make a welcome addition to the network fare. Dr. Reiland in his opening broadcast spoke forcefully and entertainingly on the need of people opening their minds to new ideas and urged all to conduct their affairs with less selfishness and more sacrifice, citing as examples the careers of Dr. Louis Pasteur, Galileo and other famous scientists.

Prior to making his debut on the networks, Dr. Reiland was "tested" on southern stations by his present sponsors where his talks rapidly won favor, resulting in the network bid.

Copies of his talks are offered gratis to the listeners. George Cook, at the organ, provides incidental music. The period is broadcast Fridays from 7:15 to 7:30 P.M. over the NBC-Blue network. Batten, Barton, Durstine & Osborn is the agency. BANNER

Sell Six-Hour Program

ATLANTA, Nov. 8.—The six-hour "Dancing 'Till Dawn," the longest show on the airwaves, has been sold to the Specialty Sales Co. in the interest of their product B-B Headache Powder. The show is to be broadcast every Saturday night from midnight to 6 A.M. Sunday morning.

A novel contest, the nature of which has not yet definitely been determined, will be used for a direct sales check, according to Barry Alexander and Kenneth Cooke of the WATL Commercial who are servicing the account.

Sign for 8 "Live" Shows

SAN FRANCISCO, Nov. 8.—Heralding an increase in local radio production, KFRC has added eight new live talent programs to the schedule. They are "Scrap Book Stories," "Exposition Previews," "Magic Isle," "Jack and Adele," "Listen," "Phantom Pilot," "Bible Portraits," "25 Years Ago."

In addition, KFRC originates San Francisco's only transcontinental commercial show, John Nesbitt's "Passing Parade," over Mutual on Sunday.

Lee Morton to WKY

OKLAHOMA CITY, Nov. 8.—M. H. Bonebrake, WKY advertising manager has signed Lee Morton, personality singer, starting Nov. 18 over WKY. Morton will be sponsored, but the company has not yet been announced. The contract runs until January 1.

"Novelteers" Over WBT

CHARLOTTE, N. C., Nov. 8.—A new four time weekly program, "The Novelteers," will go on the air at WBT this week under the sponsorship of the Brown & Williamson Tobacco Corp. Batten, Barton, Durstine & Osborn is the agency.

Lottridge Resigns Oklahoma Net Post

OKLAHOMA CITY, Nov. 8.—Buryl Lottridge, managing director of the Oklahoma network, has resigned to take over another Oklahoma radio position to be announced within the next few days. Meanwhile Joseph W. Lee has been appointed as managing director of the network, which position he will hold in addition to continuing as manager of KTOK here.

All future network activities will be handled through KTOK, key station of the network. Network members, besides KTOK, are KADA, KBIX, KGFF, KASA, KCRC, KVSO, WBBZ.

News Coverage by WMC

MEMPHIS, Nov. 8.—Under a reor ganized setup, WMC brings the listeners a complete newscast coverage of national, sectional and local events, with Associated Press automatic leased wire printers installed in the station's own newsroom, and arrangements with the editorial staff and rural correspondents of *The Commercial Appeal* for treatment of all news. Cancellation of the station's International News Service contract went into effect a short time ago, and Associated Press Service printers were installed immediately in the newly created station news room.

Holliway Plans Program

HOLLYWOOD, Nov. 8. — Breaking what is generally conceded to be some sort of a tradition, by appearing on his own station, Harrison Holliway, general manager of KFI-KECA, will write and present personally his own radio program on KFI Thursdays at 9:15 P.M., the feature of which will be a review of the week's programs heard in Hollywood. Holliway will present his critical opinion on the various shows under the title of "The Listener-Inner." He said that he would "pan" the shows on KFI-KECA, if they deserve it.

Gets KHJ Publicity Post

HOLLYWOOD, Nov. 8.—Bud Ruther ford, former exploitation man on the Los Angeles *Examiner* and recently radio news writer on KHJ, has become publicity director for the station, succeeding James Vandiveer, who takes his program, "Meet Some People," over to KFI-KECA where he will also do special events.

Offer New Coast Series

SAN FRANCISCO, Nov. 8. — "Oxo Program with Clarence Hayes" is the title of a new series to be offered for 13 weeks over a split Pacific Coast NBC-Red network starting Nov. 16. The series is for Oxo Beef Cubes, and the agency is Doremus & Co. of this city.

Munster WCAE Announcer

PITTSBURGH, Nov. 8.—Dan Munster, former relief announcer at NBC, has just been added to the WCAE announcing staff. He was selected by Cliff Daniels, head announcer and program director, after a series of auditions in New York.

WHIO Adds Two Announcers

DAYTON, O., Nov. 8.—Bob Bowman and Hal Bennett have been added to the announcing staff of WHIO.

CONQUEST CONQUERS CRITICS!

Read These Before You Go To Any Movie

"One of the most impressive historical films ever brought to the screen. Garbo brings all her exquisite grace and artistry to the role of Walewska and Charles Boyer matches her in a consummately revealing portrait of Bonaparte. Genius makes the characters come alive for you. 'Conquest' is shot through with magnificent screen artistry."

—HOWARD BARNES
Herald Tribune

"Metro-Goldwyn-Mayer has achieved a remarkable sense of reality in transferring these pages of history into a vibrant film. The production is a triumph for the Metro studios...the acting of Miss Garbo, Mr. Boyer and the balance of the fine cast is supreme."

—KATE CAMERON
Daily News

"Great...Garbo superb...Boyer triumphs...Superlatives are in order... one of the finest pictures of the year ...thanks go to Garbo for an eloquent and emotionally moving portrayal... Boyer gives an enormously effective portrait of the Emperor...an outstanding screen contribution..."

—ROSE PELSWICK
Journal and American

"One of the ten best pictures of the year."

—SIDNEY SKOLSKY

"Excellent! Superb film. One of the *must* pictures of the year. A truly magnificent performance, Charles Boyer's Napoleon is inspired. It is certain to find a place on 1937's list of outstanding screenery."

—IRENE THIRER
N. Y. Post

"...a magnificently mounted drama, with Charles Boyer in an unforgettable portrayal. Care and time, to say nothing of money, have been lavished on this production ... is worth seeing!"

—EILEEN CREELMAN
New York Sun

"Is a monumental achievement. The fans should be enthralled by it. Boyer is magnificent. Their romance, painted across the broad canvas of history, makes a film of real force, thrill and grandeur."

—BLAND JOHANESON
Daily Mirror

"Neither Garbo nor Boyer ever has given a finer performance. The production is beautiful, spectacular and exciting. Miss Garbo is arresting, lovely and affecting and Charles Boyer's Napoleon is a brilliant piece of characterization."

—WM. BOEHNEL
World-Telegram



Greta
GARBO
Charles
BOYER
in
CONQUEST

"The Love Story of Marie Walewska"

A CLARENCE BROWN Production

Produced by BERNARD H. HYMAN • Screenplay by Samuel Hoffenstein, Salka Viertel & S. N. Behrman.

An M-G-M Picture • Directed by CLARENCE BROWN

CAPITOL

BROADWAY & 51st STREET

Major Edward Bowes, Mng. Dir.

DOORS OPEN 9 A. M. (Exc. Sunday)

A giant newspaper campaign excites Broadway as "Conquest" is held over for a second big week!

—and it's doing the greatest business in 20 weeks!

beats "Captain Courageous" and all the Biggest of 5 months!

"Saratoga" "Good Earth" "Broadway Melody"

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 112 NEW YORK, WEDNESDAY, NOVEMBER 10, 1937 TEN CENTS

Academy Asks Guild Aid on Annual Awards

Actors Asked to Vote; Others May Follow

HOLLYWOOD, Nov. 9.—For first time since inauguration by the Academy in 1927 of the system of annual awards for achievement the organization of producers and creative talent this year will turn to outside organizations for support in its yearly poll. The Academy has sent a letter to the Screen Actors' Guild, which has supplanted the Academy in economic relations between actors and studios asking the Guild to select award recipients in the acting division.

The senior guild board, meeting Monday, will study the proposition with all probability that favorable action will be taken. Other talent groups such as the Directors' Guild, whose membership is more representative of their craft than the Academy branches also will be asked to designate award recipients, it is understood.

Designation of the Screen Playwrights or the Screen Writers' Guild, now engaged in a jurisdictional dispute as the writers' voting unit may await a decision by the National Labor relations Board or the Supreme

(*Continued on page* 8)

Kuykendall Ready For Industry Meet

OKLAHOMA CITY, Nov. 9.—Ed Kuykendall is ready to participate in a joint session of representatives of the M. P. T. O. A., Allied and the I. T. O. A. of New York, he indicated today in a wire to Harry Brandt, I. T. O. A. president.

Kuykendall's acceptance was in reply to a wire from Brandt asking his

(*Continued on page* 11)

Outside Readers Not Employes, Is Ruling

By BERTRAM F. LINZ

WASHINGTON, Nov. 9.—Outside readers engaged by film producers to prepare synopses of literary material, over whose work the company has no control except as to services performed on the company's premises, are held not to be employes within

(*Continued on page* 8)

Radio—Pp. 18-19

State Begins Inquiry Into Coast Unions

I.A. Officers Subpoenaed By Committee

LOS ANGELES, Nov. 9.—On the heels of the Columbia strike, which was settled today as the strikers returned to work at the studio, came the public announcement by the California Assembly Capital and Labor Investigating Committee that officers of the I. A. T. S. E. had been subpoenaed and the organization's records examined for a public hearing on charges of certain union members that the I. A. is a racket.

Already summoned have been William Bioff, personnel representative in Hollywood of George Browne, president of the I. A.; Harland Holmden, I. A. vice-president; Steve B. Newman, representative, and C. P. Cregan, general auditor. Bioff was excused until Monday, the others until Friday.

Assemblyman K. B. Dawson, acting

(*Continued on page* 8)

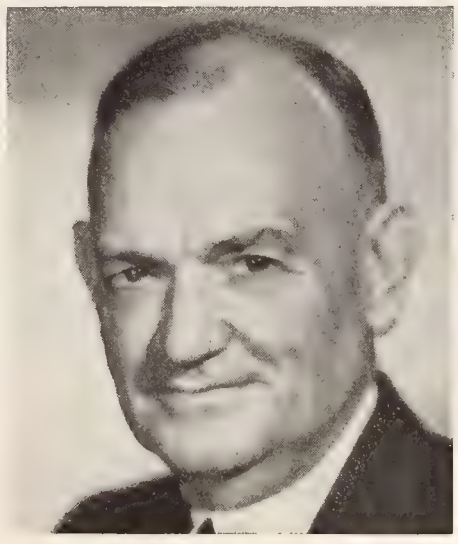
Columbia, IA Strike Is Settled on Coast

HOLLYWOOD, Nov. 9.—The I.A.T.S.E., in a statement issued late last night, declared the differences responsible for the withdrawal of its members from the Columbia studios yesterday had been adjusted in conferences between George Browne, I.A. head; William Bioff, his personal representative here, and Harry Cohn, Columbia president. The terms of the settlement were not divulged.

Representatives of the Teamsters'

(*Continued on page* 8)

Tom D. Cochrane Dies Here at 65



Tom D. Cochrane, one of the industry's real pioneers, and for the past 15 years general manager for Paramount in the Orient, died yesterday morning at St. Luke's Hospital of cerebral thrombosis. He had arrived from Japan, where he made his headquarters, three weeks ago in ill health and for observation. He was seized with a paralytic stroke on Sunday evening and never regained consciousness. He was about 65 years old.

Tom Cochrane was one of six brothers in a family of seven children. Five of the brothers entered the film business. Robert H. is president of Universal, P. D. is secretary of Universal, Whitt K. is head of the advertising agency in Chicago which bears his name, and who was identified with Universal years ago, and George is Universal's eastern test director. Negley Cochran (who spells his name without the final "e") is an official of United Press.

Tom Cochrane was born in Wheeling, W. Va., about 65 years ago. He

(*Continued on page* 15)

"The Hurricane" Gets Gala Premiere at 2-a-Day Astor

The fur and white shirt brigade turned out en masse and as usual last night for the opening of "The Hurricane" at the Astor Theatre.

The police were good-natured, but also insistent. They kept the crowd moving, but they were also pretty swell about those who waved the magic tickets that opened up travel lanes from curb to lobby.

Samuel Goldwyn held sort of unofficial court in the rear of the orchestra. Hard by the ticket chopper was Ben Washer, his eastern press representative, greeting the arrivals. George Schaefer smiled from his aisle seat and behind a huge expanse of boiled shirt. A few minutes after nine o'clock in walked the David O. Selznicks and, although it had nothing to do with it, that appeared to be the signal to go.

Against a drawn curtain, a sound track played "The Hurricane" overture, written by Al Newman, with

(*Continued on page* 8)

Deny a Hitch In U.A. Sale Negotiations

Conclusion Is Forecast For This Week

Despite reports to the contrary, the Samuel Goldwyn-Alexander Korda deal for the purchase of control of U. A. is progressing "smoothly" and conferences "will probably wind up this week," it was stated yesterday from an official source.

Reports yesterday had it that the deal had been called off as those interested could not get together on some of the details. These, however, were denied with the rebuttal that there is a "a complete understanding" between the interests involved in the negotiations.

Attending the closed sessions are Goldwyn, Korda, E. H. Lever, secretary of Prudential Assurance Co. of England, and David Rose, financial adviser and vice-president of Samuel Goldwyn, Inc. An official announcement is expected either late this week or early next.

Discussions on the extension of David O. Selznick's pact have not been held for a few days, it was stated. Joseph M. Schenck, who has been consulted on the negotiations, is slated to leave for Hollywood today.

Wisconsin Opposes Paramount's Terms

MILWAUKEE, Nov. 9.—The Paramount "buyers' strike" may be over in Philadelphia and nearly so in Minneapolis, but Wisconsin exhibitors are being advised by the I.T.P.A. not to accept the terms.

Members are being told to withhold purchase of the 1937-38 product until granted the privilege of playing "Souls at Sea" and "High, Wide and Handsome" according to the terms of the B classification group in the 1936-37

(*Continued on page* 15)

CEA Joins Plea for Film Commission

LONDON, Nov. 9.—The Cinematograph Exhibitors' Ass'n today joined the producer and labor groups who are pressing for the inclusion in the Film Bill of a provision for a film commission.

It is understood that Oliver Stanley, president of the Board of Trade

(*Continued on page* 16)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Wilby-Kincey Pact With Para. Signed

The new five-year operating contract for the Wilby-Kincey circuit, retroactive to last June 30, has been signed, Y. Frank Freeman, Paramount theatre head, said yesterday.

The final contract terms were agreed upon during a recent visit of R. B. Wilby of Wilby-Kincey at the Paramount home office, but the papers were not in readiness for signing by the time of Wilby's return to Atlanta. The contract was completed recently and sent to Wilby for signatures, which have since been affixed.

No Ampa Meeting

Tomorrow being Armistice Day there will be no meeting of Ampa. The next meet will be held Nov. 18.

Coming Attractions Theatre Trailer Corporation Trailers That Sell
A TRAILER ON EVERY PICTURE
Produced by Experienced Showmen
HOME OFFICE: 630 9th Ave., N. Y. C.
ADOLPH POLLAK General Mgr.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Sh! The Octopus"

(First National)

HOLLYWOOD, Nov. 9.—This was probably produced with a tongue-in-cheek attitude as a detective story to end all detective stories, and resulted in a hilarious farce, which had the preview audience completely captivated. The first of a series of possibly four pictures in which Hugh Herbert will get top billing, "Sh! The Octopus" is as mad a combination of laughs as has been placed on celluloid. Herbert shines in his familiar characterization which has made him quite popular. Supporting him are Allen Jenkins, Marcia Ralston, John Eldredge, George Rosener, Brandon Tynan, Eric Stanley, Margaret Irving and Elspeth Dudgeon.

Herbert and Jenkins are policemen who become involved in an investigation to find "The Octopus" after tracing it to its lair in an abandoned lighthouse, where they meet the other seven characters. They suspect all of them of being "The Octopus," which is never exactly defined except as some sort of master criminal attempting to steal the death ray of a scientist. During the course of the probe, huge tentacles reach through mysterious doors of the old building and encircle one or more of the characters and carry them off, never killing anybody, however. Then, as the climax is reached, each of the suspects identifies himself as some sort of officer, each seeking to prevent "The Octopus" from obtaining the ray, with the exception of a woman, who discloses herself as the villainess.

Just as the discovery is made, the story breaks suddenly and the next scene shows Herbert being awakened in a hospital where he had been dreaming all of the foregoing, following his fainting upon the news of the arrival of a baby to his wife. Jenkins is there with him, and all of the players seen in the dream are doctors and nurses attending Herbert, with the exception of his mother-in-law, who, in the dream, is "The Octopus." The finale has Jenkins fainting as he discovers that his wife has borne him twins.

This unbelievable story, the original screenplay for which was written by George Bricker based on the plays, one by Ralph Spence and the other by Ralph Murphy and Donald Gallagher, is offered by Producer Bryan Foy and Director William McGann in such a convincing manner that the preview audience seemed inclined to look upon the planned impossibilities of the story, such as the huge tentacles appearing in the mysterious doorways and Herbert's underwater fight with an octopus, as plausible occurrences, and then enjoyed the denouement as a hoax.

Running time, 60 minutes. "G."

"Second Honeymoon"

(20th Century-Fox)

HOLLYWOOD, Nov. 9.—Few write the Philip Wylie type of light fiction and almost nobody gets it from page to screen without at least partial sacrifice of the verve, lilt and rebound that make such stories as "Second Honeymoon" sell out editions of such magazines as the *Red Book*. Yet this is the neat and extremely worthwhile trick achieved by associate producer Raymond Griffith, director Walter Lang and by screen playwrights Kathryn Scolla and Darrell Ware, with the distinguished cooperation of players Tyrone Power, Loretta Young, Stuart Erwin, Claire Trevor, Lyle Talbott, J. Edward Bromberg and (an upper case AND) a Marjorie Weaver who appropriates every scene she's in to her imminently stellar uses. A cast like this in a picture like this is the thing exhibitors and producers stay in business for—and by.

A synopsis is not indicative. In a word, Power and Miss Young meet in Miami a couple of years after she has divorced him and married Talbot. They discover they still love each other and another divorce and marriage are in prospect at the fadeout. That could be a drama, melodrama or preachment. The picture is none of these. It's bright, contemporary, clean, glib, logical, legitimate comedy, touching now and again the edges of satire and veering away from emotionalism whenever the drift is in that direction. Smart is the magazine term for Wylie fiction and for this filming of it.

Power is splendid and Miss Young equally so in the principal romance, but Miss Weaver's performance opposite Stuart Erwin in the secondary love story captured the preview audience so completely that hers was the name heard above all others in the clogged aisles and foyer after the screening. Talbot, Bromberg and Miss Trevor give sparkling portrayals. The result of singularly harmonious effort by all hands is an all-purpose, all-audience, all-occasion picture of quality.

Running time, 77 minutes. "G."

(Additional Review on Page 15)

Educational Signs With Actors' Guild

Educational Pictures yesterday signed a contract with the Screen Actors' Guild covering all of that company's production activities in the east, Mrs. Florence Marston, eastern representative of the guild, stated. Educational has been complying with the guild's contractual provisions since the "guild shop" was placed in effect here during September, but delayed signing a contract until arbitration provisions were clarified.

The signing of Educational will be followed within the next week or 10 days by a vigorous guild drive against the remaining non-signatory eastern producers, it was learned. The principal non-signatories now are March of Time, whose petition for classification as a newsreel has been denied by the guild; Mentone and Pathe commercial film division. Indications are that the guild will set a deadline for the signing of these and any others not now signed up, upon the expiration of which non-signatories will be placed on the guild's "unfair" list.

Brylawski Named to 11th Term by MPTO

WASHINGTON, Nov. 9.—A. Julian Brylawski was elected today to his 11th term as president of the M. P. T. O. of the District of Columbia.

Sidney B. Lust was elected vice-president and a member of the national board, and William P. Herbst was named treasurer and Nat B. Browne, secretary.

The sum of $300 was voted to the Community Chest, and members were urged the use the unemployment census and Christmas seal trailers.

The new executive committee includes J. W. Cleveland, W. T. Moor, Carter T. Barron, John J. Payette, Louis Bernheimer, Hardie Meakin, U. Hollingsworth and L. J. Wineland.

Bowl by Wire Tonight

The local Paramount bowling team tonight will engage the west coast pin aggregation of the company in a contest which will start at 10:30 E.S.T. Scores will be telegraphed at the end of the fifth frame in each game.

"The Buccaneers," coast team sponsored by Cecil B. DeMille, consists of Gene Hornbostel, captain; Jack Harring, Pete Rasch, Bill Johnson and Dave Feig. The Times Square gladiators include John Fuchs, Bill Fass, Charles Bade, Carl Clausen, Joe Doughney and Murray Waterman. They will hold forth at the National Recreation Arena.

Harris to Entertain

PITTSBURGH, Nov. 9.—John H. Harris, chief barker of all the Variety Clubs, will be host at a dinner Saturday night for the out-of-town guests for the annual Variety Club banquet on Sunday. The affair will be held in the club's William Penn hotel headquarters and at least 200 are expected, most of them coming in for the Pitt-Nebraska football game.

Two "Thrill" Featurettes

Herb Moulton, of Paramount's trailer department, has completed for free distribution through the company's exchanges two featurette films as special exploitation for the Fanchon production, "Thrill of a Lifetime."



"THERE'S A CALL HERE FOR ROBERT BENCHLEY!"

You can scarcely hear the message
There's so much laughter on the line—
But it's the paying public calling
And they want you to know, Mr. Benchley, that
Your new M-G-M Short Subject:
"A NIGHT AT THE MOVIES"
Is a blessing on celluloid
A sure-cure for the bluest blues
The funniest film, long or short, ever made!
Mr. Benchley, you're going places at the box-office!
Because America likes your type of fun—
Keep the nation gay with Benchley belly laughs!
Every man, woman and child will
Roar with glee at
"A NIGHT AT THE MOVIES"
And they'll watch for the next one!
Make it soon Mr. B.



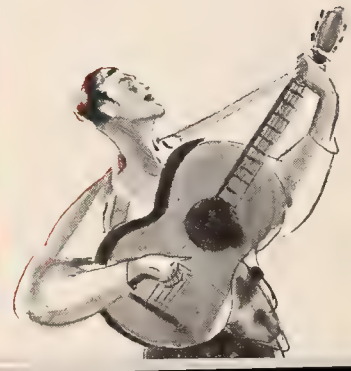
MILWAUKEE STARTS POP PRICE PARADE OF ROADSHOW ROMANCE!

The First Pop Price Engagement of "Firefly" is Beating the Biggest!

Beats "Maytime" by 22 percent
Beats "B'way Melody of 1938" by 20 percent
Beats "San Francisco" by 15 percent
Beats "Day At The Races" by 38 percent

GIVE IT YOUR BEST TIME AND THEN DOUBLE IT!

JEANETTE MacDONALD in "THE FIREFLY" with Allan Jones, Warren William, Billy Gilbert, Douglas Dumbrille. A Robert Z. Leonard Production. Screen play by Frances Goodrich and Albert Hackett. Based upon the Book and Lyrics by Otto A. Harbach. Adaptation by Ogden Nash. Music by Rudolf Friml. Directed by Robert Z. Leonard. Produced by Hunt Stromberg. A Metro-Goldwyn-Mayer Picture.



Extra! Additional Openings As We Go To Press Are Terrific!

Portland and Tulsa confirm "Firefly" as the industry's new box-office sensation!

IREFLY"

BLAZES!



"Make way for Jeanette
Her very best yet
Kiss records goodbye
Hooray 'Firefly'!"

Academy Asks Guild Aid on Annual Awards

(Continued from page 1)

Court over which shall be the collective bargaining agency. However, in the event the dispute is not settled by the time the awards machinery has been set up each group may be asked to participate and then the total membership vote tallied.

Decision to ask other organizations to participate in the awards voting came as a result of raids made upon the Academy branch membership by various talent organizations such as the actors,' writers' and directors' guilds.

Academy leaders seeking a representative vote of each branch of the industry feel that the move will avoid any criticism such as has happened in the past of the voting procedure. Inasmuch as the Academy has withdrawn from all economic fields in connection with talent and producers no opposition from craft organizations is expected.

Inquiry Is Started Into Coast Unions

(Continued from page 1)

as committee chairman, told Bioff, "We plan to scrutinize the records of the I. A. T. S. E. We have heard of conditions bordering on a racket, with men coerced to join unions in which they have no voice or vote. We want to know just how that organization is being conducted."

Bioff, on the witness stand at a short session yesterday, admitted that the Columbia strike was called not by a vote of the local unions, but by orders of the president of the I. A. Questioning brought out that four I. A. studio locals held no meetings and have had no election of officers during the last three years, and that they are run under the general direction of I. A. officers.

Outside Readers Not Employes, Is Ruling

(Continued from page 1)

the meaning of the Social Security Act under a ruling made public today by the Internal Revenue Bureau.

It was explained that the outside readers call at the offices of the companies and literary material is turned over to them for the purpose of preparing a synopsis before a certain date. The individuals are not under contract and are paid upon the submission of the completed work at a fixed rate for each separate item. The company exercises no control as to the place of work or the hours during which the reader performs service, and the latter is accordingly held to be an independent contractor and exempt from the taxing provisions of the Social Security Act.

Remodeling Near End

KANSAS CITY, Nov. 9.—By Jan. 1, Glen W. Dickinson will have spent $40,000 for the 12-month period in remodeling units of his circuit, principally in Macon, Mo., and Parsons, Olathe, and Manhattan, Kan. The Manhattan remodeling now is in progress.

"The Hurricane" Gets Gala Premiere at 2-a-Day Astor



The usual crowds turned out for the swank opening of "The Hurricane" at the Astor Theatre last night. Behind the camera was Metropolitan Photo Service.

(Continued from page 1)

lyrics supplied further along by Dorothy Lamour, the feminine lead of the picture, for a number, also specially written and called "Moon of Manukura." It was a two hour show, less a couple of minutes and it broke promptly at 11 P. M.

United Artists was represented by virtually its entire list of executives Glimpsed in the audience were many circuit buyers, including Charles and George Skouras, upholding the family tradition while Spyros is vacationing abroad. Y. Frank Freeman of Paramount was prominent among those in attendance as were John D. Hertz, Moss Hart, Jules Glaenzer, Walter Wanger, David Rose, Ernest Lever, Mary Pickford, Buddy Rogers, George Balanchine, Fannie Hurst, Ben Hecht, W. G. Van Schmus, Leon Netter, Joseph Bernhard, William T. Powers, Nate Blumberg, John O'Connor, Gus Eysell, Barney Balaban, Nicholas M. Schenck, Mike Rosenberg, I. J. Hoffman, John Nolan, Clayton Bond, Joe Vogel, Charles C. Moskowitz, Rufus Le Maire, George Arliss, William Powell, Margot Grahame, Max Gordon, John Hay Whitney, William Paley, James A. Mulvey and a flock of others.

Heavy Publicity Campaign

An unusual feature of the United Artists exploitation and advertising campaign for the New York run was the use of a coupon arrangement in the ads spotted in suburban and regional newspapers in the metropolitan area. Special copy of this character was spotted in papers in Westchester, New Jersey and Long Island. The coupon, designed to facilitate seat reservations, enables readers to reserve seats by mail.

Donahue & Coe, Inc., which developed the campaign in collaboration with Monroe Greenthal, United Artists director of advertising and publicity, and Ben Washer, publicity representative for Samuel Goldwyn, producer of the film, is making a careful check of the results of the experiment with the coupon reservation idea.

A second interesting feature of the campaign, in addition to the regular use of large-sized ads on the amusement pages of the dailies, was the spotting of ads on other special pages. The woman's emotional angle of the picture was stressed in copy appearing on the women's pages of the papers, the book page ads were a direct tieup with the book by Nordhoff and Hall, from which the film was adapted, and sporting page ads emphasized the elemental conflict, with appeal designed for the attention of men.

Metropolitan Ads Large

Ads in New York dailies ran as large as 1,050 lines, with full pages in the tabloids. The campaign is claimed to be the biggest, in terms of money expended, in the history of the Astor, and probably the biggest since Goldwyn's "Nana," five years ago. The total cost of newspapers, posting and electric signs will be well over $50,000.

Troxell to Monogram

W. W. Troxell, former Republic branch manager at Omaha, has been put in charge of the Monogram office there. Bill Strickland, who has been in charge of the Monogram office since it was opened in April, goes to Des Moines as office manager and booker, where he replaces Matt Rozgay.

Shift Warner Managers

NEW HAVEN, Nov. 9—With the shift of the Alhambra, Torrington, from a full time to weekend policy, William Hatkoff, manager, has resumed his former post at the Capitol, Danbury. The Alhambra and Warner, Torrington, are now handled by William Scanlon.

Drama Guild Attacks Bureau of New Plays

An attack on the Bureau of New Plays, which was founded by film companies for the discovery and encouragement of new playwrighting talent at the time of the companies' withdrawal from Broadway play financing, was launched by the Dramatists' Guild at its annual membership meeting at the Lincoln Hotel yesterday.

Resolutions were adopted by the meeting calling upon the council of the guild to investigate the possibility of amending the constitution of the organization so as to deny active membership in the guild to any one identified with the Bureau of New Plays as an officer or participant in its playwrighting contests; to require the resignation of any active member of the guild so associated with the bureau at present, and to launch a legal investigation of the propriety of an officer of an organization using the guild's contract serving as an officer of the Bureau. The last named resolution apparently is aimed at Theresa Helburn, an officer of the Theatre Guild, which uses the Dramatists' Guild contract, and who is also an officer of the Bureau of New Plays. A resolution also called upon the Bureau to eliminate mention of the Dramatists' Guild from its prospectus and other literature.

No Pact Change Discussed

It was the sense of the meeting that associate membership in the guild could not be denied to associates of the bureau or participation in its contests, but that active membership may be. Associate members of the guild are not entitled to a vote in any organization affairs.

There was no discussion at the meeting of any change in the guild's contract for the sale of film rights to plays. It was the terms of this contract which brought about the withdrawal of film companies from Broadway play financing.

All of the guild's nominees for officers and councillors were elected. The slate consists of Robert Emmett Sherwood, president; Edward Childs Carpenter, chairman of the council; George S. Kaufman, vice-president, and Richard Rodgers, secretary. New councillors are Rachel Crothers, Phillip Dunning, Paul Green, John Howard Lawson, Melvin Levy, Elizabeth McFadden, Eugene O'Neill, Arthur Richman, A. E. Thomas and Sophie Treadwell. Ten councillors are elected for three-year terms annually.

The annual elections of the Authors' League are scheduled for today at the Lincoln.

Columbia IA Strike Is Settled on Coast

(Continued from page 1)

Union and the I.B.E.W., some of whose members walked out in sympathy with the makeup men, about whom the dispute revolved, met with Columbia executives today. The discharge of five men and a studio order that players apply their own makeup were the causes of the strike.

Plans Drive-In Circuit

BOSTON, Nov. 9.—Philip Smith will construct automobile open-air theatres in Cleveland, Philadelphia, Buffalo, and Detroit, according to terms of a franchise signed with the Camden Drive-In-Theatre Corp.

Purely Personal

MERRITT HULBURD, associate producer for SAMUEL GOLDWYN, and JAMES BASEVI, who worked on the hurricane effects in "The Hurricane" which opened at the Astor Theatre last night, are aboard the *Empress of Britain* Europe-bound.

•

OSCAR LEVANT and BEATRICE KAUFMAN among the midnighters at "21" the other evening. Also FRED S. MEYER, WILLARD MCKAY, CHARLIE PAINE, HAL PHYFE, JOHN O'HARA, GENE WALSH and A. C. BLUMENTHAL.

•

PAUL J. GREENHALGH, advertising manager of the Jay Emanuel Publications, tells all and sundry—and good and loud—that it is an eight-pound boy at his house.

•

JOHN CROMWELL, R. M. STERNBERG, DORIS HALMAN, JOHN DREW COLT, RICHARD CROOKS and PAUL DOUGLAS left yesterday by plane for Boston.

•

SOPHIE TUCKER, who arrived Monday from the coast, will leave for Hollywood next Monday to appear in the third M-G-M air broadcast.

•

LOUIS K. SIDNEY is due from the coast next week to supervise production of "Night of Stars" at the Madison Square Garden.

•

MIKE SIMMONS is in town from Hollywood for two weeks of plays and vacation. It's an annual custom with him.

•

MORRIS EPSTEIN, local branch manager for Grand National, today will celebrate his 25th wedding anniversary.

•

H. M. ADDISON, RKO division manager, left yesterday via American Airlines for Nashville.

•

MARGOT GRAHAME will leave by plane the latter part of the week for the Warner studios.

•

WALTER WANGER returned yesterday by plane from Washington.

•

SPYROS and MRS. SKOURAS will sail today from England on the *Queen Mary*, following a lengthy stay in Europe, and are due to arrive in New York next Monday.

•

FRED S. MEYER now plans to return to Hollywood Thursday.

•

FRANK and MRS. MCHUGH will sail today on the *Normandie*.

•

. . . New Haven

ATHAN PRAKAS, just back from Greece, has bought a new Packard and will take his wife and daughter on a trip to the middle west.

LENORE LAVINE feted by the Warner girls at a dinner party at the Garde in honor of her coming marriage.

CHARLES LEVINE's mother died recently.

BEN COHEN guest speaker at the opening meeting of the Council of Film Patrons.

MILTON HYAMS the youngest grandfather on Meadow St.

PAULINE GIBBS, daughter of HARRY, recuperating in Grace Hospital after an emergency appendicitis operation.

•

. . . Oklahoma City

A. C. WOOTEN, formerly in charge of the Ismo at Chickasha, Okla., now handles the Main Street in Tulsa. ABE ROSEWALD, formerly of the Main Street, is now manager of the new Tower in Tulsa. C. H. HUDSON is in charge of the Ismo and Midwest in Chickasha.

W. J. CAMMER, who worked in Oklahoma out of Kansas City for Grand National has severed that connection. BUDDY BENJAMIN, Dallas, will handle the state of Oklahoma for Grand National.

Believe It or Not

There was the Tuesday night when Mayor Fiorello LaGuardia was reelected.

The other night, John LaGuardia, no relation to the mayor, won the all-day Bank award of $750 at the Valencia, Jamaica.

Purely a coincidence, Loew's states.

Settle Mexico Strike

MEXICO CITY, Nov. 7.—Employes of the eight leading theatres in Guadalajara, Mexico's second largest city, decided it would be cheaper to compromise on their demands for higher wages and other economic benefits than to put into effect a threatened strike. They were coldly told by other labor organizations that they would get no sympathy if they struck. Without support, the film workers figured their strike would be fruitless. So they pared down their wage boost demands to five per cent of the 30 per cent asked, waived other requests which had been filed and returned to the job.

Complete "Mystery" Cast

HOLLYWOOD, Nov. 9. — The cast of "The Mystery of Hunting's End," Warners, has been completed, and includes: Dick Pucell, June Travis, Elspeth Dudgeon, Anthony Hoerell, Ben Welden, Mary Maguire, William Hopper, Henderson Lawlore, Sheila Bromley, Hugh O'Connor, Trevor Bardette and Dennie Moore. Noel Smith is directing.

Kuykendall Ready For Industry Meet

(Continued from page 1)

reactions to a proposal for a national meeting in New York to discuss fair trade practices.

In his wire to Brandt Kuykendall said: "Will gladly participate any discussions sponsored by you, or anyone else, pertaining to fair trade practices in the industry, if they have sincerity of purpose and all parties involved are invited to participate. My present trip prevents my being in New York before early December."

A. F. Myers Is Silent

WASHINGTON, Nov. 9.—Abram F. Myers, general counsel of Allied, today referred all inquiries on the New York meeting for a discussion of trade practices to Nathan Yamins, president.

Nathan Yamins recently advised Harry Brandt, head of the I. T. O. A., he would attend the New York session on trade practices, but could not promise action without the Allied national board. He said that anything agreed upon at the meeting would have to be submitted to the Allied board for action, adding that the organization would not drop its legislative moves.

Allied-ITOA Will Confer Bi-Monthly

Starting next week, committees of five from Allied of New Jersey and the I. T. O. A. will meet twice monthly to discuss mutual problems, it was stated yesterday, following the appointment by Irving Dollinger of Maury Miller and Lee Newbury to the Allied committee. Dollinger, Morris Marks and Louis Gold had previously been named to the committee. Under arrangements agreed upon, five members from each organization are to be represented at committee meetings.

The annual boat ride yesterday was postponed by Allied from Nov. 30 to Dec. 16. Instead of the *Queen of Bermuda*, the new boat will be the *Monarch of Bermuda*.

The local Allied organization has taken no official action against Paramount's sales policy, Dollinger said yesterday. While the unit went on record some time ago in support of an action taken by Allied directors in Chicago, members of the New Jersey group have not been advised to act concertedly, Dollinger added.

The M-G-M air shows were not discussed yesterday and members showed no concern over the program, it was stated. The next Allied gathering will be held at the Cochrane House, Newton, N. J., Nov. 23.

Advance Ohio ITO Meet

COLUMBUS, Nov. 9.—The annual convention of the I.T.O., Ohio, will begin on Monday, Dec. 6, and continue through Wednesday, instead of opening on Tuesday, as heretofore planned. This is the first time that more than two days have been given over to the convention.

Form Exhibition Unit

DOVER, Nov. 9.—Northio Theatres Corp., listing 200 shares of no par value, has been formed here to conduct theatres.

Officials Reelected By Oklahoma MPTO

OKLAHOMA CITY, Nov. 9.—Morris Loewenstein, president of the Oklahoma M.P.T.O., today was reelected president for the eighth year along with all other officers and directors, including Leonard A. White, vice-president, and Orville Enloe, secretary. Directors reelected are Max Brock, Harry Loewenstein, Homer Jones, Ralph Talbot, L. C. Griffith and Fred Pickrel.

The features of today's program were talks by Ed Kuykendall, M.P.T.O.A. president, on the 10-point plan and Col. Harry A. Cole, president of Allied of Texas.

Another feature, at noon today, was the appearance of Colleen Moore.

"Methods of selling pictures will have to be changed," Kuykendall said in his address. "The time is coming," he added, "when a picture will have to fit the requirements of each house in which it is played. A, B and C pictures will have to play houses needing each type, and a commensurate price should be asked of the exhibitor. Only 15 per cent of the pictures of any one company produce 80 per cent of the revenue received by an exhibitor and the other 85 per cent of the films are charged for at prices on a par with the 15 per cent."

Col. Cole Talks Competition

Colonel Cole said that he had yet to know of any one exhibitor who had been driven out of business by taxation but knew of many who had been driven out by theatre circuits. "In one theatre," he said, "we had to run a one-reeler nine times. We couldn't run double features because we couldn't get enough to go around. Scores come to me in Texas with the same problem. Unity of all exhibitors cannot be achieved unless exhibitors clean their own houses. I don't want government regulation but would rather be regulated out of business by the government than by my competitors."

Kuykendall will go to Dallas Wednesday and from there to Beaumont to finish his conferences.

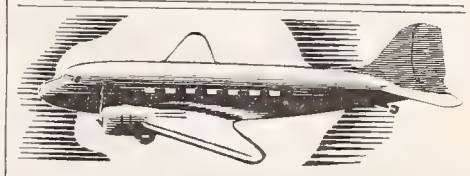
Set Warner Short Titles

HOLLYWOOD, Nov. 9.—Warners has set "Out Where the Stars Begin" and "John Paul Jones" as the release titles on the final short subjects of its 1937-'38 program. Both will be made in color with Bryan Foy as producer and Gordon Hollingshead as supervisor.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
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"Baba" Grabs $18,500, 1st Chicago Week

CHICAGO, Nov. 9.—"Ali Baba" went to town in the Loop last week and wound up with $18,500, which was $7,500 above average.

Also in the big money was the Oriental with "Perfect Specimen" hitting $24,000, which was $6,000 above average. The State-Lake with Toby Wing in person did well and grossed $14,800.

"The Life of Emile Zola" got off to a good start at the Chicago and hit $34,600 for the first week of a two-week engagement. This was $2,-600 above normal. The U. A. with "The Bride Wore Red" was in the money at $18,900, which was $3,900 over average.

The weather was fair and cold most of the week.

Total first run business was $143,-000. Average is $118,000.

Estimated takings:

Week Ending Nov. 4:

"LIFE OF EMILE ZOLA" (W. B.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Evans Ballet and Revue. **Gross:** $34,600. (Average, $32,000)

"ALCATRAZ ISLAND" (W. B.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $8,800. (Average, $6,500)

"PERFECT SPECIMEN" (W. B.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $24,000. (Average $18,000)

"THERE GOES THE GROOM" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Willie and Eugene Howard and Revue. **Gross:** $17,000. (Average, $19,000)

"THE MAN WHO CRIED WOLF" (Universal)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Toby Wing and Revue. **Gross:** $14,800. (Average, $13,000)

Week Ending Nov. 5:

"PRISONER OF ZENDA" (U. A.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,400. (Average, $6,500)

"ALI BABA GOES TO TOWN" (20th-Fox)
ROOSEVELT—(1,500), 36c-55c-75c, 7 days. **Gross:** $18,500. (Average, $11,000)

"THE BRIDE WORE RED" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c 7 days. **Gross:** $18,900. (Average, $15,000)

B. K. Brown Transferred

KANSAS CITY, Nov. 9. — B. K. Brown, manager of the Dickinson, at Great Bend, Kan., has been made manager of the Cozy and Dickinson, Junction City, Kan.

Milton Spece, a new man with the circuit, succeeds Brown as manager at Great Bend.

Rosing Changes Name

HOLLYWOOD, Nov. 9.—Val Rosing, young English singer recently signed by M-G-M, has had his name changed to Gilbert Russell. His first assignment will not be in films but in the M-G-M-Maxwell House Coffee broadcast, Nov. 11.

Levy to Handle Premiums

KANSAS CITY, Nov. 9.—Joe Levy, distributor of fight pictures and former U. A. salesman, has formed Special Attractions to distribute the premiums of Coulter Premiums, Inc., Detroit, in Missouri, Kansas, Nebraska and Iowa.

"Double Wedding" Omaha's Best Bet

OMAHA, Nov. 9.—"Double Wedding," on a dual with "Wine, Women and Horses," stepped out front among the first runs with a take of $8,800, over par by $3,300.

"Something to Sing About" and "Madame X" went into the profit column to the extent of $1,900 on a take of $9,100 at the Orpheum. "Stage Door," dualled with "Love is on the Air," held up to $4,700 in its second week at the Brandeis.

A Hallowe'en midnight jamboree, Big Apple contest finals and a preview of "It's Love I'm After" helped the take at the Orpheum.

Total first run business was $22,600. Average is $16,700.

Estimated takings:

Week Ending Nov. 3:

"DOUBLE WEDDING" (M-G-M)
"WINE, WOMEN AND HORSES" (W. B.)
OMAHA—(2,200), 25c-40c, 8 days. **Gross:** $8,800. (Average, $5,500)

Week Ending Nov. 4:

"SOMETHING TO SING ABOUT" (G. N.)
"MADAME X" (M-G-M)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $9,100. (Average, $7,200)

Week Ending Nov. 3:

"STAGE DOOR" (RKO)
"LOVE IS ON THE AIR" (F. N.)
BRANDEIS—(1,200) 25c-35c-40c, 7 days, 2nd week. **Gross:** $4,700. (Average, $4,000)

"Ali Baba" on Dual Milwaukee Winner

MILWAUKEE, Nov. 9.—"Ali Baba Goes to Town," with "The Women Men Marry," collected the week's high money, $10,000, at Fox's Wisconsin here, just $2,000 to the good.

Second money went to "The Awful Truth" and "Counsel for Crime," which grossed $6,300 at the circuit's Palace, $1,300 above average.

Total first run business was $28,900. Average is $26,500.

Estimated takings for the week ending Nov. 4:

"THE AWFUL TRUTH" (Col.)
"COUNSEL FOR CRIME" (Col.)
PALACE—(2,400), 35c-40c-60c, 7 days. **Gross:** $6,300. (Average, $5,000)

"MEET THE BOY FRIEND" (Republic)
RIVERSIDE—(2,300), 30c-30c, 7 days. Stage: Vaudeville. **Gross:** $4,100. (Average, $5,000)

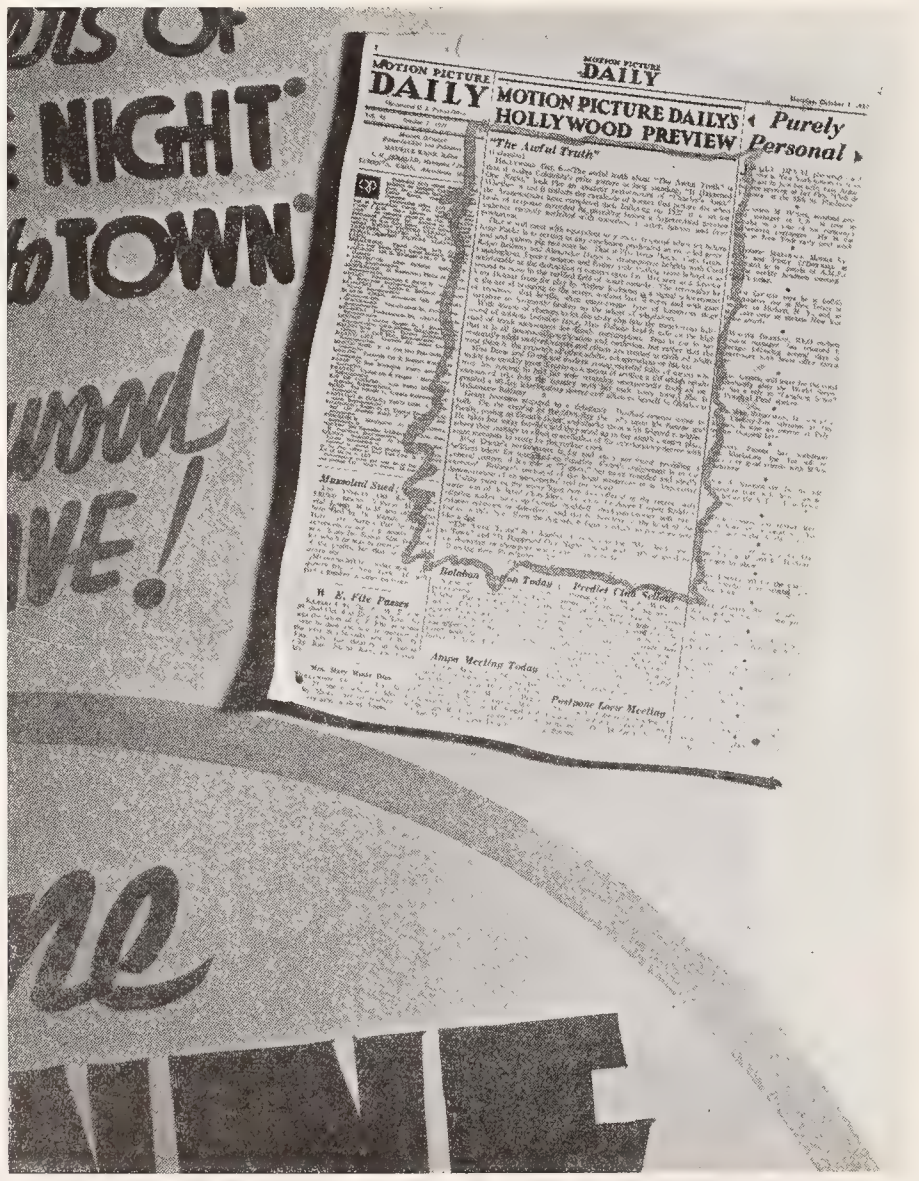
"DOUBLE WEDDING" (M-G-M)
"DANGEROUSLY YOURS" (20th-Fox)
STRAND—(1,400), 35c-40c-60c, 7 days. **Gross:** $3,000. (Average, $3,500)

"THE LIFE OF EMILE ZOLA" (W.B.)
"MUSIC FOR MADAME" (RKO)
WARNER—(2,400), 35c-50c, 5 days, 2nd week. **Gross:** $3,000. (Average, $5,000)

"THE PRISONER OF ZENDA" (U.A.)
"LOVE IS ON THE AIR" (F.N.)
WARNER—(2,400), 35c-50c, 2 days. **Gross:** $2,500. (Average, $5,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
"THE WOMEN MEN MARRY" (M-G-M)
WISCONSIN—(3,200), 35c-40c-60c, 7 days. **Gross:** $10,000. (Average, $8,000)

Preview Makes Midland Lobby



Kansas City, Nov. 9.—Loew's Midland once again is using Motion Picture Daily's *Hollywood Previews for lobby advertising. This time it is the forthcoming run of "The Awful Truth."*

"Wedding" Is Frisco's 3rd Week Leader

SAN FRANCISCO, Nov. 9.—"Double Wedding," in its third downtown week at the St. Francis and on a dual with "On Such a Night," stood out sharply in a week of drab first run business. The $7,500 gross was $500 over a first week average.

"Breakfast for Two" was $500 up on a take of $16.500 at the Golden Gate. "Elephant Boy" and "Dark Journey" at the Embassy went $200 over the line on a take of $6,200, but business was pretty bad elsewhere.

Total first run business was $82,600. Average is $89,000.

Estimated takings:

Week Ending Nov. 2:

"BREAKFAST FOR TWO" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c 7 days. Stage; vaudeville. **Gross:** $16,500. (Average, $16,000.)

"PERFECT SPECIMEN" (W. B.)
"HOLD 'EM, NAVY" (Para.)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 6 days. **Gross:** $10,000. (Average, $13,000)

Week Ending Nov. 3:

"ELEPHANT BOY" (U. A.)
"DARK JOURNEY" (U. A.)
EMBASSY—(1,400), 15c-35c-40c-55c, 7 days. **Gross:** $6 200. (Average, $6,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
"DANGEROUSLY YOURS" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,500. (Average, $17,000)

"AWFUL TRUTH" (Col.)
"MAN WHO CRIED WOLF" (Univ.)
ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $6,800. Average, $8,000)

"DEAD END" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c 7 days, 3rd week. **Gross:** $6,500. (Average, $7,000)

Week Ending Nov. 4:

"DOUBLE WEDDING" (M-G-M)
"ON SUCH A NIGHT" (Para.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c, 7 days, 3rd downtown week. **Gross:** $7,500. (Average, $7,000)

"SOMETHING TO SING ABOUT" (G. N.)
"BULLDOG DRUMMOND COMES BACK" (Para.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,000. (Average, $14,000)

"BALTIC DEPUTY" (Amkino)
CLAY—(400) 15c-35c-40c, 7 days, 2nd week. **Gross:** $600. (Average, $1,000)

"Double Wedding" High at Oklahoma

OKLAHOMA CITY, Nov. 9.—"Double Wedding" turned up the principal box-office activity of the week by getting $7,300 in nine days at the Midwest. Normal for seven days is $5,000.

"Stage Door" went $600 over the line on a take of $5,100 at the Criterion, and "Dead End" was $1,000 up with a gross of $5,000 at the State.

Total first run business was $22,100. Average is $17,750.

Estimated takings for the week ending Nov. 6:

"STAGE DOOR" (RKO)
CRITERION—(1,700), 10c-35c-40c, 7 days. **Gross:** $5,100. (Average, $4,500)

"FORLORN RIVER" (Para.)
"FIT FOR A KING" (RKO)
LIBERTY—(1,500), 10c-20c-25c, 7 days. **Gross:** $2,900. (Average, $2,250)

"DOUBLE WEDDING" (M-G-M)
MIDWEST—(1,500) 10c-20c-40c, 9 days. **Gross:** $7,300. (Average, $5,000)

"DANGER—LOVE AT WORK" (20th-Fox)
"BORNEO" (20th-Fox)
TOWER—(1,100), 10c-25c-35c, 7 days. **Gross:** $1,800. (Average, $2,000)

"DEAD END" (U. A.)
STATE—(1,100), 10c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

Wisconsin Opposes Paramount's Terms

(Continued from page 1)

contracts; until Paramount agrees to forget about unplayed newsreels and shorts resulting from the strike and not to attach C.O.D.'s to features for accumulated back charges and to place not more than four pictures in the top group on the 1937-38 list.

The I.T.P.A. is also insisting that Wisconsin exhibitors be permitted to play out unplayed 1936-37 product if and when they desire to do so.

Oppose Fight on Para.

BOSTON, Nov. 9.—In accord with the action of Allied branches elsewhere in the country, the Independent Exhibitors, Inc., has thrown a damper on Paramount hostilities and has advised members to make the "best deals they can" with the distributor. Terms of the settlement in Philadelphia have been distributed among members, and Arthur K. Howard, business manager, has announced the intention of broadcasting to the local independents Paramount sales and sales talks entered upon in New England.

Canada Studio Active

TORONTO, Nov. 9.—Central Films, Ltd., producing company with studios at Willows Park, Victoria, B. C., has commenced work on its eleventh feature after more than two years making pictures for the markets of Great Britain and the United States under the direction of Kenneth J. Bishop, president. Six features in the next six months are planned.

Woman Produces Film

MEXICO CITY, Nov. 7.—Mexico's first picture to be written, directed and produced by a woman is being exhibited here. It is "La Mujer de Nadie" ("Nobody's Woman") and is the work of Adela Sequeiros, prominent journalist and writer. The picture is being accorded good response by the public and critics.

Set New Guatemala Law

WASHINGTON, Nov. 9.—It is reported in the Guatemalan press that the President has approved an executive order requiring that all desiring to take pictures in the country must obtain permission from the Ministry of Education, the U. S. Dep't of Commerce has been informed by the commercial attache in Guatemala.

Attack Quebec Circuits

TORONTO, Nov. 9.—Independent exhibitors of different cities of Quebec are pressing Premier L. A. Duplessis of the Provincial Government for protective legislation against the large theatre circuits and affiliated film exchanges, claiming that the operation of small theatres is being unduly restricted.

Planning Film Prizes

WASHINGTON, Nov. 9.—Legislation has been proposed in the Argentine Chamber of Deputies which would establish permanent annual prizes, to be paid by the Government, for various types of Argentine pictures, the commercial attache in Buenos Aires has reported to the U. S. Dep't of Commerce.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Big Town Girl"

(20th Century-Fox)

HOLLYWOOD, Nov. 9.—Here's a well-founded film in which are combined the elements that make a strong audience and exploitation picture. The ingredients blended into it are romantic love interest, comedy, music, melodrama and adventure. The story told in "Big Town Girl" revolves about a talented singer who seeks to elude her killer husband who has escaped from prison. Actually, however, it tells four stories, all of which are blended into a coherent whole.

One is about the dangerous killer. The second concerns the girl catapulted from a five-and-ten-cent store to radio fame. Another concentrates on a glib press agent who introduces the girl to radio as "the masked countess." The fourth, in which romance is wrapped up, concerns a newspaper reporter who endeavors to reveal the truth of this bit of faking. Claire Trevor, rising to fame, fears the menace of her murderous husband, Alan Baxter. The antics of press agent-manager Alan Dinehart and prying reporter Donald Woods make her career an unceratin thing. She seeks to escape from all, but Woods catches up with her and when his car, in which she is riding with him without her mask disguise, bogs down, Baxter catches up with both, after he has committed another robbery. But before he can revenge himself on them the State police arrive. After the melodrama has been completed, Woods is subjected to an intriguing ribbing before he realizes "the masked countess" and the girl he gave a lift are one and the same.

Miss Trevor sings; Dinehart, Baxter and Woods give convincing performances and are capably supported by Murray Alper, Spencer Charters, Maurice Cass, Irving Bacon and George Chandler. Adapted by Lou Breslow, John Patrick, Robert Ellis and Helen Logan, from orinigal stories by Darrell Ware and Frances Reid, the picture effectively merges dialogue, action and situations and permits the songs prepared by Sidney Clare and Harry Akst to be worked in logically. In handling his material and players, Alfred Werker's direction displays a showmanship flair. "Big Town Girl" should have no difficulty pleasing average audiences.

Running time, 65 minutes. "G."

Out Hollywood Way

HOLLYWOOD, Nov. 9. — WALTER HUSTON, upon completion of his role in M-G-M's "Benefits Forgot," will be starred in a Max Gordon Broadway production of Arthur Train's "Mr. Tutt" stories which appeared in the *Saturday Evening Post.*

R. C. CHRISTIE, writer and research expert, has left for Canada to study the origin and background of the Northwest Mounted Police for material for an M-G-M production. . . . FRED RINALDO, short subjects writer, has been married to MARIE HALFF. . . . ROBERT HILL has been assigned by Universal to co-direct with FORD BEEBE the serial "Flash Gordon's Trip to Mars," taking the post vacated by the death of CLIFF SMITH. . . . LAWRENCE GRAY has been promoted from assistant director to dialogue director at Warners. . . . JOEL MCCREA and his wife, FRANCES DEE, have returned after a vacation in Honolulu. . . . WESLEY RUGGLES turned actor for a short time, appearing in HERB MOULTON'S short, "Little White Lies," featuring CAROLE LOMBARD and EDGAR KENNEDY as part of the exploitation buildup for Paramount's "True Confession."

Paramount has extended the contract of BEN BLUE and BOB HOPE. . . . TYRONE POWER and LORETTA YOUNG will be teamed in a fourth picture, "Her Masterpiece," by 20th Century-Fox. . . . ANNE NAGEL has replaced MARY MAGUIRE in "The Mystery of Hunting's End," Warners. . . . GLORIA STUART and MICHAEL WHALEN are to be teamed in "Headline Huntress," 20th Century-Fox. . . . GLADYS GEORGE draws the top role in M-G-M's "Love Is a Headache." . . . EVALYN KNAPP to play opposite SMITH BALLEW in "Hawaiian Buckaroo," Principal. . . . EDMUND GRAINGER has been assigned to produce "Nurse from Brooklyn," Universal.

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Casting—EDWARD EVERETT HORTON in "Bluebeard's Eighth Wife," Paramount. . . . Lynne Overman in "Her Jungle Love," Paramount. . . . WARREN HULL in "Hawaii Calls," Principal. . . . JENI LE GON has been signed by MERVYN LEROY for a special number in "Food for Scandal."

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Writers—MARK KELLY has been signed by Paramount to work on the script of "Gambler's Maxim." . . . SIG HERZIG is working on the screenplay of "All Rights Reserved," Warners.

GILBERT GABRIEL, JEANNE BARTLETT, IRVING RIES, THOMAS WILLIAMSON, JULES FURTHMAN and WILLIAM G. BEYMER added to Paramount writing staff. . . . ROBERT LORD assigned to "Three Men" script and DAVID LEWIS to "And It all Came True," both Warners.

Tom D. Cochrane Dies Here at 65

(Continued from page 1)

attended school there and at Toledo to which his family moved. He entered the film business in 1909, when Carl Laemmle, heading the old Imp Co., engaged him in a position which now would be called producer.

When Universal began to expand in 1911, Cochrane became one of its first foreign contact men, developing the company's organization in the Orient, with headquarters in Tokyo. He opened offices in Shanghai, Hong Kong, the Philippines and the Federated Malay States, and as far west as India. His work as a virtual ambassador of good will was aided by his wife, who represented American newspapers in Japan. She died there in 1924.

Joined Paramount in 24

In June, 1924, Cochrane joined Paramount at the invitation of E. E. Shauer, then in charge of the foreign department. He remained in the Orient, established Paramount's offices and weathered such tests as the devastating earthquake of 1923. He was injured then in the collapse of a building, but rushed to Tokyo, more than 40 miles away, to care for injured Paramount employes. At the same time, he scored a scoop for the company by obtaining the only film record of the disaster. He won unprecedented favor with the Japanese of all classes. For several years he was president of the American Chamber of Commerce in Tokyo.

He remarried in 1933, wedding Dora Piper, sister of the Paramount general sales manager. Two children, with Mrs. Cochrane, are in Tokyo. Besides the five brothers, one sister, Mrs. George L. Chapman, survives.

Funeral services will be held at the Columbus Circle Chapel, 43 W. 60th St. at 2:30 P. M. tomorrow. It is expected that the body will be cremated and the ashes sent to Tokyo.

Wall Street

Gains Dominant on Board

	Open	High	Low	Close	Net Change
Col.	15¼	15¾	15⅛	15¼	.....
Col., pfd....	31¼	31¼	31¼	31¼	+ ¼
Cons.	2	2	2	2	.....
Cons., pfd..	8	8¼	8	8	+ ½
E. K.	159½	159½	159½	159½	+6
E. K., pfd..	163½	163½	163½	163½	— ½
G. T. E....	14⅛	14¼	14⅛	14¼	+ ¾
Loew	56⅛	57¾	56	57¼	+ ¾
Para.	13¾	14¼	13⅝	13⅞	+ ¼
Para. 1.....	100	102	100	102	+2
Para. 2.....	12½	13	12⅜	12¾	+ ⅝
Pathe	6½	6½	6⅜	6⅜	+ ⅛
RKO	5½	5½	5¼	5¼	.....
20th Fox ..	23½	23½	23⅛	23½	+ ¾
20th, pfd....	29½	29½	29½	29½	+ ¾
W. B.	8	8⅜	8	8	+ ⅛

Light Curb Increases

	Open	High	Low	Close	Net Change
G. N.	1¼	1¼	1¼	1¼	.....
Monogram	1½	1½	1½	1½	+ ⅛
Sonotone ..	1¾	1¾	1¾	1¾	+ ⅜
Tech.	18¾	19	18⅞	19	+1
Trans-Lux	3	3	3	3	+ ⅛
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	+ ⅛

Warner Bonds Rise

	High	Low	Close	Net Change
Keith 6s '46.....	90½	90	90	—1
Loew 3½s '46.....	98¾	98⅝	98¾	+ ⅛
Para. B'way 3s '55	63¼	63	63	— ¼
Para. Pict. '47....	78¼	77½	77½	— ⅛
RKO 6s '41.....	97	97	97	—1
W. B. 6s '39.....	81½	81	81½	+ ½

(Quotations at close of Nov. 9)

Union Cinemas Pass Preferred Dividend

LONDON, Oct. 29.—Union Cinemas, Ltd., will not pay the quarterly dividend due on the preference shares on Dec. 31. The decision implies that no dividend will be paid on the ordinary capital.

The announcement that the preference dividend would be passed followed a meeting of the reconstructed board of directors. The resignations of C. Fred Bernhard, managing director, and of L. J. Clements, a director, were handed in earlier. Succeeding them on the board are W. D. Scrimgeour, a director of Associated British Picture Corp., and Eric Lightfoot, secretary of Associated British Cinemas, A.B.P. theatre subsidiary. Both are nominees of John Maxwell, who recently acquired, for A.B.P., a 51 per cent control of Union.

It is generally expected that Maxwell himself will join the Union board after the early publication of the balance sheet and report of the company, up to March 31, prepared by the old board. A capital reconstruction of Union appears certain. The present capital is £3,265,000 in £1,314,812 preference, £1,950,214 in ordinary and "A" ordinary. The latter are at present quoted on the market at 1:9d and 1:10½d.

C. E. A. Joins in Plea For Film Commission

(*Continued from page* 1)

and Government spokesman, has sent a message declaring that he is ready to meet again the same deputation which he heard last Wednesday, with the object of discussing the commission proposal. It is known that he is sympathetic toward the suggestion for a commission, as is indicated by his expressing his willingness to receive constructive suggestions during the House of Commons debate on the measure originally. The second meeting will be held probably on Friday.

The exhibitors are understood to be ready to join the deputation and it is believed certain that the other branches of the industry will collaborate. Every hope for the adoption of the film commission clause is seen now. No action has been taken on rentals.

Harris and Walken Are Again Partners

PITTSBURGH, Nov. 9.—The Harris Amusement Co. has just taken over management of the State and Grand in Salem, O., from N. I. Walken, who will remain in charge and also become district manager for Harris-directed houses in Ohio.

The deal marks the renewal of an old partnership. Walken was a partner with John H. Harris in Washington and Etna, Pa., before the original Harris circuit was sold to Warners in 1929. He remains as a partner in Salem, at the same time acquiring an interest in other Harris enterprises.

London Sees Spain Film

LONDON, Nov. 9.—"Spanish Earth" has finally been given permission to be shown at a West End house. The film for which Ernest Hemingway wrote the narrative has been drastically cut by the order of the censor. The film has been well received by the newspapers, however.

The Newsreel Parade

Movietone News
Vol. 20 No. 17
(20th Century-Fox)

The key event in this issue is the clip of James Roosevelt addressing the Catholic Youth Organization in Chicago. The Chief Executive's son is practically a carbon copy of his father both in mannerism and speech. Lowell Thomas asks the audience to shut its collective eyes and thereby more vividly to appreciate the comparison.

The World Events division also includes sequences of Il Duce celebrating the 15th anniversary of the march on Rome and the decoration of the widows of dead volunteers in the Spanish war, the intercollegiate sailing dingy racing on the Charles River at Boston and finely filmed scenes of the weather observatory on Mt. Washington as it undergoes its first frigid assault.

Names in the News offers brief glimpses of Pope Pius leaving Castel Gondolfo for the Vatican, King Boris of Bulgaria in London, Capt. George Eyston and his racing car and Osa Johnson showing African natives how to do their stuff before the cameras.

Lew Lehr ably acquits himself with comic comment on a wrestling match in New Orleans where the contestants horse around in a mud ring. In the sports division the camera and Ed Thorgersen on the sound track give the highlights of last weekend's more important football games.

Running time, 9 2/3 mins. P.

News of the Day
Vol. 9, No. 215
(M-G-M)

One of the most exciting rescues on the high seas is pictured in this issue. A neutral vessel is shown picking up 291 Spanish refugees from a sinking trawler in the Bay of Biscay. The plight of the near-starved victims is something that is not caught by the camera in the usual course of the news. The films are stirring and convey only a paltry idea of what is going on in Spain.

Rounding out the reel are a series of highlights which include the arrival of Mlle. de Fontages, who refuses to discuss stories linking her with Il Duce, a wrestling match in a mud-soaked ring at New Orleans, Pope Pius at Castle Gondolfo, Premier Mussolini bestowing medals on war widows and then later attending ceremonies at the grave of Italy's Unknown Soldier, and the Pitt-Notre Dame and Fordham-Purdue football skirmishes.

Jean Paul King does a swell job in the narration.

Running time, 9 mins. O.

Paramount News
No. 28
(Paramount)

The pigskin games over the weekend save the day for newsreels. Excitement is supplied aplenty by Army defeating Harvard at Cambridge, Dartmouth outscoring Princeton at Princeton, Fordham romping home to victory over Purdue and Pittsburgh toppling Notre Dame at South Bend.

In commemoration of Paramount's 10th anniversary for its newsreel, clips are taken from the 1927 reels showing U. S. Marines patroling Nicaragua, army fliers smoke screening the *Ile de France* and flapper fashions which will make you shudder in retrospect.

Other items include a husking contest at Marshall, Mo., the Duke and Duchess of Windsor in Paris; Charles Bedaux, engineer, who withdrew as escort on the originally planned visit here of the royal couple; and Ernest Simpson window shopping in New York. Pope Pius XI is shown on his return to Rome after a six months vacation for his health, Crown Prince Michael of Rumania being made an army officer on his 16th birthday, and the stoppage of railway traffic at British Columbia as the floods hit Canadian rivers.

Running time, 10 mins. O.

Universal News
No. 613
(Universal)

Universal has a novelty number called Punch Wins Sweepstakes in the latest issue. It's a classic. The films were made in the rain. Spectators without umbrellas use newspapers over their hats. The long shots are almost lost in the fog.

By the time the spectator is beginning to wonder why the films were made, R. E. Jeffrey, the commentator, has dropped a couple of "h's" from his slow drawl and the chuckles have started. Suddenly it dawns on the listener that the commentator is speaking in rhyme and is doing a burlesque on these high speed elocution experts that is a riot. By the time he gets to the point where he says a Frenchman called the losing 'orse an offspring of a dog, the audience is rocking. Jeffrey ought to be a regular feature.

There's variety in the other numbers—a train wreck at Lovejoy, Ga.; Pope Pius at Gandolfo, Italy; Captain Eyston, the English auto racer, at Bonneville Flats, Utah; frost feathers at Mt. Washington, and Mlle. de Fontages arriving from Europe. She is the woman who shot former Premier Chambrun. An expert makeup man would help her in front of a camera.

Mussolini does his stuff at a celebration of the anniversary of the march on Rome. The Italians will probably like it.

Some fine football footage is presented on the Pittsburgh-Notre Dame, Army-Harvard and Dartmouth-Princeton games.

Running time, 9 mins. J.

Pathe News was reviewed in yesterday's issue of MOTION PICTURE DAILY.

TWA Cuts Rates 25%

TWA has reduced round trips made within 15 days by 25 per cent. Passengers must leave New York either Saturdays or Mondays and can depart from points of destination any time within the fortnight. The 25 per cent includes the 15 per cent now available to holders of script cards.

Jackie Coogan to Wed

LOS ANGELES, Nov. 9.—Jackie Coogan, 23, has filed notice of his intention to marry Betty Grable, 20.

Judgment Refused in Lina-Principal Case

Justice Edgar J. Lauer refused to grant summary judgment in the N. Y. Supreme Court yesterday and ordered the case of the Lina Pictures Corp. against Principal Exchanges to go to trial. Justice Lauer ruled that certain questions of facts could not be decided on affidavit and would require a formal hearing. Both sides have asked for summary judgment on affidavit.

Lina is suing for the return of approximately 100 films which were delivered to Principal in 1933 under an exclusive distribution contract and $5,000 damages. Principal contends that the contract gave it the right to destroy the prints after termination of the contract. No date has been set for the trial.

Grisman Sues Theatre Firm

Sam H. Grisman field suit for $10,000 in the N. Y. Supreme Court yesterday against Jack Benny, Bert Wheeler, George N. Burns, Robert Milford, George Jessel and Glory for All, Ltd.

Grisman charged that in January the corporation, acting for all the defendants, leased the 48th Street Theatre for a year for the proposed production of a play, "Glory for All" at a minimum rental of $1,500 weekly. He contends that the defendants breached their contract by failing to produce the show. Burns will ask Justice Salvatore Cotillo to dismiss the complaint against him today on the ground that the contract was made with the corporation and not with the individual defendants. Burns stated that his only connection with the corporation was to lend it $2,500 which has not been repaid.

Naval Film Service At $315,000 in Year

WASHINGTON, Nov. 9.—Film service for the Navy during the fiscal year ended June 30, last, cost $315,000, it was reported to the Secretary of the Navy today by Rear Admiral Adolphus Andrews, chief of the Bureau of Navigation.

The report explained that duplicate copies of approximately 300 programs are leased annually from commercial producers and circulated to the various ships and shore stations for exhibition and then returned to the producers.

The cost of the service is met in part by an appropriation of $85,000 made by Congress in the naval supply bill, with the remainder obtained from the profits from ship's stores and by contributions from ships and stations.

Lottery Charge Killed

PHILADELPHIA, Nov. 9. — Ray O'Rourke, operator of the Doris, Nabe house here, today was acquitted by a jury of a charge of having conducted a lottery. The case had been on the docket for two years and is not to be confused with the test case which has been pending before the court for the past several months.

Closes Swedish Deal

Monogram has received word from Norton V. Ritchey, export manager, that he has closed a deal with Promoto Co. to handle the company's product in Sweden.

VICTORIA IS "GREAT!" IN BOSTON!

Boston booms its thundering echo to raves in New York, Washington and Chicago as "VICTORIA" marches in triumph across the length and breadth of America!

"ONE OF THE MOST CHARMING LOVE STORIES THE SCREEN HAS EVER SEEN" —Boston Post

"FINE AND IMPRESSIVE . . . INTENSELY ALIVE AND HUMAN" —Boston Traveler

"ADMIRABLE FILM . . . INTELLIGENT AND STIRRING" —Boston Herald

"ONE OF THE FINEST . . . ROMANCE FURNISHES THE THEME" —Boston Globe

"WILL LIVE WITH YOU LONG AFTER YOU'VE LEFT THE THEATRE" —Boston Evening American

"MAGNIFICENT . . . EVERY PERFORMANCE A GEM" —Boston Daily Record

VICTORIA THE GREAT

RKO RADIO PICTURES

ANNA NEAGLE · ANTON WALBROOK · H. B. WARNER · WALTER RILLA

PRODUCED AND DIRECTED BY HERBERT WILCOX · Screen Play by Miles Malleson and Charles de Grandcourt
With Scenes in TECHNICOLOR

Radio Personals

BEN LIPSET, the demon agent, spent a busy day yesterday obtaining Chevrolet recording assignments for Lucy Monroe, a guest spot for Lois Bennett on "Hit Parade" and a 13-week renewal for Alice Cornett on the Coca-Cola series. . . . Dell Sharbutt has won the announcing assignment on "We, the People" during the Hollywood absence of Harry Von Zell. . . . O. B. Hansen, NBC chief engineer, has been elected a director of the Institute of Radio Engineers for the term from 1938-1940. . . . Margaret Daum has returned from her St. Louis engagement and will resume her CBS sustaining song series. . . . The Alan Courtney's, he's the WNEW announcer, are celebrating the arrival of the baby boy, born yesterday. . . . Estelle Taylor will be Benny Davis' guest over Mutual Sunday. . . . Jane Pickens has been booked for a "Hit Parade" appearance over CBS Nov. 20. . . . Walter O'Keefe will sail for Europe following his final appearance on "Town Hall Tonight" tonight, but he goes fortified with a choice contract for a good spot on a current program. . . .

Trial Is Ordered in Barney's WNEW Suit

Justice Charles B. McLaughlin refused to dismiss the $105,000 damage suit of Barney's Clothes, Inc., against the WBO Broadcasting Corp., operators of WNEW, in the N. Y. Supreme Court yesterday.

Barney's is suing for the return of $105,000 which is the total amount allegedly paid for broadcasting time on the ground that its programs were shortened and that not all the spot announcements contracted for were delivered.

Justice McLaughlin upheld Barney's contention that if it can be shown that programs were shortened deliberately, all payments made under the contract must be returned. "The question as to whether the defendant did actually filch some of the plaintiff's allotted and fully paid radio time and devoted it to others is a question for the trial court and must be fully litigated," Justice McLaughlin ruled.

To Ask Contempt Citation

The N. Y. State Tax Commission will ask Justice Aaron Steuer in N. Y. Supreme Court today to punish the Italian Educational Broadcasting Co., Inc., for contempt of court. The Tax Commission contends that the corporation failed to appear for examination in summary proceedings in connection with a judgment of $624 against it for alleged unpaid franchise taxes for the years of 1927 to 1933. Fortune Gallo was named in the papers as president of the corporation.

Two Take "Today's Winners"

ST. LOUIS, Nov. 9.—"Today's Winners," a musical sports review, broadcast nightly over WIL 6:30 to 7 P.M., has been put on a participating basis. Hyde Park Breweries and Adam Hats are now participating. A number of other spots on the show are still open.

Principles Agreed Upon for Radio Use

HAVANA, Nov. 9.—The Inter-American Radio Conference now in session here has unanimously adopted a resolution recognizing the right of every nation to use every broadcasting channel, but cognizance was taken of the need for regional agreements to prevent interference. Also, the rights of every government to assign any class of wave frequency that causes no interference in other countries was recognized.

Additionally, all stations may carry on emergency communications during an exceptional period of interruption, such as floods, hurricanes and earthquakes. These actions pave the way for a series of regional agreements throughout North, South and Latin America by which the neighboring or adjacent countries may solve problems of interference.

Seeks New Station At Pontiac, Mich.

WASHINGTON, Nov. 9.—Authority to construct a 1,000-watt daytime station, operating on 1,100 kilocycles, was asked of the F.C.C. today by the Pontiac Broadcasting Co., Pontiac, Mich.

A 100-watt daytime station, operating on 1,200 kilocycles, is sought in another application, filed with the commission by S. B. Quigley, Mobile, Ala.

Amending an application for change of frequency and increase of power previously filed, WHBF, Rock Island, Ill., has asked the commission for authority to use 1,000 watts power at night. The original application provided for a change of frequency from 1,210 to 1,240 kilocycles and an increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

Robinson in New Quarters

PHILADELPHIA, Nov. 9.—William P. Robinson, pioneer transcription manufacturer here, has completed new quarters in the WIP studios. Robinson, began his radio recording business in 1927 and was located in Narberth, a suburb. His new WIP quarters are equipped with $12,000 worth of the most modern equipment.

Local 802 Party Nov. 15

Local 802, affiliated with the American Federation of Musicians, will sponsor a show and dance, Nov. 15, at the Hotel Astor, for the purpose of raising funds for the medical division of the local. Many prominent entertainers and bandmen have volunteered. Martin Block of WNEW, will serve as "em cee," and WNEW will broadcast the program.

Had Amygdalitis

Columbus, Nov. 9.—This from R. S. French, production manager, WHKC, referring to Sadie Karnes, studio hostess:

"She recently recovered from a minor tonsilectomy after suffering from a severe case of acute amygdalitis. Her lymphroid tissues were, according to her physician, 'badly inflamed, and the interior pillars of the fauces caused a minostratic congestion, necessitating extraction.'"

In other words, Miss Karnes had her tonsils out.

Parkerson Heading Facsimile Company

John T. Parkerson, business manager of Transradio Press Service, has been granted an indefinite leave of absence to assume active general direction of the Fultograph Co., Transradio's facsimile broadcasting unit.

Expansion and development of the Fultograph system is foreseen as a result of the Parkerson appointment. Plans now in operation call for manufacture of equipment on a large scale which will make it possible for anyone who can afford an ordinary radio set to have a facsimile receiver in his home.

Fultograph pictures have already been broadcast over a distance of 1,500 miles. The outstanding feature of Fultograph is its portability and the fact that it produces complete half-tone pictures comparable to those found in magazines.

Parkerson is well known in radio, picture and newspaper circles. He was a correspondent during the World War; later he organized the Fox newsreel in Europe; and before he joined Transradio, was business head of the European edition of the *New York Herald-Tribune* in Paris.

Packard Renews Its "Mardi Gras" a Year

The Packard Motor Car Co., sponsors of "Hollywood Mardi Gras," has renewed the series for a full year, effective Dec. 7. The series is broadcast Tuesdays from 9:30 to 10:30 P. M. over the NBC-Red. Young & Rubicam is the agency.

Clauser, a Father

DES MOINES, Nov. 9.—Al Clauser, manager of the Oklahoma Outlaws, WHO artists, is the father of a new 8 pound son. This is the third child for Mr. and Mrs. Clauser.

Too Much Avoirdupois

San Francisco, Nov. 9.—Radio row is chuckling over Paul Whiteman's phobia against high buildings.

Slated to be interviewed on KPO, the "king of jazz" canceled the program when he discovered the studio was on the 22nd floor.

Apparently overcoming his phobia two days later, Whiteman consented to introduce his 10-year-old singing protege, Jeanne Ellis, to the air audiences. On the way up to the studio the elevator stuck between the 16th and 17th floors. When service was resumed Whiteman scrambled out at the 17th, took another cage to the 22nd, then breathed easier.

Expense Is Delaying Television: Beverage

ROCHESTER, Nov. 9.—Cost is what is holding back the widespread use of television, H. H. Beverage, president, told the Institute of Radio Engineers and Manufacturers Ass'n in the organization's annual meeting here.

Television is here, he said, but the cost of transmission and of program development, plus the expense of the television receiver to the set owner, are the elements that are holding down television. He would not state how soon, in his estimation, television will become practical entertainment.

Other speakers were D. B. Sinclair of General Radio Co.; A. B. Oxley; C. E. Burnett of RCA, and F. J. Bingley of Philco Radio & Television Corp.

Long Time Signals Pact Signed by KNX

LOS ANGELES, Nov. 9.—Effective Dec. 1, KNX, CBS station here, will inaugurate a new schedule of time signal announcements for the Bulova Watch Co. The schedule is for five day and five night signals daily and is the largest time signal contract ever signed by KNX. The account was placed by the Biow Co. of New York. The contract will run for 52 weeks.

Martin on Theatre Program

SAN DIEGO, Nov. 9.—Ernest Martin, manager of the Fox Orpheum, has been assigned to handle the weekly 15 minute Fox Theatres program over KGB, Mutual-Don Lee outlet, Wednesdays at 5:45 P.M.

Martin will give reports on the new films, augmented by transcribed musical selections.

Set RCA Exchange Date

Final date of the exchange of RCA "B" preferred stock for $3.50 first preferred and common has been fixed as Nov. 30. The original final date was May 1, 1936. Under the exchange plan each share of "B" stock is equal to 1 1-5 shares of $3.50 preferred and one share of common.

Ask Mexican Announcers

MEXICO CITY, Nov. 9.—Agitation among Mexican laborites has started against American announcers employed by radio stations in the sector bordering the United States. Native or at least naturalized Mexicans are urged for these jobs.

Mehl Arranges WHN Program

A four-week contract from B. Max Mehl for a weekly 15-minute program titled "Money and Music" has been placed with WHN. The show is heard Mondays from 7:45 to 8 P.M., via the WLW Line. Guenther-Bradford, Chicago, is the agency.

"Come and Get It" for Lux

"Come and Get It" will be the Lux "Radio Theatre" presentation Nov. 15, with Edward Arnold, Anne Shirley, Lew Ayres, Madie Christians and Walter Brennan portraying the principal roles.

Plugs Variety Club on Air

KANSAS CITY, Nov. 9.—W. B. ("Senator") Bernfield, exploiteer for United Artists, discussed the film business over KCKN, and in doing so plugged Variety Club's 7th Annual Movie Ball Nov. 15 at Pla-Mor.

Mass. Bill Requires Record of Air Talks

BOSTON, Nov. 9.—A bill has been introduced in the Massachusetts House by Representative Phillip F. Bowker of Brookline which provides that Masschusetts broadcasting stations shall take and keep a "true" transcript of every speech or statement broadcast. These transcripts, by the terms of the measure, shall be kept on file, open to public inspection, under the penalty of a fine not exceeding $500.

Under the terms of the bill, defamatory statements made over the radio, if libelous, would make the speaker and the owner of the station, as well, liable to the penalties of libel laws and subject to criminal prosecution.

When filing the bill, which was rejected at the last session of the legislature, Bowker said that the recent Boston mayorality campaign had caused him to believe that the bill will go through at the coming session. Local radio men continue to think differently, however.

Remodel KGFF Studio

SHAWNEE, Okla., Nov. 9. — Remodeling of the KGFF studios on the mezzanine floor of the Aldridge Hotel has been completed and studio programs are now being presented from a newly arranged broadcasting suite. The control room has been changed from the rear of the station to the center of the suite, and new soundproof material has been applied to the walls.

Operate on Florence Golden

CINCINNATI, Nov. 9. — Florence Golden, star of the radio serial, "Life of Mary Sothern," was rushed here by plane from New York Saturday for a major operation performed at the Good Samaritan Hospital yesterday. She is doing nicely, according to a hospital report. She was accompanied here by her husband, Don Becker.

Wilson Joins AFM

SAN FRANCISCO, Nov. 9. — Clark Wilson, director of musicians' local No. 6, here, has resigned to take over a national job with the American Federation of Musicians, supervising radio and transcriptions.

Paul Carlisle Joins WKRC

CINCINNATI, Nov. 9.—Paul Carlisle has joined the announcing staff of WKRC, local CBS affiliate. He comes from KWKH, the Columbia station, at Shreveport, La.

Seattle's First

Seattle, Nov. 9.—Seattle's first "audience broadcast" of a sponsored program is being inaugurated here by KOL, Mutual station. Weisfield & Goldberg, credit jewelers, is the sponsor. "Sunday Evening Playhouse" is the program, being broadcast from the Century Club's Little Theatre, with free admission by ticket from the sponsor's store. Tubby Clark's orchestra, news events and a one-act play form the program.

Radio Town Pump

Albany

ALBANY, Nov. 9.—About 110 persons took part in the inauguration program of WOKO's new higher fidelity transmitter dedication here a few days ago. . . . Royden N. Rand, WOKO ballcaster, is back in harness after seven weeks' illness. . . . Forrest Willis, WOKO announcer, recently did a one night job for WMCA. . . . Herb Gordon's orchestra, playing at the Ten Eyck Hotel, is being heard over WOKO thrice weekly, Ethel Barrett vocalizing.

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Chicago

CHICAGO, Nov. 9. — Cal Tinney, Oklahoma philosopher, will leave soon for a lecture tour in key cities . . . Margarette Shanna, radio actress, is now Mrs. Elliott Woodruff and honeymooning at French Lick, Ind. . . . Sylvia Clark is back in town after a p. a. tour in the East . . . Kay Kyser celebrates his 11th year as an orchestra leader this week. He started his band while a sophomore at North Carolina University.

Gene Arnold is mad. He shot a season's limit of ducks the first day out. He didn't know of certain changes in the law . . . H. K. Boice, CBS vice-president, is a visitor here . . . The WBBM "mobile theatre" unit is being used by Tommy Bartlett in the new "Missus Goes to Market" show . . . Charles Lyon of the NBC central division is relieving Bill Hay on the Amos 'n' Andy programs . . . Johnnie Johnson has replaced Clark Dennis on the NBC "Breakfast Club" program.

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Hollywood

HOLLYWOOD, Nov. 9.—Felix Mills is reportedly definitely set to wield the baton for the Walt Disney air show series for Pepsodent. . . . S. C. Johnson Co., sponsors of Fibber McGee and Molly, are seeking a daytime show to plug the floor wax, with the comic pair still retaining the night spot. Script shows are being auditioned in Chicago. . . . "Concert Previews," a new series of comments by Alfred Leonard, music critic, and interviews of musical celebrities, have started on KHJ and the Don Lee Mutual network. . . . Gene and Glenn, appearing on KFI Mondays through Fridays in the mornings, have started on KECA at 7:30 P.M., P.S.T. . . .

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Oklahoma City

OKLAHOMA CITY, Nov. 9.—Allan Clark, WKY production manager, and M. H. Bonebrake, WKY advertising manager, back from Dallas where they went seeking new talent. . . . Neal Barrett, manager KOMA in Dallas, on business. Barrett will return to Texas this week for the 10th district meeting of the Advertising Federation of America, of which he is district governor. . . . Edwar T. and Mrs. Bell left here today for two weeks' vacation in San Francisco, where, on Nov. 13 they will see their daughter, Lucy Emily and her husband off on a honeymoon voyage to Honolulu. Bell is secretary-treasurer of WKY here. . . . Daryl McAllister, WKY traffic manager. gave a talk recently on radio plays before the Oklahoma Writers Club at Stillwater. . . .

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Pittsburgh

PITTSBURGH, Nov. 9.—Sid Dickler, band leader who used to be featured over WWSW, is the editor of Pittsburgh's new amusement tabloid giveaway, *Night Life*. . . . Mickey Sable, Ross Hall and Jimmy Rudge, all former radio musicians here, have joined Len Leslie's band on tour. . . . Joe Villella, whose show "Club Villella" is sponsored nightly by the De-Roy Jewelers, is also handling publicity for WJAS-KQV. . . . Jimmy Murray of WCAE has just waxed a five-minute sports show audition for a prospective midwestern sponsor. . . . Jack Hollister, sports announcer at KDKA, runs a publicity bureau on the side with Jim Hughes. Both are former newspapermen. . . . Leon Churchon, former program director of the Hearst San Francisco station, let out in the recent shakeup on the coast, is back in town.

Replace "Reporter" Show

ST. LOUIS, Nov. 9.—"Sidewalk Reporter," Union Biscuit Co.'s man-on-the-street show over KMOX, has been replaced by "The Fun Quiz," sponsor's similar program which originates over WBBM and is piped to St. Louis, for KMOX, Monday through Friday. Bob Hawk does the interviewing on the Chicago end, while France Laux supplies the commercials from the KMOX studios.

KGO Signs New Accounts

SAN FRANCISCO, Nov. 9.—A new variety show, featuring Johnny O'Brien's harmonica and guest stars, has been launched on KGO for 52 weeks by the Local Loan Co.

Other new KGO accounts include Bauer & Black, Nash Kelvinator, General Cigar Co., Eton Paper Corp. and Vick Chemical Co.

WLW Explaining Radio

CINCINNATI, Nov. 9.—WLW has launched a series of educational programs called "WLW School of Radio," designed to acquaint listeners with "behind the scenes" information about radio. The scripts will consist of dramatized explanations of various departments involved in building radio entertainment.

The first program has just been aired.

WBT to Start New Series

CHARLOTTE, Nov. 9.—A new series of 15-minute broadcasts to be heard Sundays on current films will be aired by WBT, featuring T. D. Kemp as commentator. Kemp, a brother of Hal Kemp, the bandleader, is connected with a theatrical booking agency serving North and South Carolina.

Pauline Gleason Joins KFSD

SAN DIEGO, Nov. 9.—Pauline Gleason, heard regularly on KFSD's "Concert Trio" programs, has joined that station's musical staff, as pianist. Miss Gleason was formerly with KGB in the same capacity.

K. C. Radio Dealers Favor Edgar Bergen

KANSAS CITY, Nov. 9.—Approximately 100 radio dealers and distributor salesmen voted their program preferences at a meeting here, and Edgar Bergen and Charlie McCarthy won first place, with Jack Benny, Bing Crosby, Major Bowes, Eddie Cantor and Fred Allen following in that order.

At the same meeting, the Electric Ass'n presented findings of an analytical survey of the Kansas City, Mo., market which showed that of the 90,000 sets in the city only half are any good; 70 per cent are five years old or older; 20 per cent are fully inoperative, and 30 per cent are only barely operative. Ninety-three per cent do not have modern tuning, and 70 per cent are not equipped for foreign reception.

It is estimated that 20,000 new sets will be sold in the market this season, of which 49 per cent will be replacement, 27 per cent will be new, and 24 per cent will be second sets.

Films Seek Chicago Talent

CHICAGO, Nov. 9. — Hollywood producers are casting their eyes towards Chicago in the search for talent. Grand National is seeking the services of the musical Hoosier Hot-Shots. This group played in "Mountain Music" for Paramount last season.

Perry Como, singer with Ted Weems' band, is reported to be heading for Hollywood soon for film tests. Como's place on the Fibber McGee and Molly program is being taken by Clark Dennis.

Lulu Belle and Scotty, of National Barn Dance fame, are others now discussing terms for film work.

Shouse to Take Crosley Post

ST. LOUIS, Nov. 9. — James D. Shouse, present head of KMOX, will leave for Cincinnati the latter part of this month to assume his new duties as vice-president of the Crosley Radio Corp. and general manager of WLW. Merle S. Jones, newly appointed general manager of KMOX, has returned to Chicago. Jones spent the past week here and will return Nov. 15 to take over his duties officially.

Remodel KOMA Studios

OKLAHOMA CITY, Nov. 9.—KOMA studios and offices on the 23rd floor of the Biltmore Hotel here are undergoing remodeling. Changes will result in a new office for Neal Barrett, station manager, an audition room, a meeting room for musicians and redecorating of walls and ceilings.

Pays for It

Lincoln, Neb., Nov. 9.—As compliments go, Reginald B. Martin, station manager of KFAB-KFOR and football announcer for the University of Nebraska, got a lulu recently. After listening to Martin's broadcast of the game, a fan sent in a check to the athletic department for $2.50 for payment on a seat. He said he enjoyed the broadcast so much he felt he owed them the price which he would have paid for a ticket.


GENE AUTRY
LEO CARRILLO
CAB CALLOWAY
KAY THOMPSON
TED LEWIS
JOE DiMAGGIO
HENRY ARMETTA
LUIS ALBERNI
MEMO to Adv. dept.
Run in all four magazines for January.
Out December 1st.
"MANHATTAN MERRY-GO-ROUND"
starring
PHIL REGAN • LEO CARRILLO
ANN DVORAK • TAMARA GEVA
JAMES GLEASON • GENE AUTRY
with TED LEWIS and His ORCHESTRA • CAB CALLOWAY and His COTTON CLUB ORCHESTRA • KAY THOMPSON and Her Radio Choir • JOE DiMAGGIO • HENRY ARMETTA • LUIS ALBERNI MAX TERHUNE • SMILEY BURNETTE • LOUIS PRIMA and His Band
Directed by CHARLES F. RIESNER • Original screen play by HARRY SAUBER • Based on the musical revue "Manhattan Merry-Go-Round" by FRANK HUMMERT • Associate Producer HARRY SAUBER
HIT TUNES . . .
"Round Up Time In Reno"
"Have You Ever Been In Heaven?"
"Mama, I Wanna Make Rhythm"
"I Owe You"
"All Over Nothing At All"
Republic PICTURES
CREATE HAPPY HOURS

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 113 NEW YORK, THURSDAY, NOVEMBER 11, 1937 TEN CENTS

Center Plans No Fight on Cut in Claim

Alger Fixed Claim Value At $5,500,000

Rockefeller Center will not contest a reduction of its $9,150,628 claim along the lines proposed in Special Master George W. Alger's tentative report on the RKO reorganization plan, which was issued to reorganization attorneys last Saturday, Center officials told MOTION PICTURE DAILY yesterday.

The statement was predicated upon the belief that Alger's report, in fixing the value of the claim at approximately $5,500,000, does not effect a reduction of the claim to that amount. That figure, in the opinion of Center officials, merely represents Alger's estimate of the probable value of the claim in relation to the reduced amount of stock which the Center will receive in settlement. The spokesmen stated that, according to their views of the Alger report, the actual reduction proposed will amount to not more than 39,000 shares of new RKO

(*Continued on page 9*)

"I.A. Progressives" Support L. A. Probe

LOS ANGELES, Nov. 10.—Twenty-four hours before the California Assembly Committee on Capital and Labor opened its public hearing on the I.A.T.S.E. and the entire film union situation, a committee of Alliance members calling themselves "I.A.T.S.E. progressives" issued a statement lauding the investigation and declaring, "We believe that it will be to the best interests of the industry as a whole to support this investigation so that gangsterism may be eliminated from Hollywood labor organizations."

The statement, signed by Chester

(*Continued on page 9*)

CEA Refuses to Talk On Rentals with KRS

LONDON, Nov. 10.—The Council of the Cinematograph Exhibitors' Ass'n agreed today that they will enter no round table discussion with distributors on the grading of films in "A" or other classifications. They ratified the secretary's action suggesting to the Kinematograph Renters' Society that

(*Continued on page 3*)

Radio—Page 10

U.A. Deal Near, Korda Declares

"The deal will be closed in a few days," Alexander Korda told *Motion Picture Daily* yesterday afternoon in reply to a direct query on the status of the United Artists' sale. Korda was asked whether it was not true that the deal actually had been consummated.

The direct quotation, believed to be the first to be made by one of the two principals — the other is Samuel Goldwyn, of course—in the negotiations, followed.

It was learned authoritatively that despite numerous conferences by Korda and E. H. Lever of Prudential, London, with Stanton Griffis, which have been held recently, Hemphill, Noyes & Co. will have no interest in the deal.

Conn. MPTO Votes For Ten-Point Plan

NEW HAVEN, Nov. 10.—The Connecticut M.P.T.O., at a meeting held here yesterday, approved the M.P.T.O.A. 10-point trade practice program with the reservation that an effort be made by the sponsors of the plan to devise a type of conciliation board which would have power to enforce its findings. If this proves impossible, it was the sense of the meeting that the plan be affirmed in its present form.

Ed Kuykendall, M.P.T.O.A. presi-

(*Continued on page 2*)

TALK NEW PACTS FOR LOEW HEADS

N. Y. Rejects 16 Pictures During Year

ALBANY, Nov. 10.—A total of 16 films were finally rejected entirely, out of 1,924 reviewed by the Motion Picture Division of the N. Y. State Education Dep't., the censor board, during the year from July 1, 1936, to June 30, 1937, according to the annual report of Irwin Esmond, division director, to Frank P. Graves, Commissioner of Education. Actually 24 pictures were initially rejected, but eight were revised and later approved. The 16 finally rejected compares with 19 initially rejected in the previous year, and 16 finally rejected.

Eliminations were made in 162 films on statutory grounds, comparing with 180 films out of the 1,902 reviewed in the previous year. According to the report, in addition to the pictures rejected entirely, 1,291 elimi-

(*Continued on page 9*)

Laemmle, Jr., Out As M-G-M Producer

HOLLYWOOD, Nov. 10. — Carl Laemmle, Jr., today severed his connection with M-G-M as producer after five months with the company. His contract still had seven months to run. During the past five months Laemmle had been preparing a Wallace Beery vehicle and a remake of "The Hunchback of Notre Dame."

Spokesmen for Laemmle said that his quitting was the result of "inexplicable reasons."

Mayer, Rubin, Bernstein Contracts to Expire Next Year

Preliminary negotiations have been started by Nicholas M. Schenck, president of Loew's, for the extension of employment contracts of Louis B. Mayer, production head; David Bernstein, treasurer and vice-president, and J. Robert Rubin, vice-president, it was learned yesterday. Each executive has a five-year pact which expires the end of next year. Options for the purchase of Loew stock at stipulated prices are included in the three agreements.

Schenck, at the last annual stockholders' meeting of Loew's, Dec. 8, 1936, was voted a five-year service contract, the first he has ever signed, effective Jan. 1, 1937. The pact provides for a percentage of the profits in addition to $2,500 a week.

The Loew head yesterday left for the coast, accompanied by his brother, Joseph M., to talk over contract terms with Mayer. Schenck described his trip as his annual one and said he would be away about three weeks.

Asked about reports linking David O. Selznick with Loew's, Schenck

(*Continued on page 9*)

20th-Fox British Decision Up Soon

Discussions on British production plans for 20th Century-Fox will be resumed on the coast following arrival of Sidney R. Kent, president, Joseph M. Schenck, chairman of the board, declared yesterday upon his departure for Hollywood after a 10-day stay here. Kent will leave for the west Monday, Schenck said, and "we will decide then what we will do."

Schenck asserted again that he was

(*Continued on page 9*)

G. B. Matter Is in Abeyance—Schencks

"We are letting the matter lie in abeyance," is the way Joseph M. and Nicholas M. Schenck yesterday described the G. B. situation. Reports have been around that Al Lichtman has been conferring with Isidore Ostrer on a renewal of the deal whereby Loew's and 20th Century-Fox would acquire the Ostrer's voting stock in the English company. They were denied unequivocally by both Schencks.

More British Groups Asking A Commission in Film Bill

LONDON, Nov. 10.—Further bids were made today by various film interests for the adoption in the new Film Bill of a provision for a film commission. Among the 25 amendments offered to the measure, several ask the adoption of a commission clause. The proposed powers of such a commission were clearly defined in an attack on the bill today.

The Lord Strabolgi group was lectured today by an exhibitor deputation to the House of Commons headed by Charles P. Metcalfe. Present were Theodore H. Fligelstone, Ken Nyman, W. R. Fuller and A. J. Gale. They argued the case for a film commission to the group, which was non-committally sympathetic.

The labor groups and producer representatives informally talked to

(*Continued on page 3*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Spyros Skouras Sails

LONDON, Nov. 10.—Spyros P. Skouras, operating head of National Theatres, sailed today on the *Queen Mary* for New York. He cut his vacation short a week to confer with his brother, Charles, head of F. W. C., now in New York.

Charles P. Skouras and Mike Rosenberg, scheduled to return to the coast today, have delayed their departure until next week.

Seek Ampa Amendment

An amendment to the Ampa constitution has been proposed whereby persons identified with the industry but residing outside of New York can be admitted without the power of voting. Action on the proposal will be taken by the membership at an early meeting.

Cochrane Rites Today

Funeral services for Tom D. Cochrane, for 15 years general manager for Paramount in the Orient, who died here Tuesday, will be held today at 2:30 P. M. at the Columbus Circle Chapel, 43 W. 60th St.

Purely Personal

ARTHUR A. LEE, G. B. vice-president and general manager, who will leave tomorrow by plane for Dallas, plans to follow up his Texas visit with three days of conferences in Hollywood. Then he will head for San Francisco, Portland, Seattle, Denver, Salt Lake City and Chicago.

•

GEORGE CUKOR will be subjected to a Selznick International cocktail party at "21" on Tuesday. This is another in a lengthening series inaugurated since DAVID O. SELZNICK arrived in town a few weeks ago.

•

SYLVIA SIDNEY, FRANCES FARMER, LESLIE BANKS, BEATRICE MEREDITH and LOUIS CALHERN have promised to attend the M. P. Associates' dinner and dance at the Hotel Astor Nov. 20.

•

HELEN BEVERLEY, featured in "Green Fields," will be guest of honor at the Riverside Plaza Hotel on Saturday after the matinee of the play in which she is appearing.

•

PHIL REISMAN, foreign sales manager for RKO, leaves for Hollywood Saturday, there to meet HERBERT WILCOX and to discuss problems at large with studio officials.

•

JOHN HAY WHITNEY, chairman of the board of Selznick International, sailed on the *Normandie* yesterday. MAX FACTOR was another passenger.

•

M. J. WEISFELDT, Columbia short subject sales supervisor, has returned from a four-week tour of the company's exchanges in the south.

•

BINNIE BARNES, DON STANNARD, British actor recently signed by M-G-M, and MARION HARRIS arrive today on the *Washington*.

•

WILBUR PETERSON of Peterson's Orpheum, Somerville, Mass., will return to his New England headquarters today after a visit here.

•

HARRY MICHAELSON, RKO short subject sales head, left for Chicago yesterday to confer with WALTER BRANSON a few days.

•

A. H. SCHWARTZ will leave today for Owl's Head, N. Y., and will remain until Monday.

•

NATE J. BLUMBERG today leaves for a quick tour of RKO theatres in the Middle West.

•

BURTON HOLMES and SYDNEY CHAPLIN are due today on the *Rex*.

•

MARY PICKFORD flew to Chicago yesterday via American Airlines.

•

NAT LEVY, RKO district manager, is in town from Detroit.

Eastman Votes Extra

Eastman Kodak Co. of New Jersey has voted an extra dividend of 50 cents on the common in addition to the quarterly disbursement of $2. The extra dividend will be paid Dec. 10 while the quarterly payment will be made Jan. 3.

Snoppyquops Spread

Hollywood, Nov. 10.—It couldn't happen any other place. The town has the "snoppyquops."

Shirley Temple got the first one some time ago. Then Cora Su Collins, Jane Withers, Sybil Jason and Hal Roach's gang acquired them. Recently Glenda Farrell phoned Fay Wray late at night to ask what they were. Now they're spreading.

Feg Murray is their inventor. They're fantastic fable animals which Murray draws. Some are ants with alarm clock ears, elephants with vacuum cleaner trunks, or golf bugs with niblick noses.

Connelly Elected As Authors' Head

Marc Connelly was elected president of the Authors' League at a poorly attended annual membership meeting at the Lincoln Hotel yesterday. Annual reports of officers of member guilds of the Authors' League were presented at the meeting, most of which had been submitted earlier to the annual meetings of the individual guilds. This fact was cited to explain the small attendance at yesterday's meeting.

Other officers elected, all of whom were regular nominees, were Elmer Davis, vice-president; Inez Haines Irwin, secretary, and Luise Sillcox, treasurer.

There was no discussion at the meeting of the Screen Writers' Guild proposals for autonomy and a dominant position in the league's council.

Conn. MPTO Votes For Ten-Point Plan

(*Continued from page* 1)

dent, is now winding up a national trip during which he obtained the views of regional exhibitor organizations on the 10-point plan. The results of the local meeting will be forwarded to Kuykendall.

Local exhibitors who have not closed with Paramount for new season contracts, after hearing a report on the settlement reached by Philadelphia zone exhibitors with the company, indicated they would attempt to obtain similar terms for existing or new contracts.

"Manhattan" Screened

Republic yesterday screened "Manhattan Merry-Go-Round" to more than 1,000 exhibitors, their families and friends and home office executives at the Astor Theatre. Cab Calloway, Kay Parsons and Ted Lewis, who appear in the film, were in the audience. H. J. Yates, Moe Seigel, Walter Vincent, J. J. Milstein, Edward Schnitzer and Herman Gluckman were among the home office and local sales staff present.

SMPE Meeting Nov. 17

The next meeting of the Atlantic Coast Section of the Society of M. P. Engineers will be held at the Hotel Pennsylvania Nov. 17. Dr. L. A. Jones of Eastman Kodak will deliver the featured paper, "Inter-Relationships of Various Aspects of Color."

Signs Writ in Suit Against Universal

An alternative writ of mandamus directing the officers and directors of the Universal Picture Corp. to exhibit their books and records from 1930 to date to the Murita Trading Corp. or to show cause before Nov. 30 why they should not be compelled to do so was signed by Justice Samuel I. Rosenman in the N. Y. Supreme Court yesterday.

Justice Rosenman had previously denied a peremptory writ on the ground that Universal questioned the right of the petitioner to see the books. Under the writ as signed, Universal may go to trial to determine whether Murita is acting in good faith or whether it is a stockholder under the Delaware law. Universal Pictures Corp. is a subsidiary of the Universal Corp. Murita claims to be a stockholder and to represent 10 per cent of the outstanding first preferred stock. It is alleged that considerable losses have been sustained since 1930 and the request to examine the books was made to consider the advisability of placing Universal Pictures under a Section 77B reorganization.

Universal charged that an application was made to compel the company to purchase the stock owned by Murita at a price above the present market value. Murita is also said not to be a stockholder of record and therefore not entitled to examine the books under the Delaware law. If Universal decides to answer the suit instead of exhibiting the books, the case will be set for trial to determine the issue.

Continues Attachment Writ

N. Y. Supreme Court Justice Kenneth O'Brien yesterday refused to reconsider his decision upholding a writ of attachment brought by George McLeod Baynes against Atlantic Film Prod., Ltd. of London. Baynes attached prints of the picture, "Thunder in the City" and funds held for Atlantic by Columbia Pictures Corp. He claims $30,000 as his share of the gross receipts of the picture for arranging with Columbia for distribution of the film. Atlantic asked that the writ be vacated on the ground that the court had no jurisdiction and that Baynes had failed to show by affidavit that he has a valid cause of action.

Cuts Orpheum Allowances

The allowances of $1,000 each to Morton Blumenthal, Witold Pavlowski and Jay Strong, who acted as appraisers for the Orpheum Circuit, Inc., were cut to $600 each by Federal Judge Henry W. Goddard in the U. S. District Court yesterday when he ordered Marcus Heiman, Orpheum trustee, to make payment. Bankruptcy Referee Oscar W. Ehrhorn had previously allowed the higher amount. Judge Goddard approved an allowance of $775 to John C. Pinto and Associates.

Balaban, Griffis to Coast

Barney Balaban, Paramount president, leaves for the coast Saturday night. He will spend the weekend in Chicago and will be joined there on Tuesday by Stanton Giffis, chairman of the Paramount executive committee. The two will leave for the studio on the Super Chief the same day. They plan to remain in Hollywood two or three weeks.

Other Groups Ask Inclusion Of Commission

(*Continued from page* 1)

Board of Trade officials, pleading for separate quotas and labor safeguards in the new law, as well as representation in Empire reciprocity.

The Cinematograph Exhibitors' Ass'n is understood to be ready, relative to their plan for a viewing committee, to agree to empower the president of the Board of Trade to introduce new proposals at any time to safeguard British interests.

One interesting amendment to the bill which was tabled provided that films made in Canada be excluded from the quota.

CEA Refuses to Talk On Rentals with KRS

(*Continued from page* 1)

the only solution to the rental problem is the rescinding of the recent K.R.S. resolution. The resolution suggested that so-called "A" films be booked only on a flat rental basis.

The general council of the C.E.A. meanwhile reported that their meetings with the circuit representatives on the situation had been successful and that the two groups are entirely in agreement on the matter. The council declared: "Present day rentals have been pushed to extreme lengths. Consideration has been given to the renters' (distributors') announcement that a committee be appointed to grade films in two classes. It is realized that it is a process whereby a few American distributors could put their heads together and squeeze rentals to the point where theatres would become uneconomic."

The exhibitors see a key to the situation in the clause in the original Moyne report on revision of the Films Act proposing that the Government should watch the situation closely on the transfer of British interests, with a view to preventing control from passing abroad. At the meeting planned with Oliver Stanley, president of the Board of Trade, on Friday, as reported exclusively in MOTION PICTURE DAILY yesterday, the C.E.A. will press for widening the powers of the advisory committe, so that Parliament could deal readily with such a situation.

Kansas Tax Schedule Effective on Dec. 1

KANSAS CITY, Nov. 10.—The Kansas Tax Commission will make effective Dec. 1 a new sales tax payment schedule and at the same time will have in the hands of merchants, exhibitors, and others enough of the new one-mill tokens to make the new schedule possible. Heretofore the state has issued only two-mill pieces. With the one-mill tokens in circulation, the schedule provides: 0 to two cents, no tax; three to seven cents, one mill; eight to 12 cents, two mills; 13 to 17 cents, three mills; 18 to 22 cents, four mills, and so on.

The two per cent levy was inaugurated in June, this year.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Submarine D-1"

(*Cosmospolitan-Warners*)

HOLLYWOOD, Nov. 10.—Again Warners have come up with an excellent naval service picture full of the stuff that makes good entertainment. It follows lines laid down in earlier Pat O'Brien-James Cagney series but is possessed of sufficient novelty to accommodate a half dozen features. "Submarine D-1" tells an engaging story of personal rivalry that establishes an interesting romantic conflict and is also an authentic record of the methods adopted to train the Navy's undersea sailors. The necessary dramatic and comedy elements are held together by a bond of well-controlled suspense. The entire complement of the navy's forces are paraded spectacularly. The film's most potent effect comes in a remarkable demonstration of how the crew of a submarine that was sunk in a crash is rescued. This sequence, a marvel of production technology, held the attention of the preview audience in a vise-like grip.

The plot is an exemplification of the idea of making a hero out of a heel as the legitimate hero becomes a greater hero. Comedy provided by Frank McHugh contrasts the rivalry existing between Sailor Wayne Morris, who has little regard for the discipline and tradition worshipping of Petty Officer Pat O'Brien. Mainly Morris plans to get O'Brien's job as well as Doris Weston, his girl. Assigned to George Brent's submarine, Morris puts the ship and the lives of its crew in danger. Following a raucous sailors ashore escapade in Panama and eventual arrival at San Diego, Brent transfers O'Brien to the mother ship to perfect a collision escape chamber, appointing Morris to his vacant sub post. As the fleet goes through battle practice the sub crashes.

One by one the men use the new apparatus and ascend to the surface until only Brent, Morris and an injured officer remain. Brent goes up, to return again with O'Brien and a new chamber to rescue the two left behind. All involved are awarded honors for their heroism. O'Brien sacrifices Miss Weston to Morris knowing he is now a man worthy of her.

The performances are good. Dennie Moore stands out in a brief comedy bit. Good support is contributed by Ronald Regan, Henry O'Neill, Regis Toomey, Veda Ann Borg, Broderick Crawford and Wally Maher. The film is based on a story by Frank Wead, who also adapted it in collaboration with Warren Duff and Lawrence Kimble. Lloyd Bacon directed.

Running time, 100 minutes. "G."

Looking 'Em Over

"Adventure's End"

(*Universal*)

A fair adventure tale of whalers, highlighted with sequences depicting the hunting of the mammals as it was done in the old days, manages to make "Adventure's End" moderately good entertainment. The plot is inclined to be disconnected, but the story threads are coherently woven at the conclusion. It is dual bill fare.

John Wayne is chased by indignant natives from highly lucrative pearl beds in the South Seas. He makes his way aboard Montagu Love's ship. Love dies soon after, but before he passes away he marries Diana Gibson, his daughter, to Wayne. His purpose is to give the girl a young husband so she does not make a mistake like her mother, who died early in life. The ship sails for whales and New Bedford. En route the crew learns of Wayne's pearling activities and the seeds of mutiny sprout. Moroni Olsen, the first mate, loses prestige with the crew to win Wayne's favor. He is almost set adrift by the crew. Wayne saves him. Later Wayne is made prisoner, but his pickanniny friend, Paul White, sets him free and the pair regain control of the ship once more. During the course of the action Wayne and Miss Gibson make various deals which are satisfactorily ironed out as the ship draws near its home port and she accepts him as her husband.

The screenplay was contrived by Ben G. Kohn from a Ben Ames Williams story. Trem Carr produced. Supporting players include Maurice Black, Cameron Hall and Patrick J. Kelly. Arthur Lubin directed. The action on the high seas lends the proper salty atmosphere to the piece.

Running time, 63 minutes. "G."

(Additional Review on Page 9)

Variety Club

Cincinnati

CINCINNATI, Nov. 10.—The following candidates for 1938 officers have been nominated and will be voted on at the election Nov. 19: Chief barker: JOE OULAHAN and CHARLES MCDONALD; assistant chief barker, ARTHUR FRUDENFELD, WILLIAM ONIE, JAMES J. GRADY, WILLIAM KAGLE. The two highest candidates will be elected first and second chief barker. Property master, no opposition, JOE KOLLING, dough guy, RALPH KINSLER, canvasmen, IKE LIBSON, MAURICE WHITE, WILLIAM BEIN, ALBERT WEINSTEIN, HAROLD BERNSTEIN, NAT GALLEY, HARRY HARTMAN, PEP GOLDEN, ELMER SHARD. Four to be elected.

Kansas City

KANSAS CITY, Nov. 10.—EARL JAMESON, ARTHUR COLE, FINTON JONES, STANLEY CHAMBERS, FRANK HENSLER and many another Barker this week were winding up details in preparation for the biggest event of the season for film, theatre, and allied tradesmen—the seventh annual Charity Ball at Pla-Mor, Nov. 15. Included in the entertainment program will be night club acts, acts from the Fox, first run house, managed by CHAMBERS, the entertainment committee's chairman; a chorus from the Tower and the Billy Mack Dancing School, and others.

Hostesses have been named for the various Film Row exchanges: BARBARA LINDEN, Paramount; MAYBELLE ELSLOO, Columbia; JUNE MEDCALF, Kansas-Missouri Theatres Ass'n; VIRGINIA GAYLORD, Republic; HELEN RAU, Universal; MINNIE SCHMIEDGEN, U. A.; NORA HERRING, M-G-M; MARGARET O'TOOLE, RKO; DONNA MEADE, National Screen Service; FRANCES JACOBS, Warners, and ANN RICHEY, 20th Century-Fox.

Forty theatres in Kansas City and vicinity are running trailers advertising the ball to the public.

Washington

WASHINGTON, Nov. 10.—A testimonial without the guest of honor was sprung when some 50 barkers and friends of CHARLES KRANZ turned out to pay their respects to the departing owner of Artcinema Film Exchange, Inc.

Chief Barker CARTER T. BARRON presented KRANZ a combination two-pen desk set and lamp.

A general meeting will be held Nov. 15 at 1 o'clock to change the by-law pertaining to election of officers to permit the election prior to the annual dinner-dance, at which time formal announcement of the results will be made.

For the first time since 1935, radio was represented among the kings-for-a-day at a luncheon of Tent No. 11, when WILLIAM B. DOLPH, manager of WOL, and Dr. FRANK T. SHYNE officiated at a "radio luncheon."

Ban "Tobacco Road"

NEW ORLEANS, Nov. 10.—Declaring the play, "Tobacco Road," to be "immoral and obscene," Commissioner of Public Safety Gomila has instructed Police Superintendent Reyer to prohibit the showing of the production which was scheduled to open here Nov. 22 at the St. Charles.

THE THREE MOST EXCIT

LESLIE HOW
"IT'S LOV
BETTE DAV
"IT'S LOV
OLIVIA DeH
"IT'S LOV

Ask the record thousands a

This makes WARNE

NG PREMIERES OF 1937

VARD in
E I'M AFTER"

Supporting Cast Includes Patric Knowles • Eric Blore • George Barbier

Directed by Archie L. Mayo
Screen Play by Casey Robinson
Original Story by Maurice Hanline

IS in
E I'M AFTER"
AVILLAND in
E I'M AFTER"

t the N.Y. Strand yesterday!

R BROS. *very happy!*

"Zola" a 2nd Week Leader, Minneapolis

MINNEAPOLIS, Nov. 10.—"The Life of Emile Zola" continued to do big business in Minneapolis last week, doubling the Century average of $3,500 in a second week. At the Orpheum, "Life Begins at College," with a revue, took $12,000, over normal by $6,000. Price rises aided both bills.

"Double Wedding" wowed them in both towns, doing $11,000 at the Minnesota where $10,000 is normal and $7,000 at the Paramount where $5,500 is good. The State got up into the success column with a $6,500 take, over average by $1,000. "Stage Door" was the show. "100 Men and a Girl" continued to do an average $2,000 at the World and started its fifth week.

Total first run business in Minneapolis was $38,500. Average is $27,000. Total first run business in St. Paul was $15,400. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Nov. 4:

"DOUBLE WEDDING" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $11,000. (Average, $10,000)
"LIFE BEGINS AT COLLEGE" (20th-Fox)
ORPHEUM—(2,900), 25c-55c, 7 days. Stage: "Play Girls Revue." **Gross:** $12,000. (Average, $6,000)
"LIFE OF EMILE ZOLA" (W.B.)
CENTURY—(1,600), 25c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $3,500)
"STAGE DOOR" (RKO)
STATE—(2,400), 25c-40c, 7 days, 2nd week. **Gross:** $6,500. (Average, $5,500)
"100 MEN AND A GIRL" (Univ.)
WORLD—(400), 25c-35c, 7 days, 4th week. **Gross:** $2,000. (Average, $2,000)

St. Paul:

Week Ending Nov. 4:

"DOUBLE WEDDING" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)
"LOST HORIZON" (Col.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

Week Ending Nov. 2:

"BACK IN CIRCULATION" (F.N.)
"WINE, WOMEN AND HORSES" (W.B.)
RIVIERA — (1,000), 25c-40c, 7 days. **Gross:** $2,000. (Average, $2,500)

Week Ending Nov. 3:

"BULLDOG DRUMMOND COMES BACK" (Para.)
"OVER THE GOAL" (F.N.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,900. (Average, $2,000)

Marty Hogan to K. C.

KANSAS CITY, Nov. 10.—Marty Hogan, traveling auditor for Warners in the South, with headquarters at Atlanta, has been named office manager of the Warner exchange here to succeed C. F. McBride. McBride left several weeks ago to become office manager and head booker at Universal's San Francisco exchange.

Gets Picketing Stay

KANSAS CITY, Nov. 10. — Judge Thomas J. Seehorn of the Circuit Court has granted a temporary restraining order to Frank Mountjoy of the Circle, restraining members, officers, or sympathizers of Local 170, from picketing, violence, threats, etc., against Mountjoy, the theatre or his family.

"Stage Door" Is Seattle's Top, $8,100

SEATTLE, Nov. 10.—"Stage Door" stepped out front with a take of $8,100, over par by $1,100, at the Fifth Avenue and was moved to the Music Box for an extended run.

The Paramount, with "Life of the Party" and a stage show called "Species of 1937," reached $7,300, up by $1,300. Other first runs suffered.

Total first run business was $36,650. Average is $36,500.

Estimated takings for the week ending Nov. 5:

"IT'S A GIFT" (Para.)
"FORLORN RIVER" (Para.)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,450. (Average, $4,000)
"STAGE DOOR" (RKO)
FIFTH AVENUE—(2,500), 30c-55c, 7 days. **Gross:** $8,100. (Average, $7,000)
"DEAD END" (U.A.)
LIBERTY—(1,800), 25c-55c, 7 days, 4th week. **Gross:** $4,600. (Average, $5,000)
"LIFE BEGINS IN COLLEGE" (20th-Fox)
MUSIC BOX—(950), 30c-55c, 7 days. **Gross:** $3,750. (Average, $4,000)
"BIG CITY" (M-G-M)
"SOPHIE LANG GOES WEST" (Para.)
ORPHEUM—(2,450), 30c-55c, 7 days, 2nd week. **Gross:** $5,200. (Average, $6,000)
"LOVE TAKES FLIGHT" (G.N.)
PALOMAR—(1,500), 15c-35c, 7 days. Stage: Ted Mack Revue. **Gross:** $4,250. (Average, $4,500)
"LIFE OF THE PARTY" (RKO)
PARAMOUNT—(3,050), 30c-55c, 7 days. Stage: "Spices of 1937." **Gross:** $7,300. Average, $6,000)

"Baba" a $13,500 Montreal Cleanup

MONTREAL, Nov. 10. — "Ali Baba Goes to Town" went over with a bang to the tune of $13,500 at the Palace. It led the first run parade against two holdovers.

"Stella Dallas" was the reopening attraction at the Orpheum, which has joined the first run category, and the take was $5,000 at 50 cents top. A fifth week of "100 Men and a Girl" as top feature at Loew's accounted for $5,500, while a second week of "Life Begins in College" represented $6,000 for the Princess.

Total first run business was $39,000. Average is $40,500.

Estimated takings for the week ending Nov. 6:

"DOUBLE WEDDING" (M-G-M)
"LONDON BY NIGHT" (M-G-M)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $9,500)
"100 MEN AND A GIRL" (Univ.)
LOVE IN A BUNGALOW" (Univ.)
LOEW'S—(3,115), 25c-34c-40c-50c 7 days, 5th week. **Gross:** $5,500. (Average, $8,000)
"STELLA DALLAS" (U. A.)
ORPHEUM—(919) 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,500. (Average, $11,000) Held over.
"LIFE BEGINS IN COLLEGE" (20th-Fox)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. 2nd week. **Gross:** $6,000. Average, $7,000)

Wilcox, Neagle to Coast

DENVER, Nov. 10.—Herbert Wilcox, Anna Neagle and S. Barret McCormick today left for Hollywood. Last night they attended the opening of "Victoria the Great" at RKO's Orpheum.

Student Price

Fond du Lac, Wis., Nov. 8.—Fox has announced a students' price at the Fond du Lac, Retlaw and Garrick here of 25 cents. In order to receive this special price, students are required to show a passport size photo of themselves, with a card properly signed and endorsed by school authorities.

"Ali Baba" Pulls $14,000 at Cincy

CINCINNATI, Nov. 10.—"Ali Baba Goes to Town" did just that at the RKO Albee, grossing $14,000 against a $12,000 average. It was moved to the RKO Capitol.

"High, Wide and Handsome" got $12,000, or $2,000 over the RKO Palace normal, and was shifted to the RKO Lyric. "Double Wedding" was $850 over the RKO Grand line on its second downtown week, and "Heidi" came within very close range of the $6,500 figure at Keith's, where it played its second downtown stanza. "Music for Madame" was disappointing at the RKO Lyric, and was pulled after the sixth day.

Total first run business was $52,300. Average is $58,700.

Estimated takings:

Week Ending Nov. 3:

"HIGH, WIDE AND HANDSOME" (Para.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $12,000. (Average, $10,000) Moved to RKO Lyric.

Week Ending Nov. 4:

"ALI BABA GOES TO TOWN" (20th-Fox)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $14,000. (Average, $12,000) Moved to RKO Capitol.
"LIFE OF EMILE ZOLA" (W.B.)
RKO SHUBERT—(2,150), 35c-42c, 7 days, 2nd week. **Gross:** $7,000. (Average, $12,000) Held.
"DOUBLE OR NOTHING" (Para.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500)
"MUSIC FOR MADAME" (RKO)
RKO LYRIC—(1,400), 35c-42c, 6 days. **Gross:** $2,200. (Average, 7 days, $6,500)
"DOUBLE WEDDING" (M-G-M)
RKO GRAND—(1,200), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,600. (Average, $2,750)
"SMOKE TREE RANGE" (Univ.) (3 days)
"FORTY NAUGHTY GIRLS" (RKO) (2 days)
"WINGS OVER HONOLULU" (Univ.)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,400. (Average, $2,450)
"HEIDI" (20th-Fox)
KEITH'S—(1,500), 30c-40c, 7 days, 2nd downtown week. **Gross:** $6,300. (Average, $6,500)

Wolf Shifts Managers

CLEVELAND, Nov. 10.—Nat Wolf, Warner zone manager, has made the following personnel changes: A. K. Veach, formerly in charge of Warner Kentucky theatres, to manage the Lake, Cleveland; Cary Reeves, from Lake manager to assistant manager at the Hippodrome; Don Jacobs, from Hippodrome assistant to manager of the Pastime, Coshocton. Bud Gilliam comes into the local advertising department from Coshocton.

Lewis to Produce "Fools"

HOLLYWOOD, Nov. 10.—David Lewis has been assigned the production reins of Warners "Men Are Such Fools," Faith Baldwin *Cosmopolitan* Magazine story which Horace Jackson is adapting.

"Wedding" Is Pittsburgh's Biggest Draw

PITTSBURGH, Nov. 10.—The biggest thing in town last week was "Double Wedding," which gave the Penn around $22,500, its biggest gross of the year. The picture was moved to the Warner for a second week. Also big was the Stanley, where "The Perfect Specimen" and a stage show got a rattling good $20,250.

Otherwise business was dull, except at the Warner, where "Riding on Air" and "Over the Goal" in eight days did close to $5,100. At the Alvin, "Something to Sing About" was yanked after six days to a weak $5,500 and "Wild and Woolly" and "Idol of the Crowds" couldn't better an awful $2,500 at the Fulton.

Total first run business was $55,600. Average is $45,500.

Estimated takings for the week ending Nov. 4:

"SOMETHING TO SING ABOUT" (G.N.)
ALVIN—(2,000), 25c-50c, 6 days. **Gross:** $5,500. (Average, 7 days, $7,000)
"WILD AND WOOLLY" (20th-Fox)
"IDOL OF THE CROWDS" (Univ.)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,500)
"DOUBLE WEDDING" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $22,250. (Average, $11,000)
"PERFECT SPECIMEN" (F. N.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Bunny Berigan's band, Jackie Heller, Gail Reese, Joe and Jane McKenna, Nichols and Roberts. **Gross:** $20,250. (Average, $18,000)
"RIDING ON AIR" (RKO)
"OVER THE GOAL" (W. B.)
WARNER—(2,000), 25c-40c, 8 days. **Gross:** $5,150. (Average, 7 days, $5,000)

"Life Begins" Dual Best in New Haven

NEW HAVEN, Nov. 10.—"Life Begins in College," on a dual with "Borneo," took $9,000 at the Loew's-Poli, $1,000 over average, in a dull week. The pictures were moved to the College, where this week's bill, "Breakfast for Two" and "Frame-Up," grossed $3,200, on top by $400.

"Angel" and "Forlorn River" did an average $4,800 at the Paramount; while the second week of "The Life of Emile Zola" and "Over the Goal" fell to $4,000, under par by $600, after a first smash week of $9,000.

Total first run business was $21,000. Average is $20,200.

Estimated takings for the week ending Nov. 5:

"BREAKFAST FOR TWO" (RKO)
"FRAME-UP" (Col.)
COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $3,200. (Average, $2,800)
"LIFE BEGINS IN COLLEGE" (20th-Fox)
"BORNEO" (20th-Fox)
LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)
"ANGEL" (Para.)
"FORLORN RIVER" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross: $4,800.** (Average, $4,800)
"LIFE OF EMILE ZOLA" (W.B.)
"OVER THE GOAL" (W.B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,600)

"Dr. Rhythm" New Title

HOLLYWOOD, Nov. 10.—The title of "The Badge of Policeman O'Roon," Major-Paramount vehicle for Bing Crosby, has been changed to "Doctor Rhythm."

You'd never forgive us
if we didn't tell you...

"IT'S FAR AND AWAY
THEIR BEST EVER!"



Their love is
news again!

All the happy thrill of "Love Is News" . . . the gay ten-

derness of "Cafe Metropole" . . . with a new and deeper

love to add countless thousands to their great following!

PLAN TO HOLD THEM OVER AGAIN...

only this time longer than ever!



Under the Miami moon Reno was forgotten . . . and love had won again!

Tyrone
POWER
Loretta
YOUNG
in
Second Honeymoon

with
STUART ERWIN · CLAIRE TREVOR · MARJORIE WEAVER · LYLE TALBOT
J. EDWARD BROMBERG

Directed by Walter Lang
Associate Producer Raymond Griffith
Screen play by Kathryn Scola and Darrell Ware. Based on the Red Book Magazine story by Philip Wylie.
Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

N.Y. Rejects 16 Pictures During Year

(Continued from page 1)

nations of scenes, subtitles and dialogue were made as follows: Indecent, 546; immoral or tending to corrupt morals, 343; tending to incite to crime, 305; inhuman, 64; sacrilegious, 33.

A total of 9,784 reels were reviewed by the censor board during the year, or more than 9,000,000 feet of film. During the year, three appeals were taken to the commissioner of education from censor decisions. In two of the cases the censor was upheld, and in one it was reversed.

The total receipts of the censor board during the fiscal year were $292,435.62, as compared to $269,931.20 for the preceding year, an increase of $22,504.42. Expenditures totaled $64,921.46, as compared with $65,728.99 for the preceding year. The net revenue to the state, after deducting the cost of operation, was $227,514.16, comparing to $204,202.21 for the preceding year. Since the organization of the censor board in 1931 the total revenue to the state has amounted to $2,297,896.80.

Imported Films Jump

The report noted that the number of foreign pictures submitted for review has shown a marked increase. More than 400 foreign-made films were reviewed during the censor year, coming from more than 20 countries. Esmond pointed out that in the litigation over the rejection of the foreign film, "Ecstasy," the Federal Court upheld the right of the censor board to pass on foreign films designed for showing in the state.

Esmond recommended that additional reviewers and inspectors be employed to supplement the present staff of four reviewers and five inspectors.

Wall Street

Board Has Substantial Gains

	Open	High	Low	Close	Net Change
Col.	16	16½	15¾	16½	+1¼
Col., pfd.	31	31¾	31	31¾	+2
Cons.	2	2	2	2	.....
Cons., pfd.	7¾	8	7¾	8	.....
E. K.	162	163	162	163	+3½
G. T. E.	15⅜	15⅜	15⅛	15¼	+1
Loew	60	60⅞	59	60⅞	+3⅝
Para.	14½	14⅞	14¼	14⅞	+1
Para. 1	105	105	104½	105	+3
Para. 2	13¼	13⅜	13	13¼	+ ½
Pathe	6¾	7	6⅝	7	+ ⅝
RKO	5½	5¾	5½	5¾	+ ½
20th Fox	24¾	24¾	24½	24¾	+1¼
20th, pfd.	30¼	30¼	30¼	30¼	+ ¾
Univ., pfd.	33	33	33	33	+1
W. B.	8½	8⅝	8⅜	8⅝	+ ⅝

Curb Issues Increase

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1½	1½	+ ¼
Monogram	1½	1½	1½	1½	.....
Sonotone	1⅝	1¾	1⅝	1¾	.....
Tech.	19½	20½	19½	20¼	+1¼
Trans-Lux	2⅞	2⅞	2⅞	2⅞	— ⅛
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	.....
Univ. Pict.	4	4	4	4	— ½

Warner Bonds Rise

	High	Low	Close	Net Change
Keith 6s '46	89½	89½	89½	— ½
Loew 3½s '46	99	98¾	99	+ ¼
Para. Pict. 6s '55	97	96½	96½	—1½
W. B. 6s '39	83	82	83	+1½

(Quotations at close of Nov. 10)

Looking 'Em Over

"Behind the Mike"

(*Universal*)

LINCOLN, Neb., Nov. 10.—Burlesque on the operation of sticks radio stations of small wattage—complete to one-man handling of announcing, programs with four or five changes of voice, and the switch of records. Through it Don Wilson, who handled the identification on the mike for Jack Benny's program, comes to the screen the first time and acquits himself admirably although the story is bad.

Universal's featured player lists were drawn on for William Gargan, big-mouthed and heavy-fisted program idea man; Judith Barrett, secretary of the manager of an opposition link, and Sterling Holloway, the one-lung station's handy-man, which will be the names used in most of the billing.

Because Gargan can't get along with Grady Sutton, orchestra leader; William Davidson, the sponsor, and the station manager, Gerald Oliver Smith, he loses a big network job and takes a wild rush into the country to put over some small stations. He finds one he signed for sight unseen turns out to be occupying the loft of a stable and has one account. After bulling his way about in the best china shop manner, he finally stumbles on some political intrigue which miraculously saves the day when it establishes the other local station as managed by a public fund snatcher.

"Behind the Mike" is along the quantity rather than quality production lines. It is obviously low-cost and a short notice idea. It was directed by Sidney Salkow, with original story by Walter Butterfield and Thomas Ahearn. Barry Trivers did the screenplay.

Running time, 68 minutes. "G."

Center Won't Fight Reduction in Claim

(Continued from page 1)

common stock. This would give the Center approximately 461,000 shares of new common which, Alger estimates, will be worth $10 to $12 per share, thus representing a maximum valuation of $5,532,000 for the settlement of the $9,150,628 claim.

The Center officials stated that they did not regard the indicated reduction as a "grievous" one and attached little significance to the indicated valuation of the settlement, explaining that an accurate estimate of the market value of the new stock would be difficult to arrive at and, in any event, has little bearing on the amount which could be realized through disposing of it, as such a large number of shares could not be absorbed by the market at one time or even over a moderately long period.

A contest of the Rockefeller Center claim could delay consummation of the RKO reorganization plan for many months.

Alger's report is regarded in most reorganization quarters as favorable to a speedy completion of the reorganization. As reported earlier, the special master approves the plan in all of its basic principles and proposes the reduction of claims on many fronts. He proposes, however, that no dividends be paid on the common stock of the reorganized company until the new debentures have been retired or converted. The first hearing on the report is scheduled for Monday.

Agree on Union Terms

KANSAS CITY, Nov. 10.—The Midland, Mainstreet and Newman are agreeable to the proposal made by the Theatre Employes local, which provides a minimum of 35 cents an hour for ushers and adds $1 a week to the wages of other theatre employes (except operators), according to Felix Snow, district representative of the I. A. T. S. E.

20th-Fox British Decision Up Soon

(Continued from page 1)

in favor of producing 10 pictures a year in England. At present, New World, under Robert T. Kane, is producing from four to five a year abroad. One Gracie Fields film is being made in England now and it is undecided on a second, according to Schenck.

"20th Century-Fox is up-to-date on all its releases," the board chairman said, "and the entire schedule promised at the beginning of the season will be made."

Lew Wertheimer, who was in Detroit yesterday visiting his family, will meet the Schenck party in Chicago today and continue on to the coast. Jay Paley is also in the party.

Joseph Moskowitz, Aubrey Schenck, Margot Grahame and F. Kirk were at the station to see the 20th Century-Fox executive off. Schenck will be back again in March.

"I.A. Progressives" Support L.A. Probe

(Continued from page 1)

K. Cohen and Irwin P. Henschel, further declared that "12,000 members are forced to take out cards in order to continue working but have never had a meeting and have never initiated or endorsed activities of the officials. We have been ordered to pay special assessments amounting to thousands of dollars monthly without explanation regarding the purpose of the funds and without any financial statement. We have been unable to take action against such dictatorship because of control over our jobs vested in the hands of our officials by the producers."

Robert Montgomery, president of the Screen Actors Guild and 18 other industry figures have been subpoenaed to take the witness stand tomorrow. Details of I.A.T.S.E recent jurisdiction claim will be discussed.

New Contracts For Loew Men Are Discussed

(Continued from page 1)

said: "We haven't signed Selznick and there is nothing new at this time. However, I don't say that we won't sign him. I'd like to have him work for me. I'd give him a job any time."

Schenck could not say whether he would talk to Selzick on the coast. He held that it all depends on his being in California when Selznick returns there.

The Loew head predicted the best year in the company's history, starting Oct. 1, the beginning of the new fiscal year. Loew's annual statement is now nearing completion and will be ready for the stockholders' session, Dec. 21.

At the station to see Schenck off were Rubin, Leopold Freidman, C. C. Moskowitz, Joe Vogel, Bert Nayfack and Marvin Schenck.

Clevelanders Hit M-G-M's Air Show

CLEVELAND, Nov. 10.—Clippings of an article by W. Ward Marsh in the *Cleveland Plain Dealer* headed: "Some Sad Notes on the Motion Picture's Entry into the Radio Field" are being sent to members of the Cleveland M. P. Exhibitors' Ass'n by George Erdmann, secretary.

After citing the competition of Bing Crosby and Bob Burns, Rudy Vallee and Kate Smith, Erdmann writes: "Thursday was selected as the day of broadcasting rather than Saturday or Sunday, because it will conflict least with theatre business.

"In my personal opinion, this is just about the poorest excuse for an alibi ever used by a distributor to go in direct competition with his customers.

"Inasmuch as Thursday nights will conflict least with theatre business, let us hope other distributors who take to the air will also select Thursdays, then maybe we can save on film rentals by closing Thursdays and give us the opportunity of enjoying their programs with our families at home."

Marsh in his article in the *Plain Dealer* suggests that the M-G-M program indicates that "the celluloid China expects eventually to absorb the radio Nippon."

He expresses the opinion that it is "poor business judgment."

Local 306 Discusses Wage Pacts Outlook

Members of Local 306 held a meeting at Palm Gardens last night to hear a report on negotiations with major circuits on a new two-year deal. Executives of the union last night were confident that the talks with circuit operators were nearing a conclusion and held that new terms may be decided late this week or early next.

Union members are anxious for the restoration of three cuts in salary made during the depression. So far the circuits have given the operators a 10 per cent increase, contingent on the outcome of negotiations.

Television Permit Is Granted to NBC

WASHINGTON, Nov. 10.—Authority to construct a portable television station to operate in the vicinity of New York and Camden, N. J., has been granted the National Broadcasting Co. by the F. C. C. The station will operate on frequencies of 92,000 and 175,-000-180,000 kilocycles with a power of 400 watts for visual transmission and 100 watts for sound.

At the first meeting of the broadcast division in several weeks, a number of stations were granted operating permits, as follows:

WCBS, Springfield, Ill., 1,420 kilocycles, 100 watts night, 250 watts day; KHBG, Okmulgee, Okla., 1,210 kilocycles, 100 watts, daytime only; WGAR, Cleveland, 1,450 kilocycles, 500 watts night, 1,000 watts day; KCRJ, Jerome, Ariz., 1,310 kilocycles, 100 watts night, 250 watts day; WCHV, Charlottesville, Va., 1,420 kilocycles, 100 watts night, 250 watts day; KOAM, Pittsburg, Kan., 790 kilocycles, 1,000 watts, daytime only; KIEM, Eureka, Cal., 1,450 kilocycles, 500 watts night, 1,000 watts day; KGEZ, Kalispell, Mont., 1,310 kilocycles, 100 watts; WTMJ, Milwaukee, 620 kilocycles, 1,000 watts night, 5,000 watts day; WJDX, Jackson, Miss., 1,270 kilocycles, 1,000 watts night, 5,000 watts day; KATE, Albert Lea, Minn., 1,420 kilocycles, 250 watts, daytime only; WNYC, New York, 810 kilocycles, 1,000 watts, daytime only.

Date Those Pending

A large number of pending applications were set for hearings by examiners, among them the following:

Applications of Y. W. Scarborough and J. W. Orvin for a 1,210-kilocycle station at Charleston, S. C., with 100 watts night, 250 watts day; Amarillo Broadcasting Corp. for a 1,500-kilocycle, 100-watt station at Amarillo, Tex.; Thumb Broadcasting Co., for a 950-kilocycle station at Sandusky, Mich., 500 watts night, 1,000 watts day; Mountain Top Trans Radio Corp., for a 1,370-kilocycle station at Denver, 100 watts night, 250 watts day; Pinellas Broadcasting Co., for a 1,370-kilocycle station at St. Petersburg, Fla., 100 watts night, 250 watts day; Colonial Broadcasting Corp., for a 1,370-kilocycle station at Norfolk, Va., 100 watts night, 250 watts day; Florida West Coast Broadcasting Co., for a 1,300-kilocycle, 250-watt station at Clearwater, Fla.; Joe L. Smith, Jr., for a 1,210-kilocycle station at Beckley, W. Va., 100 watts night, 250 watts day; Madison Broadcasting Co., for a 1,450-kilocycle, 250-watt station at Madison, Wis.; Great Western Broadcasting Co., for a 1,500-kilocycle, 100-watt station at Omaha, Brenau College, for a 1,210-kilocycle, 100-watt station at Gainesville, Ga.; Greater Greenwood Broadcasting station for a 1,420-kilocycle station at Greenwood, S. C., 100 watts night, 250 watts day.

Southern Group to Be Heard

Southern Broadcasting Corp., for a 1,500-kilocycle station at Covington, La., 100 watts night, 250 watts day; Piedmont Broadcasting Corp., for a 1,500-kilocycle station at Salisbury, N. C., for 100 watts night, 250 watts day; Constitution Publishing Co., for a 1,240-kilocycle station at Atlanta, 1,000 watts night, 5,000 watts day; L. B. McCormick for a 1,370-kilocycle, 250-watt daytime station at Greenville, N. C.; State Broadcasting Corp., for a 1,370-kilocycle station at Gretna, La., 100 watts night, 250 watts day.

Frequency Change Asked

Stations WKEU, Griffin, Ga., for change of frequency from 1,500 to 1,310 kilocycles and increase of power and time of operation from 100 watts day only to 100 watts night, 250 watts day; KOMA, Oklahoma City, increase of power from 5,000 to 10,000 watts; WKBW, Buffalo, increase of power from 5,000 to 10,000 watts; WISN, Milwaukee, increase of night power from 250 to 1,000 watts; WJBO, Baton Rouge, La., increase power from 500 to 1,000 watts; KUJ, Walla Walla, Wash., change of frequency from 1,370 to 560 kilocycles and increase of power from 100 to 250 watts; KROC, Rochester, Minn., change of frequency from 1,310 to 920 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts night, 1,000 watts day; WAPO, Chattanooga, Tenn., change of frequency from 1,420 to 1,120 kilocycles and increase of night power from 100 to 500 watts; WAIR, Winston Salem, N. C., increase time of operation from day only to unlimited; KSO, Des Moines, increase of power from 500 watts night, 2,500 watts day, to 1,000 watts night, 5,000 watts day; KSRO, Santa Rosa, Cal., increase of time of operation and power from 250 watts daytime only to 100 watts night, 250 watts day.

Limited Television Field Is Predicted

ROCHESTER, Nov. 10.—Television will never be available to rural populations outside a 50 or 60-mile radius of big urban centers where transmitting stations must be established, according to the statements of technicians made to the Institute of Radio Engineers at its fall meeting here today. The reason is that ultra-short wave transmission used for television will not be powerful enough to carry picture signals many miles.

Engineers also reported that radio distortion and fading have been overcome in large part due to the efforts of research workers. C. E. Granquist of Stockholm said that the trouble had been traced to the tube which turns radio impulses to sound waves just before the speaker makes them audible. A new oscillator tube which can be stabilized against fading of the radio signals was described. The new tube, it is claimed, will permit automatic tuning to an extremely fine degree, thus eliminating disturbances which cause distortion of sound coming from the speaker. It will supplement the automatic control devices on modern radio sets, according to the report made here.

Mutual to Have Whiteman Band

Paul Whiteman's orchestra will broadcast exclusively over Mutual during his stay at the Drake Hotel in Chicago, beginning Nov. 19. The band will be heard several times a week.

Murray on Ford Program

Lyn Murray and Chorus, and Kenneth Roberts have been signed as regular members of the "Watch the Fun Go By" cast, CBS program sponsored by the Ford Motor Co. Mack Davis of the CBS artists bureau set the deal.

New Shows On the Air

Radie Harris

Radie Harris, who said she could put on an interesting screen talk program without stooping to the distasteful depths of many of her masculine contemporaries, proved it last night when she brought her inaugural talk to the Mutual network.

Radie, who has a pleasant voice and a sure, confident delivery, started by purveying the usual Hollywood chit-chat, mainly of the current romances of the stars; defended Tyrone Power against the high hat charges which were lodged against him during his recent visit to New York; rated "Live, Love and Learn" as a "three cheer" picture; gave the "inside" of the proposed European vacation trip of the Paul Munis; good-naturedly spoofed the Grand National publicity boys for bringing to life the rumor that James Cagney had settled his feud with Warners every time Jimmy was about to start a new Grand National picture. As her guests she had actress Gertrude Lawrence and composer Johnnie Green.

Radie's series should do well. Two shortcomings in the opening show were detected, however, but can be eradicated easily. The supporting orchestra was too slow in following the cues and the weak burst of applause from the audience at the close should not be permitted.

Radie Harris is presented Wednesdays from 6:45 to 7 P. M. over a coast-to-coast Mutual hookup. The series is sustaining at the moment.

BANNER

Bell Demonstrates Its Coaxial Cable

PHILADELPHIA, Nov. 10.—The Bell Telephone Laboratories yesterday demonstrated for the first time the use of the company's coaxial cable between this city and New York, as a transmitter of current similar to a television current. Films, the nearest thing available with a similarity to television pictures, were broadcast from the Bell Laboratories in New York to the Bourse Bldg. here.

Using the cable, which can accommodate 240 simultaneous telephone conversations, the films were reproduced on a screen seven by eight inches. The program included an explanation with diagram of the functioning of the system and several newsreel clips, and lasted about six minutes. Telephone officials expressed satisfaction with the demonstration, and Dr. Herbert E. Ives of Bell Laboratories declared, "There is no limit to the application of this system, but first we must wait for television."

Demonstration from New York

A similar demonstration of the coaxial cable was held from the New York headquarters of the Bell Laboratories here yesterday afternoon, and another is scheduled for tomorrow.

Tyrone Power on "Hotel"

Tyrone Power will appear in the lead of "Second Honeymoon" when he re-enacts scenes from his latest film on "Hollywood Hotel" over CBS Nov. 19.

Radio Personals

LEITH STEVAN's "Swing Club" orchestra has been booked for a personal appearance at Loew's State the week beginning Dec. 9, through Paul Ross of the CBS artists bureau . . . Buddy Clarke has set his signature to a new management contract with the CBS artists bureau . . .

✚

Daniel C. Studin, executive vice-president of Star Radio Programs, Inc., has returned to his office after a week's illness. . . Milton Hirth, electric organist, is guesting for Buddy Clarke over CBS tonight. . . Jane Pickens is continuing her tour of variety houses in the East, opening today at the Earle, Philadelphia for one week. . . Senorita Graziella Parraga, South American radio artist, has arrived here to carve an American radio career for herself.

✚

Radio Foto Log, edited by Sam Kaufman, is an excellently turned out and helpful publication. . . It's put out by the National Union Radio Corp. . . . Lucy Monroe left for Washington yesterday to appear on the Armistic Day program today . . .

Radio Sales Company Completes Expansion

Expansion plans of British American Prod., Inc., have been completed, according to B. Charles-Dean, president. With the recent appointment of representatives in Great Britain, Australia and New Zealand, facilities are now complete for the handling of sales and promotion through radio campaigns in this country, Latin America, and the markets mentioned.

Charles S. Pearsall is now associated with B. A. P., Inc., as vice-president. The added personnel joining the organization as of this week are Arthur Leary, recently with Tested Selling, Inc., who will be in charge of the broadcast-merchandising department, and Irving J. Henry as sales manager for radio campaigns.

Campbell to Put on Long Xmas Program

The Campbell Soup Co. will sponsor an hour and 45 minutes over CBS Christmas Day, from 4 to 5:45 P. M.

The 60 minutes from 4 to 5 will be taken up with a "Hollywood Hotel" dramatization. The regular Friday night "Hotel" broadcast will be canceled for the Christmas Day program.

The final 45 minutes, from 5 to 5:45 P. M., will consist of a dramatization of the Dickens classic, "Christmas Carol," with Lionel Barrymore as the featured player. This will mark the third successive year the Campbell Soup Co. has sponsored "Christmas Carol" as a Christmas Day network presentation. Barrymore in 1935 was signed to appear as Scrooge for five years.

NBC to Air Montague Match

A description of the charity golf match between John Montague and Babe Ruth, Babe Didrickson and Helen Hicks will be broadcast over the NBC-Red Nov. 14 from 2 to 2:15 P. M., and from 4 to 4:30 P. M.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 114 NEW YORK, FRIDAY, NOVEMBER 12, 1937 TEN CENTS

MPTO Plans Final Bid for Practice Code

Seeking Self-Regulation Before New Congress

A final drive to obtain voluntary regulation of trade practices is planned by the M.P.T.O.A. prior to the next regular session of Congress at which, it is believed, new efforts to obtain regulatory industry legislation will be made, well informed exhibitor quarters revealed yesterday.

The M.P.T.O.A. effort will be predicated on the conviction that without a voluntary trade practice code in being or in prospect by midwinter, Congressional efforts to obtain legislation for the regulation of the industry will stand their best chance of success.

It is not improbable that this objective explains the recent acceptance given by Ed Kuykendall, M.P.T.O.A. president, of an invitation to join with the I.T.O.A. of New York and

(*Continued on page* 12)

FTC Studies Allied Paramount Plaint

By BERTRAM F. LINZ

WASHINGTON, Nov. 11.—Investigation by the Federal Trade Commission of complaints filed by Allied States against Paramount is still in the "confidential stage," it was said today at the F.T.C., but it was learned that an examiner's report has been prepared for study by the commission.

No public announcement of its decision will be made by the commission unless and until it determines to issue a formal complaint in the matter.

There were indications that the commission, in studying the subject, would give consideration to the settlement of the eastern Pennsylvania exhibitors' controversy with Paramount, in which the exhibitors secured some concessions.

No Banned Pictures Had Code Approvals

Of the 16 pictures which were rejected in entirety by the New York censor board during the year ended June 30, last, none bore the industry code seal, indicating an approval by the Production Code Administration, the M. P. P. D. A. stated yesterday. In addition, none of the productions banned was made by producer members of the association, it was said.

Berman Pinch Hits Until Head Chosen

HOLLYWOOD, Nov. 11.—Pandro Berman, pending appointment of a successor to S. J. Briskin as head of the RKO studio, is pinch hitting to the extent of eyeing scripts designed for major production, in addition to his normal activities as the head of his own unit. Lee Marcus, as has prevailed for some time, continues in charge of the "B" product.

Lou Lusty, who was Briskin's assistant and "trouble buster" under the latter's regime, is continuing in a like capacity with Leo Spitz who, however, and to all intents and purposes,

(*Continued on page* 12)

Film Carriers Meet Set for Louisville

LOUISVILLE, Nov. 11.—A joint convention of the National Film Carriers, Inc., and the National Trucking Ass'n. will be held here Nov. 14 to 17. A feature of the meeting will be a discussion of the new film transport regulations which were recently adopted by the Inter-State Commerce Commission.

Arthur S. Dickinson, technical adviser of the M. P. P. D. A., will leave for Louisville tonight to attend the trucking and film carriers' meeting as an official representative of major distributors.

Le Roy Will Join Metro as Producer

HOLLYWOOD, Nov. 11.—Mervyn Le Roy will join M-G-M as a producer-director immediately upon the completion of his film, "Food for Scandal" for Warners, which is now in preparation. Le Roy's future affiliation has been the subject of considerable speculation in recent weeks, climaxed with the intimation by Jack L. Warner, vice-president in charge of Warner production, last Friday in Chicago en route to the coast, that Le Roy would be signed to a new long term Warner contract on the return of the production executive to

(*Continued on page* 12)

Say "U" 17% Ahead For Fourth Quarter

Domestic billings of Universal during the 13 weeks ended Oct. 30, representing the fourth quarter of the fiscal year, showed an increase of approximately 17 per cent over the corresponding quarter last year.

The increase was attributed by J. Cheever Cowdin, chairman of the board, to improvement in the quality of productions and the development of a number of stars.

At the end of the quarter Universal had completed 15 pictures as compared with 12 for the same period last year. Within the next 60 days the company will place 13 films in production.

New Contract For Mayer Is Held Certain

Renewal for Bernstein, Rubin Also Sure

HOLLYWOOD, Nov. 11.—Insiders at the M-G-M studio take it completely for granted that Louis B. Mayer's contract as head of production will be renewed for five years. "Fantastic to consider anything else," was the way one executive put it. That new pacts covering the services of two other Loew's, Inc., veteran executives—David Bernstein, vice-president and treasurer of the parent company, and J. Robert Rubin, vice-president and legal head of the producing company—will be made is regarded in much the same light as the circumstances governing Mayer.

With the arrival from New York on Saturday of Nicholas M. Schenck, deliberations on terms of the extension of the arrangement covering Mayer's services are believed slated to get under way. Mayer's current contract expires Dec. 31, 1938, and, for this reason, the discussions about its renewal at this time are not viewed as

(*Continued on page* 12)

"Conquest" $50,000 First Capitol Week

"Conquest" at the Capitol garnered approximately $50,000 in its first week. This is about $10,000 more than "Angel" and Tommy Dorsey and his orchestra got at the Paramount.

The Music Hall ended a first week of "The Awful Turth" with $94,000. "Heidi" ended with $42,000 last night at the Roxy. "The Perfect Specimen" at the Strand tallied $15,000, while "West of Shanghai" at the Criterion took in less than $8,000. "Lancer Spy," at the Rivoli chalked up a take of $17,500, while "Murder in Greenwich Village" finished with $7,500 at the Rialto.

Committee Will Get Film Bill Next Week

LONDON, Nov. 10.—The new measure designed to replace the present Films Act will go to a committee of the House of Commons for consideration next Tuesday or Thursday. The committee personnel as revealed today, includes members of all parties.

The producers today approached the exhibitors with the objective of attempting to develop a united front. They asked exhibitor support on a

(*Continued on page* 12)

Industry Loss Through Radio Seen by Myers

WASHINGTON, Nov. 11.—The loss of popularity of film stars whose talents are not adaptable to radio broadcasting may be costing the industry "millions," Abram F. Myers, chairman of Allied States Ass'n, suggests in an organization bulletin sent out to Allied exhibitors today.

Discussing the subject of "stars on the air," Myers observes that radio competition with theatres would exist even though Hollywood personalities were to be barred from the air. Therefore, he reasons, exhibitors may be fortunate that radio time is occupied by many Hollywood persons whose talents cannot be projected favorably over the air. If this were not the case, he suggests, radio talent rather

(*Continued on page* 15)

Warners Take To Radio with Program Dec. 1

Warners and their affiliate, Transamerican Broadcasting and Television Corp., finally officially disclosed yesterday their intention of taking to the airwaves with a large-scale radio program, as has been expected for some time. An agreement has been concluded with Lord & Thomas, advertising agency, and the American Tobacco Co., for a series of 52 weekly broadcasts from Hollywood over a coast-to-coast NBC hookup, to be sponsored by Lucky Strike cigarettes.

This marks the second major film studio to go on the air. Last week the M-G-M program, "Good News of 1938," bowed in over NBC for General Foods.

Dick Powell, of the studio starring

(*Continued on page* 16)

Additional Radio Developments—Pp. 16-18

MOTION PICTURE DAILY
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Trade Group to Get Music Industry Code

WASHINGTON, Nov. 11.—The trade practice code of ethics for the popular price music industry, on which hearings were held Oct. 4, is expected to go before the Federal Trade Commission for approval within a week or 10 days, it was learned here today.

No reason for the delay in disposing of the matter could be secured at the commission, where it was said merely that the period which has elapsed was not unusual. However, since the code consisted of one rule and the Robinson-Patman Act, the delay is seen in some quarters as due to uncertainty in the commission as to whether it is desirable to include the latter, which is an operating law and needs no formal acceptance by industry.

S. D. Cocalis Injured

ELIZABETH, Nov. 11.—Sam D. Cocalis was slightly injured when he fell from a tree during a fire at his home here. A fire started in the basement and Cocalis climbed out of a second story window on to a tree, from which he fell and hurt his leg and wrist.

Insiders' Outlook

By RED KANN

FROM Bill Ornstein's trainshed interview with Nick Schenck, prior to the latter's departure for Hollywood, this is reprinted:

"We haven't signed David O. Selznick and there is nothing new at this time. However, I don't say that we won't sign him. I'd like to have him work for me. I'd give him a job any time."

And so would Louis B. Mayer, Dave's father-in-law as well as the head of Metro production and a firm believer in Selznick's very definite capabilities as a producer of heavy-gauge attractions . . .

▼

When you understand that the inducements dangled before the Selznick orbs include (1) full financing, (2) a low distribution charge fixed at 20 per cent, (3) Gable for "Gone with the Wind." (4) a call on Metro talent facilities and (5) a fifty-fifty split of the profits, plus (6) maintenance of the Selznick International identity functioning on its own lot, you will begin to comprehend how far Schenck and Mayer are prepared to go to acquire this sole producer, his ability and his Margaret Mitchell novel. Elsewhere, it is the fact to report that the maneuverings to capture Selznick are intricate and high flown—RKO, and Paramount have had their caps in the ring and there is always United Artists eager to retain him in the fold. All of this augurs very well indeed for whatever deal with whomever Dave makes it. His market value is refusing to remain fixed, but fluctuates—and always upward—with each changing offer. That is how it goes in this business when a personality is proven and, thus, becomes in great demand. . .

▼

The dramatics and the intrigues in the several changes in alignment now pending so far have failed adequately to explain what Joe Schenck is doing in the United Artists and the Selznick picture. He has been consulted by and in conference with a number of people not tied in with his activities at 20th Century-Fox. Alex Korda and Selznick, for example. Part of this has been pursued on a friendship basis and in recognizance of the value of Schenck's counsel. Where Selznick is concerned, there might be reason to countenance the thought Schenck has been talking on behalf of his brother. To conclude any or part of the discussions pertain to 20th Century-Fox is to go completely hasty. Schenck has his Zanuck and is eminently well pleased with him. Zanuck and Selznick in one studio or in two studios feeding the same company, for that matter, seem slightly fantastic, if not downright impossible and unnecessary . . .

▼ ▼

Helen Waller, it is conveniently supplied, has been appointed "party advisor" by Bob Taplinger, the Warner studio publicity chief, to help bored and tired stars think up ideas for their parties, to pick the entertainment, the place, the guest list, et al. If the newly appointed Taplinger now can devise some means of making those bored and tired stars think, he'd have something. . .

▼ ▼

Many producers have quit or have been fired by many studios for varied and assorted reasons, but those "spokesmen" for Junior Laemmle scaled a new peak when they described the why of his withdrawal from Metro. "Inexplicable reasons," was how they put it. It is delightfully vague in the accepted and traditional Hollywood manner. . .

M-G-M Winners Coming

The first two winners in the M-G-M foreign sales drive will arrive Monday on the *Queen Mary*. They are T. A. Connor of Manchester, Eng., and A. F. Gibson of Glasgow, Scotland. The men will see the sights in New York for four days, then leave for Hollywood where they will visit the various studios for five or six days and then return to New York.

About three foreign winners will visit here a month. Forty will come.

Brandt in Premium Deal

Harry Brandt yesterday was reported to have signed with Metro Premiums for giveaways in five of his theatres.

Dave Blum Going West

Dave Blum, foreign publicity head for M-G-M, will leave via American Airlines Sunday for the coast where he will confer with studio executives on foreign censorship and publicity.

"Angel" Good Abroad

Paramount reports that cable advices indicate "Angel" is doing and has the prospect of doing unusual business abroad, in London, Helsingfors, Amsterdam, Budapest, Vienna.

Hold Rites for Cochrane

Funeral services were held yesterday at the Columbus Circle Chapel for Tom D. Cochrane, who died on Tuesday.

Purely Personal

JOE MOSKOWITZ, IRVING HOFFMAN and HERMAN BERNIE, the latter just in from a talent agency trip to the Middle West, feasted on sturgeon, Nova Scotia salmon and whitefish at Lindy's yesterday. More on *palates* and how they veer: BOB GOLDSTEIN stuck to shredded wheat and hot milk; JOE PINCUS, to cream cheese and toasted rolls.

•

Mrs. JAMES R. GRAINGER owns a wire-haired terrier, named Liberty Loan. Word just in from the coast informs the dog was adjudged the best specimen at the Ambassador Hotel dog show and also recently won ribbons at competitions in San Mateo, Pomona, Sacramento and Del Monte.

•

JACK and MRS. COHN yesterday (1) had lunch at Lindys', (2) motored to their farm near Pawling for a try at horsemanship and (3) returned to town last night to see "Amphitryon 38."

•

JAMES M. (JERRY) JERAULD, managing editor of MOTION PICTURE DAILY, started exploring along the Spanish Main yesterday. He left on the *Haiti* for a cruise.

•

FEDERICK C. OTHMAN'S "The Washington That Sightseers Never See," and "The Man in the Iron Mask," by JACK NEVILLE, have been acquired by M-G-M.

•

W. RAY JOHNSTON will leave Pittsburgh tomorrow for Hollywood where he will confer with SCOTT R. DUNLAP on exploitation for "Boy of the Streets."

•

BARONESS LILY HATVANY, Hungarian writer under contract to M-G-M, who arrived from Europe last week, left yesterday for the coast studio.

•

LEWIS MILESTONE has sailed for Europe on the *Normandie*, planning a vacation which will last through the Christmas holidays.

•

MARLENE DIETRICH will sail from France on the *Normandie* next Wednesday, arriving in New York on Nov. 22.

•

ARTHUR LEE will leave by plane today for Dallas and on Sunday will proceed to the coast.

•

BINNIE BARNES returned from Europe yesterday on the *Washington*.

•

ROSCOE FAWCETT, the publisher, took a plane to Fort Worth last night.

•

HARRY KALCHIEN of Paramount flew to Boston yesterday.

•

WALTER O'KEEFE flew to Detroit last night.

Chas. R. Rogers Coming

HOLLYWOOD, Nov. 11.—Charles R. Rogers, production head at Universal, will leave for New York next Wednesday for a Broadway show and talent survey and for conferences on the exploitation for "You're a Sweetheart."

'ALI BABA GOES TO TOWN' HIP-HIP-HOORAORING HIT IN SMASH HOLD-OVER RUNS!

Already making hold-over history in these key towns:

MILWAUKEE
SAN FRANCISCO
ROCHESTER
ST. LOUIS
BALTIMORE
INDIANAPOLIS
LOUISVILLE
CHICAGO
HOUSTON
DALLAS
SALT LAKE CITY
CINCINNATI
DAYTON
NEW YORK

They just can't get enough of Cantor!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

"Zenda" Hits High Spots in Boston Houses

BOSTON, Nov. 11.—"The Prisoner of Zenda," dualed with "League of Frightened Men" at Loew's State, grossed $19,000 during a week when the Rodeo was at the Boston Garden, the Auto Show at Mechanics' Hall and four legitimate shows played to capacity business. This figure is $7,000 above average.

The same program at Loew's State drew $16,000, or $5,000 above average.

"Breakfast for Two," with "Lancer Spy," held for a second week at the RKO Memorial, took $14,200. Average is $12,000.

"Life of Emile Zola," second run, and "Over the Goal," first run, playing at the Paramount grossed $9,000, above average by $2,100. The same program took $5,600 at the Fenway, above the line by $1,100. "Sea Racketeers" and "Boots and Saddles" at the Hub took $6,300. Average is $5,500.

Total first run business was $108,200. Average, $96,000.

Estimated takings for the week ending Nov. 4:

"LIFE OF EMILE ZOLA" (W. B.)
(2nd run)
"OVER THE GOAL" (W. B.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,600. (Average, $4,500)

"BREAKFAST FOR TWO" (RKO)
"LANCER SPY" (20th-Fox)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $14,200. (Average, $12,000)

"PRISONER OF ZENDA" (U. A.)
"LEAGUE OF FRIGHTENED MEN"
(Columbia)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $19,000. (Average, $12,000)

"PRISONER OF ZENDA" (U. A.)
"LEAGUE OF FRIGHTENED MEN"
(Columbia)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $16,000. (Average, $11,000)

"ANGEL" (Paramount)
METROPOLITAN—(4,332) 35c-55c-75c, 7 days. Stage: Jimmy Savo and Helen Morgan. **Gross:** $19,000. (Average, $22,000)

"LIFE OF EMILE ZOLA" (W. B.)
(2nd run)
"OVER THE GOAL" (W. B.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $9,100. (Average, $7,000)

"FIGHT FOR THE LADY" (RKO)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Morton Downey. **Gross:** $19,000. (Average, $22 000)

"SEA RACKETEER" (Republic)
"BOOTS AND SADDLES" (Republic)
HUB—(950), 20c-30c-40c, 7 days. **Gross:** $6,300. (Average, $5,500)

Fined for Sunday Show

IRETON, Ia., Nov. 11.—Charles Reed, operator of the Community here, was fined $1 and costs by Mayor John Viotho, when he pleaded guilty of violation of the Sunday ordinance prohibiting operation of theatres on Sunday. He has operated his theatre on Sunday nights since October 3. He is circulating a petition for Sunday films to be presented to the City Council at the next meeting.

To Film Prize Novel

MEXICO CITY, Nov. 11.—"El Indio" ("The Indian"), the Mexican folklore novel which created something of a stir in the United States and has been awarded the 1937 prize for literature in Mexico, author of which is Gregorio Lopez y Fuentes, managing editor of a local newspaper, is to be made into a film this fall, with the aid of the Federal Government.

Waring Heavy Cleveland Draw; Film Is Secondary

CLEVELAND, Nov. 11.—Fred Waring and His Pennsylvanians, always a knockout attraction here, with "Breakfast for Two," boosted the take at the RKO Palace 30 per cent to $26,000. Average is $20,000.

"The Awful Truth," playing a second week at Warners' Hippodrome, established a second week record with a gross of $15,000. Average is $12,000 on a first week. The picture was moved to the Allen for a third consecutive downtown week.

Total first run business was $66,000. Average is $61,500.

Estimated takings for the week ending Nov. 5:

"CHARLIE CHAN ON BROADWAY"
(20th-Fox)
ALLEN—(3,000), 30c-35c-42c-55c, 7 days. **Gross:** $6,000. (Average, $6,000)

"THE BRIDE WORE RED" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $12,000. (Average, $15,000)

"DOUBLE OR NOTHING" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"BREAKFAST FOR TWO" (RKO)
RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: Fred Waring and His Pennsylvanians. **Gross:** $26,000. (Average, $20,000)

"THE AWFUL TRUTH" (Col.)
WARNERS' HIPPODROME — (3,500), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $15,000. (Average, $12,000)

"THERE GOES THE GROOM" (RKO)
WARNERS' LAKE—(800), 25c-35c, 3 days. **Gross:** $800. (Average, 7 days, $2,500)

"WEST OF SHANGHAI" (F. N.)
WARNERS' LAKE—(800), 25c-35c, 4 days. **Gross:** $1,200. (Average, 7 days, $2,500)

"Truth" with $9,400 Leads In Washington

WASHINGTON, Nov. 11.—"The Awful Truth" was a bright standout in the general first run gloom with a take of $9,400 at the Metropolitan. This was $5,100 over normal.

Only one other house reached normal. This was the Earle where "The Perfect Specimen" and a stage show headed by Block and Sully grossed $18,400.

Total first run business was $59,600. Average is $73,700.

Estimated takings, exclusive of tax:

Five Days Ending Nov. 2:

"FIT FOR A KING" (RKO)
RKO-KEITH'S—(1,836), 25c-55c 4-2/3 days. **Gross:** $4,000. (Average, 7 days, $10,600)

Six Days Ending Nov. 3:

"THE BRIDE WORE RED" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 6 days. **Gross:** $3,100. (Average, 7 days, $3,600)

Week Ending Nov. 3:

"THE PRISONER OF ZENDA" (U. A.)
LOEW'S PALACE—(2,370), 35c-55c 7 days, 2nd week. **Gross:** $8,100. (Average, first week, $15,900)

Week Ending Nov. 4:

"THE PERFECT SPECIMEN" (F. N.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Block & Sully, Marjorie Gainsworth; Harris, Clair & Shannon; Houston & Harden; the Four Ortons. **Gross:** $18,400. (Average, $18,400)

"HEIDI" (20th-Fox)
LOEW'S CAPITOL—(3 434), 25c-66c, 7 days. Stage: Salici Puppets, Harry Rose, Jane Pickens, Alexander & Santos Revue. **Gross:** $16,600. (Average, $20,900)

"THE AWFUL TRUTH" (Col.)
METROPOLITAN—(1,591), 25c-40c, 7 days (continuation run). **Gross:** $9,400. (Average, first-run, $4,300)

Duchess Back on Screen

TORONTO, Nov. 11.—The Duchess of Windsor is back on the screens of Canada in newsreel shots without restriction of censor boards which, for some months, had cut every shot in which the wife of the ex-King of Britain had been apparent. No announcement was made by the Ontario Board that the ban had been raised and her reappearance on the screen brought no comment from newspapers.

"Zola" Smash Detroit Draw With $12,600

DETROIT, Nov. 11.—"The Life of Emile Zola" proved a smash hit at The Madison with a take of $12,600 This was more than double par.

"Lost Horizon," with Eddie Peabody heading a stage show, held up to $23,200 at the Fox in its second week. This was $3,200 over a first week par. "The Perfect Specimen," with a stage show headed by Stoopnagle and Budd, garnered $24,500, up by $4,500, at the Michigan.

Total first run business was $79,400. Average is $65,000.

Estimated takings for the week ending Nov. 4:

"KING SOLOMON'S MINES" (G. B.)
"COUNSEL FOR CRIME" (20th-Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,100. (Average, $5,000)

"LOST HORION" (Col.)
FOX—(5,100), 15c-75c, 7 days, 2nd week. Stage: Eddie Peabody, John Hale, Helen Reynolds, 3 Nonchalants, Dorothy Crooker. **Gross:** $23,200. (Average, $20,000)

"PERFECT SPECIMEN" (W. B.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Stoopnagle & Budd, 4 Craddocks, Kay, Katya & Kay, Donatella Bros. & Carmen, Ray Ruling. **Gross:** $24,500. (Average, $20,000)

"WEST OF SHANGHAI" (W. B.)
"BIG SHOT" (W. B.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,500. (Average, $5,000)

"LIVE, LOVE AND LEARN" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $9,500. (Average, $10,000)

"LIFE OF EMILE ZOLA" (W. B.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $12,600. (Average, $5,000)

To Name No Trustee For Madison Theatre

MILWAUKEE, Nov. 11.—No trustee for the Capitol Theatre property at Madison will be named for the present, Federal Judge F. A. Geiger ruled here in connection with a request for a reorganization plan by the Capitol Investment Co., owner of the property.

A group of first mortgage bondholders is reported to have filed a petition requesting certain concessions in the financial reorganization plan presented to the court by the company, which is scheduled for hearing here early in December.

"Stage Door" Philadelphia Hit, $21,500

PHILADELPHIA, Nov. 11. — "Stage Door" was the winner for the week, knocking off a big $21,500 at the Stanley and holding a second week. Together with the combination at the Earle—"Make a Wish" on the screen and a variety show on the stage—it provided the only local jubilation. The Earle bill put $19,500 into the till.

The rest of the town was so-so, or worse, with several good prospects dropping at the ticket window. The Arcadia was disappointed with its first run of "Something to Sing About." The attempt to stretch it into two weeks flopped to a total gross of $3,200 for 10 days.

"Angel" folded its wings at the Fox with a weak $9,500. "Stand-In" didn't live up to expectations at the Aldine and got only a week at $8,500. "Lancer Spy" received good notices, but couldn't beat $5,200 at the Stanton.

Total first run business was $88,400. Average is $85,160.

Estimated takings for the week ending Nov. 4:

"STAND-IN" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $8,500. (Average, $8,160)

"SOMETHING TO SING ABOUT"
(G. N.)
ARCADIA—(600), 25c-40c-50c, 10 days. **Gross:** $3,200. (Average, 7 days $2,800)

"THE AWFUL TRUTH" (Col.)
BOYD—(2,400), 40c-55c-65c, 8 days, 2nd week. **Gross:** $14,500. (Average, 7 days, $14,000)

"MAKE A WISH" (RKO)
EARLE—(2,000), 25c-45c-55c, 7 days. Stage: Georgia Price, Al Trahan, Mary Small Yukona Cameron. **Gross:** $19,500. (Average, $14,000)

"ANGEL" (Para.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $9,500. (Average, $14,000)

"PRISONER OF ZENDA" (U. A.)
(2nd run)
KARLTON—(1 000), 25c-40c-50c, 7 days. **Gross:** $3,400. (Average, $4,000)

"DOUBLE WEDDING" (M-G-M)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days, **Gross:** $3,100. (Average, $4,000)

"STAGE DOOR" (RKO)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $21,500. (Average, $14,000)

"LANCER SPY" (20th-Fox)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,200. (Average, $7 000)

Denver's Club Plans Full Winter Program

DENVER, Nov. 11.—Plans for an eventful winter season are being completed by the Rocky Mountain Screen Club. Included is the addition of another room to their headquarters in the Cosmopolitan Hotel here.

Chet Bell, Dave Cockrill and Ross Bluck are planning a dinner dance for the group on Dec. 28. The affair will be held in the Silver Glade of the Cosmopolitan.

The system tried out last spring of having hosts for every Saturday night, to provide games and activities, will be continued, with hosts being chosen for Wednesday nights also. The theatre groups and exchanges take over the club rooms on Friday nights for parties for employes. The series started Nov. 6, when C. W. and Mrs. Anderson entertained for the Civic theatre group.

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CLAUDETTE COLBERT CHARLES BOYER in "TOVARICH"

"Specimen" Is Best Grosser On the Coast

Los Angeles, Nov. 11.—"The Perfect Specimen," on a dual with "Escape by Night," was the big noise of the week, taking $16,632 at Warners' Hollywood and $15,985 at the Downtown. The former was $2,632 over par and the latter $3,985.

"Ali Baba Goes to Town," with "Borrowing Trouble" at Loew's State, was the only other attraction to make a dent in the general dullness. At the Chinese the same bill was only slightly over par on a take of $12,561. "Hurricane" took an average $17,000 at the Carthay Circle.

Total first run business was $113,320. Average is $107,950.

Estimated takings for the week ending Nov. 10:

"HURRICANE" (U. A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 6 days. **Gross:** $17,000. (Average, $17,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
"BORROWING TROUBLE" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $12,561. (Average, $12,500)
"MADAM X" (M-G-M)
4 STAR—(900), 40c-55c, 7 days, 3rd week. **Gross:** $2,305. (Average, $3,250)
"THE BALTIC DEPUTY" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** $2,200. (Average, $1,200)
"STAGE DOOR" (RKO)
"MURDER IN GREENWICH VILLAGE" (Columbia)
HILLSTREET—(2,700), 30c-65c, 7 days, 3rd week. **Gross:** $7,000. (Average, $8,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
"BORROWING TROUBLE" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $15,337. (Average, $14,000)
"STAGE DOOR" (RKO)
"MURDER IN GREENWICH VILLAGE" (Columbia)
PANTAGES—(3,000), 30c-65c, 7 days, 3rd week. **Gross:** $6,800. (Average, $8,000)
"HIGH, WIDE AND HANDSOME" (Paramount)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. Revue, Everett Marshall, Novelle Bros., Jay Whidden and orchestra. **Gross:** $17,500. (Average, $18,000)
"THE PERFECT SPECIMEN" (W. B.)
"ESCAPE BY NIGHT" (Republic)
WARNER BROS. (Hollywood)—(3,000), 30c-65c, 7 days. **Gross:** $16,632. (Average, $14,000)
"THE PERFECT SPECIMEN" (W. B.)
"ESCAPE BY NIGHT" (Republic)
WARNER BROS. (Downtown)—(3,400), 30c-65c, 7 days. **Gross:** $15,985. (Average, $12,000)

New Mexico Picture Company Organized

Mexico City, Nov. 11.—Another production and distribution company, Productores Unidos, S.A., has been organized here with the consolidation of two enterprises, Compañia Mexicana de Peliculas and Producciones Sanchez Tello. Fernando de Fuentes, director, is president, and Alfonso Sanchez Tello, producer, is general manager of the company.

The enterprise has started making two features, "Bajo el Cielo de Mexico" ("Under the Mexican Sky") and "Los Millones de Chaflan" ("Chaflan's Millions").

Order 35 Cuts in Ohio

Columbus, Nov. 11.—The censors reviewed a total of 672 reels in October, and ordered 35 eliminations. This compares with 687 reels and 37 eliminations in September of this year, and 768 reels with 49 eliminations in the five-week period through October, 1936.

"Double Wedding" Indianapolis Lead

Indianapolis, Nov. 11. — "Double Wedding," taking $9,500 at Loew's, where normal is $7,000, led the local first run parade in a week that brought substantial returns to all houses. "Counsel for Crime" shared the bill with it.

"The Life of Emile Zola" went $1,000 to the good at the Circle, where $5,500 was rung up. Also $1,000 upstairs was "The Perfect Specimen" with vaudeville at the Lyric. The combination drew $9,000.

"Heidi" and "Behind the Mike" gave the Indiana $7,000, which is par. "Wife, Doctor and Nurse," dualed with "Charlie Chan on Broadway," held up well at the Apollo in their second week, drawing $3,000. The weather was mild.

Total first run business was $34,000. Average is $30,500.

Estimated takings for the week ending Oct. 29:

"WIFE, DOCTOR AND NURSE" (20th-Fox)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. Brought from Indiana for second week. **Gross:** $3,000. (Average, $4,000)
"THE LIFE OF EMILE ZOLA" (W.B.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)
"HEIDI" (20th-Fox)
"BEHIND THE MIKE" (Univ.)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"DOUBLE WEDDING" (M-G-M)
"COUNSEL FOR CRIME" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $9,500. (Average, $7,000)
"THE PERFECT SPECIMEN" (W.B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Follies of 1937." **Gross:** $9,000. (Average $8,000)

"Ali Baba" $7,000 Winner at Houston

Houston, Nov. 11.—"Ali Baba Goes to Town" brought the Majestic into the money class last week. The take was $12,000 in nine days. Average is $7,000 for seven days.

"52nd Street" at the Metropolitan grossed an average $7,000. "Live, Love and Learn" at Loew's dropped off $1,000, taking only $6,000.

The weather was ideal Indian summer.

Total first run business was $29,800. Average is $26,000.

Estimated takings for the week ending Nov. 3:

"IT HAPPENED IN HOLLYWOOD" (Col.)
KIRBY—(1,450), 15c-55c, 4 days. **Gross:** $2,700. (Average, 7 days, $5,000)
"DANGEROUSLY YOURS" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,100. (Average, 7 days, $5,000)
"LIVE, LOVE AND LEARN" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
MAJESTIC—(2,250), 25c-50c, 9 days. **Gross:** $12,000. (Average, 7 days, $7,000)
"52ND STREET" (U. A.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

Start Argentine Studio

Washington, Nov. 11.—Argentine Sono Film, largest Argentine producer, has started construction of its new studios to be erected in San Isidro, a suburb of Buenos Aires, according to a report from the commercial attache there to the U. S. Dep't of Commerce.

"Ali Baba" Is $12,000 Top, Kansas City

Kansas City, Nov. 11.—"Ali Baba Goes To Town" led the town in a poor week for first runs, taking $12,000, $5,000 over the line at the Fox Tower.

"Heidi," in its second week, and "Carnival Queen" in its first at the Fox Uptown did $4,200, $200 up, and were held, making it the third go for the No. 1 film.

Other first runs were lonesome at the box-office. The weather was normal except for rain Thursday, the last day, but "Tovarich," H. G. Wells, and the Philharmonic orchestra provided competition.

Total first run business (excluding Empress) was $33,000. Average is $34,000.

Estimated takings:

Week Ending Nov. 3:

"SOMETHING TO SING ABOUT" (G. N.)
"LIFE BEGINS WITH LOVE" (Col.)
MIDLAND—(4,000), 25c-40c, 6 days. **Gross:** $6,500. (Average, 6 days, $10,000)

Week Ending Nov. 4:

"ANGEL" (Para.)
"SATURDAY'S HEROES" (RKO)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $6,700. (Average, $8,000)
"THE GREAT GARRICK" (W. B.)
"WEST OF SHANGHAI" (W. B.)
NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $3,600. (Average, $5,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
FOX—(2,200), 25c-40c, 7 days. Stage: Henri Therrien, Morey Amsterdam, Stanley Brothers, Harlan Christie & Co. **Gross:** $12,000. (Average, $7,000)
"HEIDI" (20th-Fox)
"CARNIVAL QUEEN" (Univ.)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd week for "Heidi." **Gross:** $4,200. (Average, $4,000)

Week Ending Nov. 5:

"GAMBLING WITH SOULS" (Jay Dee Kay Prods.)
EMPRESS—(1,500), 25c, 7 days, 2nd week. **Gross:** $5,900.

Shift Jefferson Managers

Port Arthur, Tex., Nov. 11.—John Simmons, former manager of the Pearce, has been named manager of the Texan by Morris Clemmons, Port Arthur manager for the Jefferson Amusement Co. Simmons succeeds Johnny Stanfill, resigned. Hoyt Simmons is the new manager of the Pearce. Herbert Trahan has been made manager of the Majestic here.

Deny Commercial Intent

Mexico City, Nov. 11.—Reports that it is backing film production for commercial ends are denied by the Federal Labor Dep't., which asserts that it has not monetary interest in the picture business and that pictures made under Government auspices are of an educational or tourist attracting nature. Such pictures are all shorts.

Take Boston Union Poll

Boston, Nov. 11.—State labor officials are polling Boston theatres in an effort to establish whether or not the new Theatre Workers' local of the A. F. of L. has a membership of better than 50 per cent of involved employes. Theatre circuits have been holding off recognition and therefore bargaining on wage and hour demands.

"Ali Baba" Pulls $16,000, Buffalo

Buffalo, Nov. 11.—"Ali Baba Goes to Town" at the Great Lakes, went out in front in its first week with a $16,000 draw, just double par.

"Prisoner of Zenda" yanked $15,500 through the Buffalo's wicket election week and showed a $1,500 margin over average figures. "100 Men and a Girl" had a strong second week at the Lafayette where it rolled up a gross of $9,500 to beat par by $3,000.

Total first run business was approximately $55,800. Average is $42,300.

Estimated takings for the week ending Nov. 6:

"PRISONER OF ZENDA" (U. A.)
BUFFALO — (3,000), 35c-60c, 7 days. **Gross:** $15,500. (Average, $14,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
GREAT LAKES—(3,000), 35c-50c, 7 days. **Gross:** $16 000. (Average, $8,000)
"ANGEL" (Paramount)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $6,500. (Average, $7,500)
"CHARLIE CHAN ON BROADWAY" (20-Fox)
"BORNEO" (20th-Fox)
CENTURY — (3,000), 25c-35c, 7 days. **Gross:** $8,300. (Average, $6,300)
"100 MEN AND A GIRL" (Universal)
LAFAYETTE—(3,300), 25c-35c, 7 days **Gross:** $9,500. (Average, $6,500)

French Films Gain Ground in Austria

By HANS LORANT

Vienna, Nov. 1.—French films have gained ground to a marked extent among Austrian audiences, and as the new season gets under way, appear to present potentially formidable competition to American product in this country. Thus far, only a few French films have been released here, but those shown have enjoyed unusual popularity.

Five French films have been released already this season, which was the total number from that country shown during the whole of last season. As the new season opens, American product, with the exception of "The Good Earth," has been comparatively weak.

Twentieth Century-Fox is understood to be desirous of dubbing a large part of its product in this country, but is virtually compelled to do so in Germany, in order thus to employ a large amount of frozen capital in that country. In Austria dubbing costs approximately 15,000 schillings whereas in Germany the same work costs 70,000 schillings.

Patterson in New Post

Boston, Nov. 11.—Charles Patterson, recently assistant publicity manager for the three local RKO theatres, has been appointed manager of the Colonial in Belfast, Me., by Sam Kurson, general manager of the Graphic Theatre Circuit. Patterson was manager of the Brandon in Brandon, Vt., during the summer. He was succeeded there by Pearce Parkhurst.

E. E. Webber Buys House

Kansas City, Nov. 11. — E. E. Webber who operates the Mary Lue, has purchased the Colonial, another suburban house here, from W. D. Fulton. The Colonial was the first of the group of houses acquired by Fulton in Kansas City, and he has operated it about eight years. Its sale reduced to eight the number of units in the Fulton circuit.

Short Subjects

"Starlets"

(*Vitaphone*)

Here is another two-reeler that should have the same success as its predecessors since it is wholly acted by a pleasant assortment of children who perform well. The youngsters are cast in a light fantasy in which, by looking through a telescope, they can see their futures. Many of them desire to become actors and as they peer the film dissolves to a setting where they can all do their respective stuff. Running time, 20 mins. "G."

"Screen Snapshots 17-2"

(*Columbia*)

Players fishing at the Rainbow Angling Club, a brief glimpse of the Mary Pickford-Buddy Rogers honeymoon trip, Frank Buck and animals, new homes in and about Hollywood and a swimming party at the Sunset Plaza serve to show brief shots of approximately 38 screen luminaries in this issue which should have regular acceptance. Running time, 10 mins. "G."

"All-American Drawback"

(*Vitaphone*)

Charlie McCarthy, the dummy, whose fame in radio is widespread, and which should draw audiences in to see this short, manages some average comedy moments as the star football player at Flunk Well University. The comedy is pretty obvious, but the ventriloquism of Edgar Bergen is the thing. It should be found agreeable. Running time, 11 mins. "G."

"Vitaphone Pictorial Revue No. 3"

(*Vitaphone*)

The training of retrievers, a rodeo in Hollywood with various horse opera stars taking part and the manufacture of an assortment of articles from plastics make up this reel. The last named is in color. It is a good collection of material but with nothing particularly outstanding. Running time, 10 mins. "G."

"The Fire Plug"

(*Columbia*)

The old grey fire mare proves her worth when, following her retirement, she not only makes a comeback but also saves the life of the fire chief. The cartoon is a Scrappy item and is spectacularly animated and generally entertaining. Running time, 6 mins. "G."

"Timberland Revels"

(*Columbia*)

There is nothing much to this short outside of the singing of Sid Gary. He sings much better than he photographs. It is set in a backwoods locale and while it is tuneful it never seems to get anywhere. Running time, 10 mins. "G."

"City of the Golden Gate"

(*Columbia*)

A general assortment of scenes in and about San Francisco. They are done in Cinecolor which at times is both good and poor. The comment is interesting and the city is revealed in its civic, industrial and cosmopolitan aspects. Running time, 9½ mins. "G."

Overseas Previews

"Les Perles de la Couronne" ("Pearls of the Crown")

(*Imperia-Films Sonores Tobis*)

PARIS, Nov. 3.—This film is viewed here as probably the outstanding French picture since "Carnival in Flanders." Written, directed and produced by Sacha Guitry, well-known French author, it represents something new in technique which, at first, may disconcert film audiences accustomed to the accepted production form.

"Les Perles de la Couronne," from such a point of view, is most original. It is a kind of compromise between screen and the stage. Some parts of the production are literally a photographed stage play. Others are a silent film with the sound furnished in witty commentary by Guitry himself.

The film relates the history, through four centuries, of seven pearls given by Pope Clement VII to his niece, Catherine de Medici, who, later, as queen of France and widow of the French king, Henry II, gave them to Mary Stuart. The pearls were stolen at the death of the unfortunate queen: four of them were found and added to the Crown of England by Queen Victoria. The story of the three other pearls is shown from the year 1587 until 1937. The last scene is on board the *Normandie,* when the last pearl is returned to the bottom of the sea.

This historical display, which mixes real facts with the imaginary, is not handled as an ordinary historical film. There is in it, above all, the witty and deep humor of Guitry, who never takes anything seriously, and who seems to find even a humorous side to the deepest tragedies of history.

Although it runs for two hours and in spite of the fact that some scenes are weaker than some others, the film is never boring. It goes from modern times to the past centuries and vice versa. The main features are the outstanding dialogue by Guitry and the acting which casts nearly all the French stars of stage and of the screen. Guitry plays four parts, Ermete Zaccone, well-known Italian actor, plays Pope Clement VII; Lynn Harding, the British actor, is excellent as Henry VIII and different from the Charles Laughton interpretation. Jacqueline Delubac (Mrs. Guitry) and Yvette Dienne, British actress, play three parts each.

The film is alternately spoken in French, Italian and English, but, because of Guitry's type of commentary, is easy of understanding. Direction lacks unity and balance, but the general reaction to the film is that it is unusual and a delightful entertainment.

Running time, 115 minutes. "A."

"Un Carnet de Bal" ("Dance Program")

(*Films Vog*)

PARIS, Nov. 3.—After "Poil de Carotte," "Le Bandera" and "Pépé Le Moko," Julien Duvivier once again hits the mark, this time with "Un Carnet de Bal," which was awarded the Duce Cup for the best foreign film at the Venice International Film Biennial. Not only did Duvivier direct this film, but he also wrote the original story and screenplay.

If the action is somewhat lacking in unity—and the film appears to be a series of sketches, loosely joined by the central figure in the story—this defect is easily counterbalanced by the many excellent qualities of acting, photography and sound effects.

The story revolves around a woman, Christine, who, on the death of her husband, finds a dance program—a souvenir of her first ball—signed by 10 men, who, at that time, were in love with her. She decides to find out what has become of them and starts out on her search. None of them has fulfilled the ambitions once held and Christine returns home, disappointed. At the end of her search, however, she meets the orphan son of one of the men, her favorite, and she adopts him.

The principal character is played by Marie Bell, of the Comédie Française and she is ably supported by a remarkably good all-around cast. Françoise Rosay, as a mentally unbalanced woman, is, as usual, excellent. Louis Jouvet is perfectly cast as a cynical night club owener and "gentleman" burglar, while Harry Baur gives a fine portrayal of a Dominican priest. As for Pierre Blanchar, he is remarkable in the role of an abortionist and a nervous wreck. Pierre Richard Willm is to be seen as a mountain guide, while the well-known comedians, Raimu, as mayor of a small town, and Fernandel, as a hairdresser, supply the humor. The boy star of "Poli de Carotte," Robert Lynen, makes a short appearance as Jacques, the orphan whom Christine finally adopts.

Technical work and photography are first class. In the scene in which Christine dreams of her first ball, the dancers are seen revolving

(*Continued on page* 12)

Variety Club

Cleveland

CLEVELAND, Nov. 11.—Cleveland Variety Club will hold its fourth annual banquet and ball on Dec. 3 at the Mayfair Casino. NAT WOLF, Warner zone manager, has been appointed general chairman by Chief Barker M. B. HORWITZ. WOLF has named the following committees:

General arrangements, NAT WOLF, chairman; HARRY GOLDSTEIN, FRANK BOYD; entertainment, NAT HOLT, chairman; MAURICE SPITALNY, BILL SHARTIN; ticket sale and seating, I. J. SCHMERTZ, chairman; J. S. JOSSEY, JACK SHULMAN, NAT BARACH; program, FRANK DREW, chairman; HENRY GREENBERGER, MRS. GEORGIA MOFFETT; publicity, SIDNEY DANNENBERG, chairman; CHARLIE DEARDOURFF, MILTON HARRIS, FRED MEIER, AL GREGG; decorations, DAVE MILLER, chairman; MYER FINE, MAURICE RAPPAPORT, JESS FISHMAN; reception, JEROME FRIEDLANDER, chairman; BERT STEARN, G. W. ERDMANN, JACK SOGG, JOHN HIMMELEIN, FRED ROSEVELT, and JOE LEAVITT.

Dallas

DALLAS, Nov. 11.—There were 88 entrants at the second fall golf tournament held at the Dallas Country Club. More than 200 attended the dinner which followed.

Bob O'Donnell was master of ceremonies. First prize went to Stanley Swift, second to C. H. Stewart, third to Ben Bedford. Jack Russell took the low gross award.

Des Moines

DES MOINES, Nov. 11.—Variety Club members from Kansas City, Minneapolis, Chicago and Omaha came to Des Moines for the recent golf tournament staged at the Wakonda Club by the Des Moines Variety Club. There were 142 at the club grounds for the tournament and 200 attended the stag banquet held in the Savery Hotel ballroom in the evening. The banquet was followed by entertainment in the club rooms.

Nov. 22 has been selected as the date for the club's annual party for shut-ins and the club is planning to provide transportation for 1,500 persons, who will be taken to the Paramount, where a free stage show, vaudeville and pictures will be given for their entertainment.

Philadelphia

PHILADELPHIA, Nov. 11. — JACK BERESIN, head of Berlo Vending Co., has been elected chief barker of Tent No. 13. BERESIN will take over his post at the Dec. 12 dinner.

Announced as attending the Dec. 12 function are: JAMES A. FARLEY, THOMAS E. DEWEY, JIMMY WALKER and BOAKE CARTER.

On the entertainment side will be JIMMY DURANTE as ringmaster, PATSY FLICK as m. c.; INA RAY HUTTON and band, BENNY GOODMAN and quartet and HAL LEROY, among others. TED SCHLANGER is general chairman of the dinner committee.

The seating capacity of the Bellevue-Stratford has been limited to 1,200 with 800 tickets already sold.

Other officers elected were: First assistant chief barker, LEWEN PIZOR; second assistant chief barker, DAVID SUPOWITZ; property man, SAM GROSS; dough guy, BEN AMSTERDAM.

...And a Happy New Year!



WARNER BROS.'

HOLLYWOOD HOTEL

New Contract For Mayer Is Held Certain

(Continued from page 1)

the principal reason for Schenck's projected visit. As a matter of fact, it is understood preliminaries on the new deal already have been aired in New York. Schenck is traveling here on his usual annual visit to the studio.

As soon as he returns east, however, he will again discuss contracts with Bernstein and Rubin. There is no particular hurry, it was indicated, since the agreements of both Loew executives do not expire until the latter part of 1938. Then, it is pointed out, the employment contracts will have to be approved by stockholders as in the case of Schenck himself last year.

Prior to his leaving the east, Schenck is reported to have conferred with David O. Selznick on rejoining M-G-M. Mayer has previously expressed himself as desirous of having his son-in-law back on the lot. Selznick's last film for M-G-M was "David Copperfield," which brought Freddie Bartholomew into prominence.

Corporation a Factor

The new angle, if Selznick should decide to return, is whether he will give up Selznick International or use the name of the company as a production unit on the lot. Schenck, it is believed, has information on this and will talk it over with Mayer. Selznick, on the other hand, is expected not to relinquish his corporate identity.

Reports from New York insist Selznick has been discussing an extension of his U. A. pact with Samuel Goldwyn and Alexander Korda and will not make a decision until the two producers conclude conferences for the purchase of control of U. A. If Selznick is offered terms to his liking by Goldwyn and Korda, he may stay. If he decides against continuing with the company after two more pictures, the odds, as viewed here, are that Selznick will find his way back to M-G-M.

"Hurricane" in Phila.

"The Hurricane" opened last night at the Locust, Philadelphia, for the third roadshow engagement. On Nov. 5 the picture premiered at the Carthay Circle, Los Angeles, and last Tuesday at the Astor on Broadway. Tonight, the Gary, San Francisco, will start an indefinite run of the two-a-day film. The Chicago date and theatre will be set in a few days.

A complete sellout, even on standing room, is reported by United Artists for the first two performances of "The Hurricane" at the Astor after the opening. The home office also claims the advance sale to date the largest at the house in six months.

Flash Previews

"Swing It, Professor"—A story of the innocent chap who ventures into the underworld in pursuit of his lady love. Pinky Tomlin.

"The Legion of Missing Men"—Another French Foreign Legion yarn, this one featuring two brothers involved with a cafe singer.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

MPTO Plans Final Bid for Practice Code

(Continued from page 1)

Allied States Ass'n in a national exhibitor meeting to be called in the near future to agree on a trade practice code and means of obtaining distributor acceptance of one, it was indicated here.

Kuykendall has just completed a six-week national tour, during which he conferred with or received reports from 17 regional exhibitor organizations on their views with respect to trade practice regulation and the means of obtaining it. M.P.T.O.A. officials have been informed that there was no unanimity of exhibitor views on the desirability of adoption of the M.P.T.O.A.'s 10-point program in its present form given to Kuykendall in the course of the trip. Many organizations influential in M.P.T.O.A. affairs are known to be lukewarm on parts of the 10-point program and outspokenly opposed to other parts of it.

This situation may have induced Kuykendall to accept the I.T.O.A. bid to meet with a still greater exhibitor representation which had as its aim the drafting of a trade practice code which would command more solid exhibitor support, it was suggested. Revision of the M.P.T.O.A.'s 10-point program now appears to be inevitable. Much of it may be salvaged, it is felt in many exhibitor quarters, but vital changes may be incorporated in it either with or without a joint national exhibitor conference.

Board Approval Needed

M.P.T.O.A. spokesmen here point out, however, that Kuykendall could not commit the organization to a revised trade practice plan without the approval of the M.P.T.O.A. board of directors. Kuykendall plans to call a meeting of the board in December but, if the three-cornered exhibitor conference intervenes, which it may, the meeting probably would not be called until January. Kuykendall plans to be in Washington during the special session of Congress, opening on Monday, and is also scheduled to address the semi-annual convention of the M.P.T.O. of North and South Carolina at Pinehurst, Dec. 6 and 7. The M.P.T.O.A. president, thus, might be available for a national exhibitor meeting in the east at any time during the next month or six weeks.

"7 Dwarfs" for Xmas

Hollywood, Nov. 11.—"Snow White and the Seven Dwarfs," Walt Disney's feature, will have its premiere at the Carthay Circle shortly before Christmas, it was stated here today by RKO. The exact day has not been set. A two-a-day policy will be in effect.

Berman Pinch Hits Until Head Chosen

(Continued from page 1)

is running the studio, as detailed on several occasions in MOTION PICTURE DAILY.

In the meantime, discussions are being conducted by Spitz with officially undisclosed candidates for the Briskin post. These meetings are not being held at the studio.

Committee Will Get Film Bill Next Week

(Continued from page 1)

plea for separate quota proposals, but no agreement has been reached as yet. The producers, meanwhile, have sent a resolution to the Government expressing regret at the reduction in the distributor and exhibitor quotas for the current year. The group declared, "It is a serious blow to the employment and development of the industry."

The group pleaded for the adoption of separate quotas and provisions which would make for greater flexibility in the administration of the new law.

The joint deputation representative of producer, exhibitor and labor branches of the industry will meet with Oliver Stanley, president of the Board of Trade, tomorrow.

Delay Warner Meeting

With Harry M. Warner, president, and Albert Warner now on the coast, the regular board meeting of Warners, scheduled for Nov. 23, is expected to be postponed until the executives return from Hollywood.

The annual financial report, said to be the best in years, is due within the next fortnight.

Assign Carole Lombard

HOLLYWOOD, Nov. 11.—Carole Lombard's next for Paramount will be "Midnight," a story by Franz Schulz and Edwin Justus Mayer. Georges Rigaud, French actor, will play opposite Miss Lombard.

Le Roy Will Join Metro as Producer

(Continued from page 1)

the coast. Other reports had linked Le Roy with RKO as a possible successor to Sam Briskin in charge of all production.

Le Roy will take with him to M-G-M at least three valuable stories and several important personal contracts. The properties include Jack London's novel, "The Sea Wolf," "Who Asked to be Born" and a story tentatively titled "The Fourth Estate."

The boys featured in "Dead End" are under contract by virtue of a loan deal with Samuel Goldwyn. Le Roy holds the personal contracts of Fernand Gravet, Kenny Baker, Lana Turner, Vicki Lester, Brian Aherne, Robert Sinclair, director; Irving Brecher and Leonardo Bercovici, the latter two being writers.

A statement issued by Le Roy today said, "It is with sincere regret that I leave my many friends and associates at Warners where all have been most helpful to me in my work over a period of years and to whom I am deeply indebted for their support and cooperation." He spent most of the day at Warners conferring with Jack and Harry Warner.

Deny Oklahoma Tax Reduced Attendance

OKLAHOMA CITY, Nov. 11.—L. D. Melton, director of research of the Oklahoma Tax Commission, told members of the Oklahoma M. P. T. O. in session at the Biltmore Hotel that the two per cent sales tax on theatre admissions had not caused any slump in attendance. He said $130,000 had been received by the commission from theatres and tent shows. Ninety per cent of this was paid by film houses, Melton said.

"Absorbing the tax by an exhibitor," in the opinion of Morris Loewenstein, association president, "is a form of unfair competition when one exhibitor requires payment of the two per cent tax from the patron and a nearby competitor absorbs the tax.

Director Melton told exhibitors that the two per cent consumers' tax is payable on any prize award, Bank Night award or cash award given by any theatre or merchant.

Fox Opens Varsity, Milwaukee Theatre

MILWAUKEE, Nov. 11.—The latest link in Fox's circuit of more than 50 houses, the Varsity, new 1,000-seat theatre located on the edge of the city's downtown district, opened here today.

Under the management of Joseph M. Hickey, formerly of the circuit's Strand, the house has a hybrid policy of first run double features on Sundays, second run single feature programs Mondays through Thursdays, and second run double feature programs on Fridays and Saturdays.

The new house puts the circuit in almost complete control of the downtown situation with its Wisconsin, Palace, Strand, Garden and Miller pitted against the independent Riverside, Warner-Saxe Princess, the Warner and Otto Meister's Whitehouse, the latter with 10-cent admissions.

Overseas Previews

"Un Carnet de Bal"

(Continued from page 10)

in slow motion, a new idea with excellent results, and the bizarre photography and sound effect used in the Pierre Blanchar scenes, add an even stronger atmosphere of depravity to the action. The excellent musical score by Maurice Gaubert includes as leit-motive an unforgettable waltz.

The honors awarded "Un Carnet de Bal" at Venice should be sufficient recommendation as to the exploitation value of this film, which is drawing great crowds in Paris.

Running time, 120 minutes. "A."

AUTRE



...with a sing and a swing

...TO MAKE THE WORLD RING...



HERE THEY COME . . . in the grandest, gayest, laughingest musical show of all! . . . With Fred topping his top in the DRUM DANCE, that dancing sensation of sensations . . . and George and Gracie gracier than ever . . . as romance and rhythm and fun run riot on a screen alive with the lift of GERSHWIN music and WODEHOUSE humor!

FRED ASTAIRE

GEORGE **BURNS** and GRACIE **ALLEN**

A Damsel in Distress

with

JOAN FONTAINE

REGINALD GARDINER • RAY NOBLE

CONSTANCE COLLIER • MONTAGU LOVE • HARRY WATSON

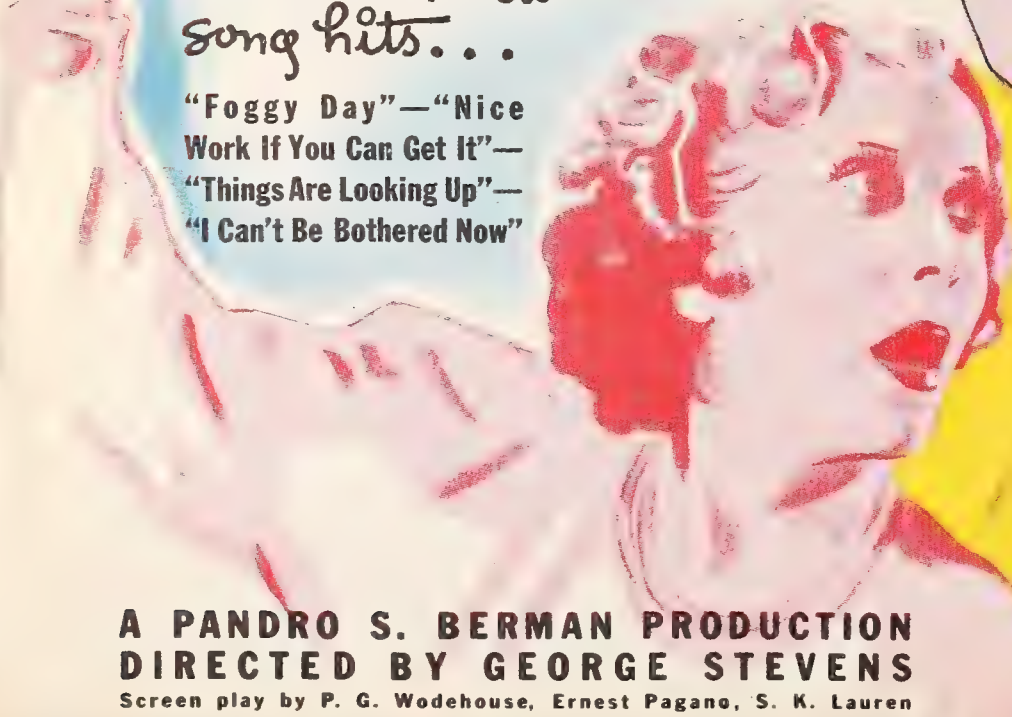
Music by **GEORGE GERSHWIN** • Lyrics by **IRA GERSHWIN**

From the story by **P. G. WODEHOUSE**



Thrill to 4 new song hits . . .

"Foggy Day"—"Nice Work If You Can Get It"—"Things Are Looking Up"—"I Can't Be Bothered Now"



A PANDRO S. BERMAN PRODUCTION

DIRECTED BY GEORGE STEVENS

Screen play by P. G. Wodehouse, Ernest Pagano, S. K. Lauren

R K O RADIO PICTURES

Industry Loss Through Radio Seen by Myers

(*Continued from page* 1)

than Hollywood "names" would provide a better ether entertainment free, which would keep even greater numbers away from theatres than may be the case now.

The loss of box-office strength to stars who appear at a disadvantage on the air is suffered primarily by producers, Myers infers. He suggests that exhibitors compile lists of stars "who have given bad performances over the air" and then "ascertain to what extent those stars have diminished as box-office attractions," by way of proving his point.

"We are convinced," he says, "that on the basis of the facts which would be disclosed, the producers will stipulate that their stars shall not go on the air unless they have displayed such aptitude for broadcasting that they will not risk their box-office value by doing so. This will eliminate all but a few, most of whom came to the movies from radio, and will save the industry oodles of money."

Sees Congressional Aid

The Allied chairman holds that "there is some indication that Congress, at the forthcoming regular session, may undertake a revision of the nuisance taxes" which, he believes, would open the way for the industry to initiate a move to obtain an increase in the Federal admission tax exemption to 50 cents, instead of the present 40-cent exemption. Such an increase, he believes, would encourage an instant rise in admission scales throughout the country.

"Independent subsequent run exhibitors in some territories," Myers declares, "now find that the 40-cent exemption has frozen admission prices so that it is impossible to put necessary increases into effect such as have been resorted to in all other lines of business. This is because first run, high admission theatres have pegged their admissions at 40 cents and the subsequent runs are forced to maintain a price differential because of their lateness in showing the pictures," he contends.

Asks Opinions

Myers solicits letters on the subject from his exhibitor readers, which may be included in a petition or brief to the Government in the event an industry move is inaugurated for an increase in the tax exemption level. He points out that such an increase would more than compensate the Government for any ticket tax loss by increasing income taxes.

The bulletin calls for suggestions for a meeting of Allied leaders "at some central point" in the near future to discuss the alternate proposals in Allied's legislative program for the purpose of guiding regional members whose organizations have not yet acted on the proposals.

The bulletin discusses the recent settlement of the Philadelphia exhibitors' "buyers' strike" against Paramount and concludes that there was no "victory" for either side. It adds, however, that whether the settlement remains a "draw" or is converted into a Paramount "victory" depends "on the good faith shown by the company in subsequent negotiations" with individual exhibitors.

"It seems likely," the bulletin observes, "that good paper deals may be made by exhibitors who are willing to sign up for Paramount's 1937-1938 product," but questions the type of deals which can be made by those who do not.

Myers sees in the "strike" an instrument which can be developed by exhibitors nationally and which, he believes, should be "held ready for future emergency use." He expresses the hope that the mere staging of the "strike" will act as a preventative against unfair trade practices anywhere in the industry.

The recent Federal decree entered at Dallas in the minimum admission regulation case is hailed in the bulletin as "a good piece of work by the Dep't of Justice" against the defendant distributors and circuits. Exception is taken, however, to that part of the decree which permits distributors to contract for exclusive runs and "time of exhibition" without understanding or agreement with any other distributor or exhibitor. The bulletin asserts that "no such questions were involved in the case and this part of the decree is gratuitous. It is calculated to influence the U. S. District Court in Ohio in its consideration of the case pending before it involving the constitutionality of the Ohio statute forbidding the compulsory designation of playdates."

The bulletin states that "It is hoped that this will be brought to the attention of Judge Atwell and that if it is too late or he declines to correct it, that a cross-appeal will be taken by the Government asking that this paragraph be eliminated."

The Newsreel Parade

Movietone News

Vol. 20, No. 18

(20th Century-Fox)

One of the few interviews with General Franco and his views on Spain is recorded here, the films being especially posed. In the last shot, the general is shown with his brother mapping new war plans.

Considerable footage is devoted to the passing of Ramsay McDonald. He is seen in action at a peace conference and also during his visit here four years ago. There are several sequences of a youth parade in Moscow with Stalin as overseer. New features in the army's recently developed gigantic planes are shown. Cutting giant redwoods in California is interesting, but not new. There are a few action moments in the Kansas-Nebraska pikskin tussle. Lew Lehr goes catty and seems to enjoy telling what a kitten is thinking of when she sees herself in a mirror. Skating at an indoor rink at Lake Placid serves as a reminder to get those skates ready for a hectic exhibition season ahead.

Running time, 9 mins. O.

News of the Day

Vol. 9, No. 216

(M-G-M)

Highlighting this issue is a forecast of the All-American team for football with sequences showing individual plays by the members chosen to head the lineup. Women will probably go big for the fashion show, but when the men take a peek at a $75,000 wrap worn by one of the models that's a fur of another mink.

President Roosevelt makes an appeal to aid the unemployed. A census is now under way to determine what the number is. The passing of Ramsay MacDonald brings forth several clips showing him in action and also his visit to President Roosevelt back in 1933.

Pictured also is the celebration of the 20th anniversary of the Soviet regime at Moscow. College students of California Tech battle it out in the mud for precious automobile tires which bear a significance unexplained by Commentator Jean Paul King. Frederick Smite, the boy who has been forced to live in an iron lung for the past year, is shown at his home at Miami Beach, where he plays a game of chess through a mirror attached to the mechanical lung. A mattress of steel and asphalt is laid over the banks at Reserve, La., in preparation for imminent flood tides.

Running time, 9 mins. O.

Paramount News

No. 29

(Paramount)

A not particularly inspiring, but a well diversified reel in content makes up this issue of the Paramount reel, highlighted by excellent angle shots of fancy skating at Lake Placid and a pictorial and verbal tribute to Ramsay MacDonald, former Prime Minister of England, who died this week. Flashes of his trips to the United States and his appearance at 10 Downing St. and with the late King George V are concluded with an impressive bit as MacDonald bids farewell to the United States.

The other international news includes the military parade which celebrates the 25th year of independence from Turkey of Salonica, Greek city, and the Soviet anniversary celebration of 20 years of the new regime. As is usual with Russian festivities, the clip gains impressiveness by reason of the huge masses of people gathered in Red Square.

An exhibition of expensive furs, in a club setting, might have been improved with a feminine voice. For the rest, the six-day bike riders are seen opening their tough grind in Chicago; Mrs. Mary K. Raffray is seen after her divorce and prior to her marriage to Ernest Simpson; Magda de Fontanges, self-styled friend of Mussolini, is besieged by cameramen on her arrival here; a new type of iron lung is demonstrated as planned for Frederick B. Snite, Jr., and President Roosevelt voices an appeal for cooperation in the jobless census.

Running time, 10 mins. A.

Pathe News

Vol. 9, No. 33

(RKO)

The second issue of the Pathe newsreel in its new dress and with the benefit of its new resources and accessories shows, as did the first, a distinct improvement in news and entertainment values over earlier issues. If the standard thus set is maintained, it is obvious that the Pathe reel ere long will gain for itself a new and higher place in newsreel ratings.

While no outstanding news event presented itself for camera coverage for the midweek issue, this release does not lack for variety in the minor news events and their presentation is interest-compelling and animated. The new dress, main title and subtitles, together with good narration, photography and sound, all contribute to a fast-paced reel which is "newsy" in tempo as well as in content.

There are nine subjects in this release, the first of which is a "backstage" view of University of Pittsburgh football stars in their everyday settings on the campus, a treatment which suggests possibilities for regional news clips for mid week releases. An explanation of the purposes of the Federal census of the unemployed is given by President Roosevelt. Ramsay MacDonald's death is recorded with a background recalling his visits to America and other events in his long career. Flood control work on the Mississippi, New York City's complex tabulation of aldermanic votes under the proportional representation system, the harvesting of North Dakota's sugar beet crop, motorized cattle "rustling" in the modern manner, America's progress in passenger air transportation and the running of the Epsom Handicap at Sydney, Australia, complete the reel.

Running time, 9 min. K.

Universal News

No. 614

(Universal)

Universal's reel has nine varied topics in the latest release, but apparently there was a dearth of dramatic news. The principal action is furnished by the Navy-Columbia football game which is well handled.

Feminine appeal is provided by a series of bathing suit models with comment by Graham McNamee.

A parade of men carrying flags down 5th Ave. is just another parade. President Roosevelt discussing the unemployment census is good because the President is always effective in front of camera and microphone. Aviation progress is illustrated by three types of United Airline planes, but about all these shots do is take up space. Some footage is devoted to the late Ramsay McDonald.

A brawl showing California collegians pulling automobile tires around in a mass of mud is good for some laughs. Soviet Russia is shown celebrating international youth day, and there are scenes of a British airplane factory.

Running time, 9¼ mins. J.

Open "Tide" Campaign

The opening advertisement in Paramount's $50,000 national newspaper and magazine campaign on behalf of "Ebb Tide," the Technicolor picture, will begin on Sunday in the *American Weekly*, with full-page color ads in 16 key city papers. Full-page color ads will appear in *This Week* in 24 key cities on Nov. 21.

Record Gershwin Songs

HOLLYWOOD, Nov. 11.—Ella Logan has been signed by Victor for a series of records, first of which will be the George Gershwin numbers from "The Goldwyn Follies."

Politics Out Of FCC, Rules New Chairman

By CLARENCE LINZ

WASHINGTON, Nov. 11.—Declaring his intention of putting the F.C.C. "in a gold fish bowl," Chairman Frank R. McNinch today made public new rules designed to close the doors to all political or other influences.

Admitting that there have been irregularities in the past, although apparently deliberately refraining from making any investigation, McNinch announced that hereafter all letters, telephone calls or other communications relating to the merits of any pending application will be made a matter of record, but that no such communication will be considered by the commission in reaching a decision unless it may be and is introduced in evidence at hearings. A definite bar is sought to be raised, however, to suggestions, requests or recommendations to members of the commission or its staff after the record has been closed following a year but before action by the commission.

Will List Names

The names of all persons communicating with the commission, McNinch said, will be listed and made public.

Under another order, the secretary of the commission weekly will forward to all members of Congress, the Governors of all states and the state regulatory or public utilities commission, a statement of all orders issued and all applications filed, accompanied by an invitation to anyone having an interest in any matter listed to appear at such hearing as may be held.

The orders further provide that any individual not a party at interest may appear at any hearing to testify to any material fact of which he may be cognizent, so that there may be no opportunity for interested parties to exercise any control over the hearing, witnesses who may testify or testimony which may be presented.

Plans Staff Discipline

Adopted after a lengthy meeting yesterday at which the chairman is understood to have made it plain that any member of the staff who succumbs to outside influence or goes one inch beyond his duties as the chairman sees them will be summarily penalized, the orders are designed to elimininate criticism that the commission has bowed to Congressional and political influence in its decision of cases.

Orders also were adopted by the commission outlining the procedure to be followed as a result of previous action abolishing the separate divisions which heretofore have, respectively, handled radio, telegraph and telephone matters.

FCC Specifications Set

WASHINGTON, Nov. 11.—The F.C.C. today made public specifications for indicating instruments to be used by broadcasting stations in compliance with the rules, requiring that all instruments shall have a length of scale of not less than two and three-tenths inches, shall have an accuracy of at least two per cent of the full scale reading and shall have a maximum rating such that it does not read off scale.

Major Bests General

By JACK BANNER

HAVING safely gotten by the NBC censors with references to Hitler as "handsome Adolf" and to Mussolini as a "baggy pants dictator" and other *verboten* remarks, General Hugh S. Johnson Wednesday evening came a cropper when he was refused permission to go on the air with a talk on the subject of gonorrhea and syphilis.

The General took his speech to NBC at 8 o'clock, as was his custom, and apparently it was acceptable then, for nothing was said to him about it. At 9:57, three minutes before he was to go on the air, he was informed that he would not be allowed to deliver the address. NBC based its censorship on the fact that radio had not yet found a way to broadcast a talk on the subject of social diseases without seriously embarrassing the family group.

Generals don't usually take defeat easily, so, of course, the head of NBC, Major Lohr, was summoned to the studio, where it must have been an odd sight to see a major and a general battling, for battle verbally they did, according to all reports. In this instance, however, a major bested a general.

Comparing the statements made by the General and NBC, we find that the former's is much more logical. To begin with, the curse has to be taken off the subject of social diseases, thanks to the campaign waged by medical societies, a campaign which was and still is being aired publicly in newspapers and magazines. Secondly, the subject was discussed on NBC in the recent Forum on Current Problems, under the auspices of the *New York Herald-Tribune*, and nothing but praise to NBC resulted. Thirdly, as the General has pointed out, the poll conducted by the Gallup Institute indicates that the public voted something like 98 or 99 per cent in favor of a free discussion of the subject.

The General was most angered by the fact that he was not informed of the censorship until a few minutes before air time. He has taken exception to the NBC statement that it was not possible to reach him. He was constantly in his hotel room for the hour and a half preceding air time, he says, and at least two calls from NBC were received by him during that period. Nothing was said to indicate he would not be permitted to broadcast his speech.

CBS has had a more than comfortably enjoyable month, which explains the loud trumpeting from the direction of the office of Sales Promotion Director Vic Ratner. He finger-points to the following:

Colgate - Palmolive - Peet this month added a third program to the two they already have on the network.

Lever Bros. have added a fifth CBS program to the four they already have on the network.

Vaseline Products this month joined the CBS product-leaders, with a new program.

Vic pauses here, which is strange indeed, for he has merely overlooked the biggest order in CBS history—five hours of time weekly to Procter & Gamble. It's quite an oversight—about a quarter of a million dollar one, we think.

Technician Strike Keeps WOL Off Air

WASHINGTON, Nov. 11.—A sit-down strike of technicians today kept Station WOL off the air, as representatives of the management and employes sought to reach an agreement.

When the station was due to go on the air this morning at six o'clock, employes were in their places but refused to make connections which would enable broadcasting. The controversy revolves around a proposed contract submitted to the American Broadcasting Co., operator of the station, by the American Radio Telegraphers' Ass'n, a C.I.O. affiliate, on Nov. 5. The principal issue in dispute was said to relate to the wage scale for technicians.

Disbarment Decision By FCC Due Shortly

WASHINGTON, Nov. 11.—Decision in the disbarment proceedings against Paul M. Segal and George L. Smith, charged with tampering with commission files and setting up dummy corporations, may be reached within a week or 10 days, it was said today by Chairman Frank R. McNinch of the F.C.C.

Action on the case has been delayed, he explained, because of the absence of one member, Commander T. A. M. Craven, at the Inter-American Conference at Havana, but it is hoped that Craven may be able to return to Washington for a day or two next week to sit in on deliberations on the decision.

The commission this week denied the application of Geraldine Alberghane for a new station at Pawtucket, R. I., one of the cases involved in the Segal-Smith proceedings.

Warners Take To Radio with Program Dec. 1

(*Continued from page* 1)

roster, will be master of ceremonies and central figure in the program, which will hit the air every Wednesday from 10 to 11 P. M., E.S.T., beginning Dec. 1. The program is planned to be musical, dramatic and topical in content, according to Warners. Guest stars from various fields will be a prominent part of the programs.

The orchestral work will be under the direction of Leo Forbstein, Warner studio musical director, with Dudley Chambers as chorus director.

Among the Warner stars who will broadcast are: Bette Davis, Kay Francis, Errol Flynn, Edward G. Robinson, Leslie Howard, Olivia de Havilland, Fernand Gravet, Pat O'Brien, Boris Karloff, George Brent, Claude Rains, Joan Blondell, Lola and Priscilla Lane, Margaret Lindsay, Anita Louise, Johnnie (Scat) Davis, Hugh Herbert, Ian Hunter, Humphrey Bogart, Basil Rathbone, Frank McHugh, Beverly Roberts, Dick Foran and Ann Sheridan.

The compositions of the song-writing teams of Harry Warren and Al Dubin, Richard Rodgers and Lorenz Hart, M. K. Jerome and Jack Scholl, and Richard Whiting and Johnny Mercer, associated with the Warner studios, will be heard.

McNinch Criticises Barring of Johnson

WASHINGTON, Nov. 11.—Chairman Frank B. McNinch of the F.C.C. at a press conference held here today said that it is the belief of the commission that NBC acted against the public interest in barring from the air Gen. Hugh Johnson's talk on social diseases. He said that the matter will be brought up when NBC applies for a renewal of the license for its New York station.

"At the moment," said McNinch, "the matter is not a subject for the concern of the commission. Officially, all we know is what we read in the papers."

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OF CANADA
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KEN SISSON
Director, "Canada, 1937"
With a 30-piece orchestra
16-voice choir and soloists
Over a coast-to-coast network of
Canadian Stations
Fridays, 10 to 10:45 P.M., E.S.T.

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Kindly send me one Booking Calendar for 1938. I enclose 25c to cover cost of calendar and postage.

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Address .....

City ..... *State* .....

FCC Approves Building of Two Stations

WASHINGTON, Nov. 11.—Taking steps to clean up arrears in its docket caused by the suspension of meetings during the disbarment trial of Paul M. Segal and George S. Smith, the F. C. C. yesterday passed on a number of examiners' reports, granting construction permits for new broadcasting stations to be built by Don M. Lidenton and A. L. McCarthy at Poplar Bluff, Mo., operating on 1,310 kilocycles with 100 watts, daytime, and John W. Haigis at Greenfield, Mass., operating on 1,210 kilocycles with 250 watts daytime.

The commission denied applications for new stations filed by Arthur H. Croghan, Minneapolis; Charles Porter and Edward T. Eversole, Festus, Mo.; Key City Broadcasting Co., Kankakee, Ill.; Robert R. McCulla, Oak Park, Ill., and also applications of WHOM, Jersey City, for increase of power; KABR, Aberdeen, S. D., for change of frequency and increase of power; and WBNS, Columbus, for increase of power.

Study Examiners' Reports

The commission now has before it a number of examiners' reports, in which approval is given to applications for new stations filed by the Southern Minnesota Supply Co., Mankato, Minn., 1,500 kilocycle, 100 watts night, 250 watts day; Southwest Broadcasting Co., Prescott, Ariz., 1,500 kilocycles, 100 watts night, 250 watts day; Harry Schwartz, Tulsa, Okla., 1,310 kilocycles, 250 watts, daytime only; Galesburg Broadcasting Co., Galesburg, Ill., 1,500 kilocycles, 250 watts, daytime only; Standard Life Insurance Co. of the South, 1,420 kilocycles, 100 watts night, 250 watts day; Arthur Lucas, Savannah, Ga., 1,310 kilocycles, 100 watts; Centennial Broadcasting Corp., Dallas, 1,500 kilocycles, 100 watts, daytime only; Capitol Broadcasting Co., Raleigh, N. C., 1,210 kilocycles, 100 watts night, 250 watts day, and Birmingham News Co., Birmingham, 590 kilocycles, 1,000 watts.

Approve California Change

Also recommended for approval were applications of KRE, Berkeley, Cal., for change of frequency from 1,370 to 1,440 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day, contingent upon a change of frequency for KGGC from 1,420 to 1,370 kilocycles and denial of the application of Chase S. Osborne, Jr., for a new station at Fresno, Cal., on 1,440 kilocycles; KXA, Seattle, for increase of power from 250 watts night, 500 watts day, to 1,000 watts; and KPOF, Denver, for increase of power from 500 to 1,000 watts.

Denial of applications for new stations was recommended in the cases of Great Lakes Broadcasting Corp., Cleveland; Fall River Herald News Publishing Co., Fall River, Mass.; Colonial Network, Inc., Providence; Geraldine Alberghane, Pawtucket; Chickasha *Daily Express,* Chickasha, Okla.; Louisville *Times,* Louisville; Louisville Broadcasting Co., Louisville; W. P. Stuart, Prescott, Ariz.; Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont, Neb.; Leon M. Eisfeld, Burlington, Ia., and WFNC, Fayetteville, N. C.

A construction permit for a new international broadcasting station, to operate on frequencies of 9,530 and 15,330 kilocycles with 20,000 watts power, was granted the General Electric Co. for erection near Belmont, Cal.

Hollywood Town Pump

HOLLYWOOD, Nov. 11. — Grover Jones is adapting for the air his "How to Write a Movie" stories and the "Magic Lantern" series, appearing in the *Saturday Evening Post.* . . . "Mannequin," with Joan Crawford and Spencer Tracy, will be previewed. Also set for the M-G-M air show are Fanny Brice, Judy Garland, Ted Healy and his new stooges, Charles Igor Gorin and Betty Jaynes.

"Hollywood in Person," final quarter hour of the 10 to 11 A. M., P. S. T., program on CBS sponsored by General Mills, is now being heard Mondays through Fridays on KFWB, which is not affiliated with the network. . . . "Screen Scoops" has been selected as the title for George McCall's program starting Nov. 16 on CBS under the sponsorship of Old Gold. Ronald Drake will be the announcer on the film gossip program. . . . Wilbur Hatch will be the orchestra leader on "Dr. Christian" programs. . . . Ken Niles is the father of a girl, born last week to Mrs. Niles. The girl will be named Nadia Dennison Niles.

The W. R. Penny Market Research Corp. survey for October showed a continuance of the gain in KNX popularity, having 229 "firsts" in the telephone check against the nearest competitor's 110. The survey, according to the station, showed KNX had captured more periods than all the other stations combined.

✚

New Haven Town Pump

NEW HAVEN, Nov. 11.—A new series of five organ recitals by Dr. H. Frank Bozyan of Yale will be broadcast on WICC, starting tomorrow at 5:30 P. M., from Dwight Chapel on the Yale campus. . . Salco Oil sponsors two street broadcasts twice weekly on WBRY with Bill Blatchley and Jack Henry conducting and alternating their locale between the Gordon Bootery and the Paramount Theatre. . . Aside from the dollar bills given for correct spelling of words, there will be a Paramount theatre ticket tieup. . . Len Miller, advertising man, previously with a local real estate firm, now augments the WELI sales staff.

Tom Lane Leaves WOR

Tom Lane of the WOR press department has resigned to join the radio department of Young & Rubicam. He has been replaced by Dick Dorrance.

Clark Joins Swanson

HOLLYWOOD, Nov. 11.—Don Clark, for the last six months program director of KFI-KECA, quits Nov. 15 to become manager of the radio department of H. N. Swanson, Inc., agency.

Little Benny

Oklahoma City, Nov. 11.—Little Benny's Service Station here runs a program once a week for 15 minutes in which the announcer reads as follows:

"Don't buy anything from Little Benny's service station if you don't want to get gyped. He waters his gasoline, puts tacks on the driveway so that he can get your flat tire business. I wouldn't even drive a T-Model Ford into his station." Little Benny reports business is swell. People buy there just to see if they really will get stuck.

Schenectady Station Places 12 Contracts

SCHENECTADY, Nov. 11.—Twelve new business contracts have been placed with WGY here. The new business includes Little Crow Milling Co., through the Rogers and Smith agency, 15-minute daily program; Penick and Ford-Brer Rabbit Molasses, five day-a-week program through J. Walter Thompson; Mishawka Mfg. Co., announcements, through Campbell-Ewald of Chicago; transcribed DeSoto Motor Co. series, through J. Sterling Getchell; J. L. Kimmey Bakeries, talks twice weekly through Leighton & Nelson; Grossberg-Golub, daily announcements through Leighton & Nelson; Dryden Palmer Co., once weekly series through the Samuel C. Croat agency; announcements for Chrysler cars, daily, through J. Sterling Getchell; Bernard Perfumers, twice weekly, through the Sel Johnson agency; Murray Furniture, Sundays, through Leighton & Nelson; and spot announcements for Buick cars, through Arthur Kudner.

Changes Made at KEHE

LOS ANGELES, Nov. 11.—Shifting about to make changes necessary with the dropping of the California Radio System affiliation, Murray Grabhorn, manager of KEHE, has named Reid Kilpatrick supervisor of evening production. The local Hearst station is embarking on an exploitation campaign featuring the slogan, "The Personality Station—KEHE." Claude Sweeten has been signed as musical director.

KSL Lines Up New Business

SALT LAKE CITY, Nov. 11.—New business at KSL includes a CBS placement for the "Zenith Foundation," beginning Dec. 5; the Jean Hersholt series for Vaseline Products; the forthcoming Old Gold series; a placement by the Ed Petry organization of a 15-minute live talent program; and several local orders.

Hyman Joins Radio Events

Herbert H. Hyman, film promotion man, has been named account executive for Radio Events, Inc. He will have charge of the writing and production groups' work with and for agencies.

◂ *Radio Personals* ▸

NICK KENNY radio editor of *The Mirror,* has been selected as one of the "em cees" for the Local 802 benefit Nov. 15. . . Noble Sissle's band is now heard here via WHN from Cincinnati. . . Tim and Irene will do a burlesque of "Hobby Lobby" Sunday. . . Connie Bennett and Cary Grant have been set for the "Silver Theatre" program Sunday. . . Harry Salter will be this week's guest of honor at Leon and Eddie's.

✚

Doris Fisher has quit CBS allegedly because the company wouldn't give her an evening spot . . . WMCA will broadcast the Columbia-Dartmouth and the Columbia-Stanford games . . . Contract renewals have been extended by the WOR artists bureau to Tex Fletcher and to John Gambling . . . Hollace Shaw is returning to the west coast . . . Universal uses the call letters WBAM in the picture "Behind the Mike," evidently under the impression they are non-existent. WBAM, however, are the call letters of one of WOR's relay broadcast transmitters used for remote broadcasts . . . Patti Pickens, who married Bob Simmons last year, is trying for a solo spot on NBC . . . Decca has just released a series of three Irene Wicker children's records . . . Frances Langford will leave California this week for New York and her first eastern vacation in four years. While here she will be piped into the "Hollywood Hotel" broadcasts, and will appear on the stage at the Paramount . . . Willie Howard is set to produce an air show featuring old time stars . . .

Open Oregon Station

PORTLAND, Ore., Nov. 11.—Station KELA, midway between Centralia and Chehalis, Wash., has been opened. It operates on 500 watts, unlimited time, with a frequency of 1,440 kilocycles. It is a member of the Mutual Broadcasting System. KELA is located in a new building on the Pacific Highway, and contains both studios and transmitter. J. Elroy McCaw is general manager.

World Broadcasting Moves

The coast headquarters of World Broadcasting will be transferred from 555 South Flower St., Los Angeles, to temporary offices at 1000 Seward St., Hollywood, effective this week. The new address is a temporary one pending the construction of new Hollywood studios and recording facilities for World.

Singing Act Transferred

OKLAHOMA CITY, Nov. 11.—New programs over the Oklahoma Network include "Dixie Belles," singing act, sponsored by Dixie Distributors, gasoline company. The act was transferred from the Oklahoma Gas and Electric program over the network.

Sandiford Joins MacWilkins

PORTLAND, Ore., Nov. 11.—Billy Sandiford, formerly at KOIN, has joined the radio department of MacWilkins & Cole here. Sandiford is also in charge of KAST at Astoria, Ore., and has a full commercial schedule there.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 115 NEW YORK, SATURDAY, NOVEMBER 13, 1937 TEN CENTS

AGREE ORALLY ON U.A. DEAL; ALL-BRITISH FINANCES SEEN

Bank Night Is Lottery, Rules Georgia Court

ATLANTA, Nov. 12.—The Court of Appeals of Georgia ruled yesterday that Bank Night at a film theatre is in violation of the state lottery law, despite the fact that it is not necessary to purchase a ticket in order to participate in the drawing.

The state's highest tribunal thus upheld the decision of Judge Clayton Jones, of the Albany City Court, who overruled a demurrer against an accusation charging Frank Barker, operating a film house in Albany, with violation of the state lottery laws in the use of Bank Night at his theatre.

Barker contended that no money was involved in his operation of Bank Night, since everyone was allowed

(*Continued on page 3*)

Hartley Quits RCA; Sommerer Succeeds

CAMDEN, N. J., Nov. 12.—Edwin M. Hartley today resigned as sales manager of the Photophone division of RCA and was succeeded by Harry Sommerer in a realignment which places the latter not only in charge of sales of recording and reproducing equipment in the film industry but of all Photophone activities as well.

Sommerer at one time handled Photophone in this country and later was transferred to Japan where he was in charge of RCA in that country. Recently, however, RCA sold its Nipponese corporation and Sommerer was returned to the United States.

To Probe Probers In Inquiry of I.A.

LOS ANGELES, Nov. 12.—State legislative committee investigation of the I.A.T.S.E. started today in what might become a round robin of investigation. As the committee called the first witness, the Central Labor Council of the A. F. of L. announced

(*Continued on page 4*)

Radio—Page 4

Where Is It?

At 47th St. and Broadway, U.A. has a 24-sheet. It reads: "Hooray. 52d St. is now at 49th St. at the Rivoli."

Brandt Asks Parley Here December 14

Harry Brandt, president of the I.T.O.A., yesterday sent letters to Ed Kuykendall, head of the M.P.T.O.A., and Nathan Yamins, president of Allied States, recommending Dec. 14 for a joint conference on trade practices. The meeting, if agreed upon by both parties, would be held at 1 P. M., at the Astor.

Kuykendall recently telegraphed Brandt that he was amenable to such a get-together, but would not be back in New York until early December. Yamins has expressed himself as willing to attend with the condition that anything agreed upon at the session would be subject to approval of the Allied board.

The letter sent to both exhibitor heads is as follows:

"In view of the fact that you join with me in my sentiments for a joint conference I would suggest a luncheon conclave to be held among us on Tuesday, Dec. 14, at the Astor at 1 P. M."

In the event Kuykendall and Yamins desire to bring along committees, Brandt will appoint a group from his organization to sit in.

Expecting 1,000 at Banquet of Variety

PITTSBURGH, Nov. 12.—Sold out completely weeks ago, the annual Variety Club banquet at the William Penn Hotel Sunday night will draw about 1,000 showmen from all parts of the country and has already turned down that many more reservations.

The vanguard of out-of-town guests will arrive tomorrow morning to attend the Pitt-Nebraska football game at the Pitt Stadium, for which several

(*Continued on page 3*)

Control at Outset Goes to Prudential—Extends Time in Which Goldwyn and Korda Ultimately Take Hold

By SHERWIN A. KANE

An oral agreement which, it is planned, will be put in final form in London, was reached yesterday giving effect to the exercising of the options for control of United Artists through the acquisition of the stock of Douglas Fairbanks, Mary Pickford and Charles Chaplin, MOTION PICTURE DAILY learned from an authoritative source.

Under the agreement reached, Prudential Assurance of London, and its British financial associates, will loan $4,500,000 cash to the United Artists Corp., which will be used by the latter company for the purchase of Chaplin's one-fifth interest in United Artists and 62½ per cent of the United Artists' common stock held by Pickford Corp. and Elton Corp., the Fairbanks company.

Following a financial reorganization of United Artists which will be undertaken in the very near future, the main purpose of which will be to give the company authorization to issue new preferred stock, $1,500,000 of short-term preferred will be issued to Pickford Corporation and Elton Corporation for the remaining 37½ per cent of the United Artists common held by each. Provision will be made for the redemption of this $1,500,000 of short-term preferred before any dividends are paid on the outstanding common stock.

The Chaplin, Pickford and Fairbanks United Artists common stock thus acquired will be pledged by the company as security for the $4,500,000 loan from the British financial interests. The stock will remain under the control of these interests until the loan has been repaid, although the present indications are that Goldwyn and Korda will be accorded a free hand in production and many administrative matters in their respective spheres.

The fact appears to be, however, that Goldwyn and Korda will not become the owners of the stock through the exercise of the option. The British financing, it would seem, merely serves to extend the time during which the two producers are privileged to acquire United Artists control and, in that respect, the deal is essentially equivalent to a long-term extension of the option agreement.

The option to purchase the Pick-

(*Continued on page 2*)

See Selznick Deal Close, Maybe MGM

David O. Selznick last night was reported close to a deal, but with what distributing company remained largely a matter of guesswork; although insiders leaned toward the opinion it was M-G-M.

Indicative of the fact that a deal had been struck, or was about to be struck, is the plan of Selznick to leave for Hollywood next Wednesday. This decision comes in the face of reiterated statements on his behalf that he would remain in New York until his future business affiliation had been made. It also indicates his negotiations have come to a head faster than was generally expected in the light of comment from Selznick International of-

(*Continued on page 3*)

Stanley Hears Group On English Measure

LONDON, Nov. 12.—Oliver Stanley, president of the Board of Trade, received a joint deputation of producer, labor and exhibitor representatives today, relative to proposed amendments to the new Film Bill. They heard his views on the inclusion of a provision for a film commission, which took the form of a confidential memorandum.

Later a lengthy secret conference

(*Continued on page 3*)

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Flash Previews

"Navy Blue and Gold"—Probably the best of the Annapolis series. The academy forms a glamorous background for what is really excellent melodrama. It will have wide appeal.

"Wild Innocence"—Imported from Australia, the title refers to a Kangaroo and its harmless companions on the continent down under. Amateurishly produced but moderately entertaining.

"County Fair"—A horse racing yarn—fast-moving, timely and interesting. Plot, direction and production compensate for the lack of marquee names.

"Children of Loneliness"—A case-history type of story on the subject of sexual perversion. Enough said.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Kohner Quits Columbia

HOLLYWOOD, Nov. 12.—Paul Kohner, for the past three months a producer at Columbia, resigned today following arguments over story properties. He will leave for a vacation of a month in Mexico accompanied by Lupita Tovar, his wife, and will decide upon a new affiliation upon his return.

Agree Orally on U.A. Deal; All-British Finances Seen

(*Continued from page* 1)

ford-Fairbanks-Chaplin three-fifths interest in United Artists, which was obtained by Goldwyn and Korda, expires officially on Dec. 23. E. H. Lever, Prudential secretary, who has represented the British financial interests in the negotiations here, expects to sail for London on the *Queen Mary* Wednesday. He will take with him the necessary legal papers, which are being prepared by Charles Schwartz of the law firm of Schwartz & Frolich, Goldwyn-Korda counsel. The deal will be closed in London with the signing of the papers by the British participants. This would permit the making of the loan and the exercise of the option well in advance of Dec. 23.

Goldwyn and David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., plan to return to Hollywood on Wednesday. Korda may accompany them as he is anxious to take a brief vacation before returning to London.

The official announcement on the agreement which has been reached is expected from the principals on Monday.

Leon Britton China Sales Head for RKO

Leon Britton has been named general manager for China by Phil Reisman, foreign sales manager for RKO, following the decision to engage in direct distribution of the company's product in China. Britton will handle China as well as continuing to supervise sales in Japan and the Philippine Islands.

Britton left New York yesterday by train for the coast. He will sail for his headquarters in Shanghai from San Francisco on the *President Hoover* on Nov. 20.

MGM Holds Chertok As Shorts Producer

HOLLYWOOD, Nov. 12.—Jack Chertok has been signed by M-G-M to a new long term contract as producer of short subjects. During the coming season Chertok will turn out 69 single and double-reel productions, among them new releases in the Pete Smith, Robert Benchley and "Crime Does Not Pay" series.

Chertok also will produce the forthcoming "Captain and the Kids" cartoons.

Concord to Produce Eight for Monogram

Concord Prod., recently formed by Maurice Conn, will produce eight westerns for the current season for Monogram, it was announced yesterday. The deal no way affects Conn's setup in Ambassador which, according to present plans, will make a number of pictures for independent distribution.

Stopped Grinding

Boston, Nov. 12.—The theatre in Winter Harbor, Me., is named the Grindstone. It has stopped grinding for the winter.

Tax of $2 a Member Authorized by 4 A's

A maximum per capita tax of $2 per member was authorized by the council of the Associated Actors & Artistes of America to be levied against all of its 11 chartered units at a special session yesterday at which Frank Gillmore, president of the Four A's and of Actors Equity Ass'n, presided.

The initial tax to be levied may be only $1.50, as there is approximately $12,000 in the Four A's treasury, despite the fact that the parent A. F. of L. performers' organization has been virtually inactive for some years past. Its per capita tax, heretofore, has been 75 cents. The increase is required by the revised administrative setup making the Four A's an active organization. Its own office will be opened within the next few weeks at 25 W. 45th St. Gillmore, functioning as its active head, will draw a salary of $13,000 per year.

The bulk of the revenue under the tax will be derived from the Screen Actors' Guild and the American Federation of Radio Artists, largest in point of membership of the Four A's chartered unions.

The meeting also appointed a committee to study plans for revising the Four A's constitution to simplify the administrative functionings of itself and member unions. The committee will be aided by other committees to be named by each member union.

The next meeting of the Four A's board is scheduled for Dec. 3.

Equity Rule May Be Subject to Council

The efforts of Actors' Equity Ass'n to enforce American Theatre Council proposals through its own contracts with producer-managers may be amended to make Equity's disciplinary action subject only to council rulings which have been approved by a large percentage of the producer-managers, it was stated yesterday following a luncheon meeting of the council at the Astor.

Milton R. Weinberger, counsel for the League of N. Y. Theatres, the managers' organization, will confer with Paul N. Turner, Equity representative, with a view to effecting this change, it was said. It was pointed out that under Equity's present resolution, its judgment could be made to prevail in council matters affecting managers to the exclusion of a majority of the managers themselves.

The meeting heard reports from the council's working committees on discovery of new stage talent, on the projected 1938 Drama Festival, suburban ticket distribution, cooperation with the WPA theatre and improvement in box-office technique.

Purely Personal

J. SEARLE DAWLEY, who in the silent days directed such stars as Mary Pickford, Marguerite Clark, Richard Barthelmess and Alice Brady, is now collaborating on originals and adaptations of European operettas with EMANUEL H. JACOBS, who for 20 years was connected with Paramount in the editorial and technical departments.

•

GLADYS SWARTHOUT will leave Hollywood tomorrow night on a four-week concert tour which will take her to Seattle, Portland, Vancouver, Denver, Detroit, Sioux City and Beaumont, Tex.

•

N. L. NATHANSON, president of Famous Players Canadian Corp., is in town on one of his frequent visits from Toronto.

•

WILLIAM POWERS and EDWARD J. PESKAY left last night for Pittsburgh to attend the annual Variety Club blowout.

•

NORMAN H. MORAY is in Pittsburgh for the Variety Club banquet to be held at the William Penn tomorrow night.

•

HARRY D. BUCKLEY returned yesterday from Philadelphia after attending the opening there of "The Hurricane."

•

SHIRLEY ROSS will leave San Francisco today aboard the *Santa Paula* for a six-week vacation in New York.

•

MARY GARDEN, operatic soprano and more recently a talent representative for M-G-M, arrived on the *Bremen*.

•

DAVE BLUM, who leaves for the coast by plane tomorrow, will return via American Airlines on Nov. 22.

•

DR. A. J. CRONIN, author of "Citadel," M-G-M's second British production, will arrive Monday.

•

SAM KASTENBAUM'S wife will undergo an operation today at the Royal Hospital in the Bronx.

•

AUSTIN C. KEOUGH left yesterday for Hanover, N. H., to attend the Dartmouth-Cornell game today.

•

J. E. PERKINS, China manager for Paramount, is due from the coast Monday or Tuesday.

•

SPYROS SKOURAS will arrive Monday from a European vacation on the *Queen Mary*.

•

LORETTA YOUNG left yesterday for the coast following a two-week vacation here.

•

BARNEY BALABAN and STANTON GRIFFIS will head for Hollywood today.

•

EDGAR B. HATRICK is planning to leave for the coast in the next few days.

•

HARRY C. ARTHUR will arrive in Pittsburgh today from St. Louis.

•

JACK PARTINGTON is due back from the coast next week.

Bank Night Lottery, Georgia Court Rules

(Continued from page 1)

to register for the drawings, whether a patron purchased a ticket or not, and that the winner was admitted to the house free of charge if he was outside the theatre when his name was called.

The Court of Appeals held that the patrons of the theatre actually paid collectively or in a body for the lottery, which was necessarily intended as a business stimulator.

The Nebraska Supreme Court similarly ruled Bank Night illegal and a violation of the state lottery law on Oct. 22.

Dismisses Select Suit

Federal Judge John C. Knox yesterday dismissed the complaint of Select Theatres Corp. in a $10,000 copyright infringement suit against Warners on the ground that the complaint failed to set forth a cause of action. Select charged that the Warner picture, "Ready, Willing and Able" was "pirated" from "The Audition," a play which the plaintiff allegedly owns. Judge Knox allowed Select 15 days to file an amended complaint.

Granted Permission to Appeal

Albert Bein, author, was granted permission by Federal Judge Henry W. Goddard in the U. S. District Court yesterday to appeal to the Circuit Court of Appeals from an adverse decision which held that the Warner picture, "Mayor of Hell," was not an infringement of his copyrighted play, "Junior Republic."

Film Romance for Deanna

HOLLYWOOD, Nov. 12.—Universal today decreed that romance shall enter the film life of Deanna Durbin for the first time in the forthcoming "Mad About Music." Jackie Moran has been chosen to play opposite the young actress.

Wall Street

Light Board Gains Hold

	Open	High	Low	Close	Net Change
Col.	18	18¼	17½	17½	+1
Col., pfd.	31½	31½	31½	31½	— ¼
Cons., pfd.	8	8¼	8	8¼	+ ¼
E. K.	166	167	164	164	+1
E. K., pfd.	162	162	162	162	—1½
G. T. E.	15⅛	15½	15	15½	+ ¼
Loew	61½	61¾	61	61⅛	+ ¼
Loew, pfd.	104	104	103½	104	+2
Para.	14⅞	15⅛	14⅝	14⅞	.....
Para. 1	107	109	106⅝	109	+4
Para. 2	13⅜	13¾	13⅜	13⅝	+ ⅜
Pathe	6¾	7	6⅝	6⅝	— ⅜
RKO	5¾	5⅞	5⅝	5¾	.....
20th Fox	24⅛	25	24⅛	24¼	— ½
Univ., pfd.	34½	34½	34½	34½	+1½
W. B.	8¾	9⅛	8⅝	8⅞	+ ¼

Curb Issues Increase

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1½	1½	.....
Monogram	1¾	1¾	1¾	1¾	+ ¼
Sentry	⅜	⅜	⅜	⅜	+1/16
Sonotone	1¾	1⅞	1¾	1¾	.....
Tech.	21¼	21⅝	20½	20½	+ ¼
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....
Univ. Corp.	2¼	2¼	2¼	2¼	+ ⅛
Univ. Pict.	4½	5½	4½	5	+1

Bonds Rise Substantially

	High	Low	Close	Net Change
Keith 6s '46	89	89	89	+ ½
Loew 3½s '46	99¼	99	99¼	.....
Para. Pict. 6s '55	96	96	96	— ½
Para. Pict. '47	80½	80	80½	+3
W. B. 6s '39	85	84	85	+1

(Quotations at close of Nov. 12)

Curfew Again

Guthrie, Okla., Nov. 12.—The City Council here has dusted off Guthrie's 30-year-old curfew law and instructed police to have all children under 16 years of age off the streets by 9 P. M. The original law, enacted before statehood, declared children must be off city streets by 8 P. M., but the Council said the time will be extended an hour. The rule will not apply to children accompanied by their parents.

Warners Preparing 26 Films at Studio

HOLLYWOOD, Nov. 12.—Twenty-six features are being prepared at the present time to go into production during the next four months at Warners under the supervision of Jack L. Warner.

First to go will be "Food for Scandal," which will be Mervyn Le Roy's last production before going to M-G-M as producing director and which starts shooting Monday. "The Panama Canal," a special; "Chalked Out," Warden Lawes' play; a remake of "Desert Song" and "Boy Meets Girl" are among others planned. Four films are now in work.

Stanley Hears Group On English Measure

(Continued from page 1)

was held at the headquarters of the Cinematograph Exhibitors' Ass'n. No statement was issued, but it was believed efforts were being made to reach a practicable agreement. Stanley is understood to be not unsympathetic toward an extension of the advisory committee activity. The bill will reach active committee consideration on Thursday.

Thomas M. Love Dies

PHILADELPHIA, Nov. 12.—Thomas M. Love, 68, former general manager of the Nixon-Nirdlinger circuit, died yesterday at his home in Cynwyd. He started his career in 1895 as a ticket seller working for Samuel F. Nixon. He is survived by his widow, four sons and two daughters.

Thurlow K. Albaugh Passes

CANTON, O., Nov. 12.—Thurlow K. Albaugh, widely known in Ohio theatrical circles, is dead at Aultman Hospital here from complications. He had spent most of his life in this vicinity. As a young man he built and operated theatres in Youngstown and Akron. His widow and mother survive. Burial was at New Cumberland, O.

Clarence Beck Dead

CHICAGO, Nov. 12.—Clarence Beck, 63, veteran Chicago exhibitor, who operated the Castle, Chicago's original first run house, for 20 years, died at Augustana Hospital today of heart disease and complications. He is survived by his widow and one son.

"Fields" in Sixth Week

"Green Fields," Jewish film, has entered its sixth week at the Squire.

Expecting 1,000 at Banquet of Variety

(Continued from page 1)

boxes have been set aside in the Variety Club's name. At night, John H. Harris will be host to the visitors at a dinner in the new Variety Club headquarters.

Norman Frescott, flying here from Hollywood, will be the banquet toastmaster and with him at the speakers' table will be Governors Earle, Nice and Hoffman, of Pennsylvania, Maryland and New Jersey, respectively; Charles Margiotti, Attorney General of Pennsylvania; David Lawrence, Secretary of the State; Jock Sutherland, coach of the Pitt football team; Larry Kelley, All-American end from Yale last year; Secretary of Labor Bashore of Pennsylvania; U. S. Senator James J. Davis of Pennsylvania; Mayor of Pittsburgh Cornelius D. Scully; Dr. Homer Flint, Rabbi Herman Halperin, former State Senator Frank J. Harris, Rosey Rowswell, Father Garahan, Edward Tabor, John J. Maloney, John T. McGreevey and Judge Frank Patterson.

Talent List Impressive

The show following the dinner will be "m. c.'d" by Dan Healy and is to include Shaw and Lee, Mary Small, Peter Higgins, Mario Cozzi, Chilton and Thomas, Carmen, Pansy the Horse, Louise Massey and her Westerners, Boy Foy, the Cossacks, Gloria Gilbert, the three Nonchalants and the orchestras of Dick Stabile and Jerry Mayhall.

One of the features of the banquet will be the introduction of George Variety Barker, an infant boy adopted by the club last year and the third adopted child of the Pittsburgh tent. The other two have since been taken by private families.

The affair, following usual custom, will honor the outgoing chief barker, John Maloney, and his staff and the newly-elected head, John McGreevey.

Honor William Nasses

WILMINGTON, O., Nov. 12.—William "Billy" Nasses, manager of the Murphy here, will be tendered an anniversary party Sunday, marking his sixth anniversary as manager of the deluxe house and also his 25th year in show business. He was guest of honor at a luncheon, as well.

See Selznick Deal Close, Maybe MGM

(Continued from page 1)

ficials that the probability was the producer would be here until Christmas.

Accompanying Selznick west will be his brother, Myran; George Cukor, the director; Miss Bobby Keon, his production secretary, and Marcella Rabwin, his assistant. Russell J. Birdwell, director of publicity, flies west Tuesday evening following a cocktail party at "21" for Cukor.

Pathe News in Deal For Australian Clips

RKO Pathe News has completed a deal with Cinesound, Ltd., of Australia, for the supplying of newsreel material to the American reel. The first coverage appeared in the latest issue of Pathe News, a clip of the Epsom Handicap race, opening the spring racing season.

With the closing of the contract, the reel claims to have complete world-wide coverage.

Open Indianapolis House

INDIANAPOLIS, Nov. 12.—The Garfield, neighborhood house operated by Charles Tamler, will reopen tomorrow after being dark several months, with seating capacity increased from 425 to 600, and other improvements. L. J. Thomas has been named manager of the latter, leaving Tamler time to devote full attention to the Garfield.

Lew Lehr to Preside

Lew Lehr, Movietone News humorist, will be master of ceremonies at the 18th annual Charity Frolic on Nov. 20 at the Hotel Astor. Moe Sanders is head of the arrangements committee. Movietone News will make a film record of the evening's activities and screen at the end of the festivities. The affair is sponsored by M. P. Associates.

RKO Extends Contracts

HOLLYWOOD, Nov. 12.—RKO has extended the contracts of Katharine Hepburn, Barbara Stanwyck, George Shelley, Frances Gifford, Bob Thatcher and Paul Yawitz, the latter a writer.

RECEIVERS' SALE—RARE OPPORTUNITY

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Sponsors Rush To Beat WOR Rate Increase

With the WOR rates going up, effective Sunday, sponsors this week have been getting in under the wire by signing renewals for a full year in advance.

Those who have renewed are Tydol Oil Co., through Lennen & Mitchell, the Stan Lomax commentaries; Brown & Williamson Tobacco Corp., which also sponsors Stan Lomax, through Batten, Barton, Durstine & Osborn; Bristol-Myers Corp., sponsors of both Mark Hawley and Dave Driscoll, through Young & Rubicam; Gambarelli & Davitto, sponsors of Frank Singhiser's news broadcasts, through the DeBiasi Adv. Co.; and Remington Rand, sponsors of Mark Hawley's news talks, through the Leffert Adv. Corp. All renewals are until November, 1938.

New Rates Listed

The new WOR weekday 8 A. M. to 6 P. M. hour rate will be $600, as against the old rate of $500. The half-hour rate will be $360 compared to $300; quarter-hour, $240 against $200. These are daily rates, from 8 A. M. to 6 P. M.

From 6 P. M. to 11:15 P. M., daily including Sunday, the new and old rates follow: $1,000 for a full hour, against the old rate of $925; $600 per half-hour compared to $555; and for a quarter-hour, $440 as against $370. Sundays, from 12 noon to 6 P. M., the new hour rate will be $825 against the old rate of $667; half-hour, $495 against $400; and for the quarter-hour, $330 compared to $267.

Kaltenborn Is Ill

CINCINNATI, Nov. 12.—H. V. Kaltenborn, CBS lecturer and commentator, is ill in a hospital here. He was removed from a train to the hospital suffering from a severe liver inflammation. He will remain in bed for at least 10 days, according to physicians. He was en route to lecture before a University of Cincinnati group.

La Tore Quits WMCA Show

Charles La Tore, who has been handling production of the "Ave Maria" hour on WMCA, has resigned to join the Shubert organization. He will be in charge of publicity for the Shubert play "Between the Devil." Donald Peterson succeeds him on the radio series.

Opera on Air Nov. 22

The Philadelphia Orchestra, sponsored by an association of banks, will bring opera to the air Nov. 22 when, with Alexander Smallens as guest conductor and a cast of singers, the orchestra will present Puccini's "La Boheme." The series is broadcast on the NBC-Blue from 9 to 10 P. M.

"Amateur Hour" Renewed

The WHN "Original Amateur Hour," has been renewed over WHN for 26 weeks by Procter & Gamble for Oxydol. Program, with Jay C. Flippen, is broadcast Tuesdays from 7 to 8 P. M. Blackett-Sample-Hummert is the agency.

Radio Personals

MAURICE GAFFNEY, CBS trade news editor, is the father of a baby girl . . . Hugh Conrad, after seven years use of that nom de plume, is planning to resume his real name of C. W. Van Vooris . . . Carleton Smith, radio music critic, is back from a European vacation and business trip . . . Ted Husing will be tendered a testimonial dinner Nov. 17 by the Downtown A. C. . . . W2XE, CBS short-wave station, this week completes its first six months of service . . . WMCA is completing plans to cover the reporting of news from the City Hall in New York . . . Johannes Steel, who begins a series of commentaries on WMCA this Tuesday, will be fed international news by correspondents throughout the world, through contacts built up over a period of 10 years of travel as a foreign editor . . . Lionel Stander, who used to stooge on the Fred Allen series, will be presented as a guest star on the program Nov. 17 . . . Eric Blore and Mischa Auer will appear on the Vallee show Nov. 18 . . .

✚

San Francisco Town Pump

SAN FRANCISCO, Nov. 12.—Claude Sweeten, former KFRC musical director, will take a similar post at KEHE, Los Angeles, Dec. 1. . . . Jimmy Walsh's orchestra has left for six weeks at the Trianon, Seattle. . . Karl Barron and George Tolin, KYA announcers, have resigned to freelance on commercial programs. . . Jack Winston's band, aired over KGO, has been signed for five years by Rockwell-O'Keefe. . . Freddie Nagel's orchestra, after a year at Hotel Del Monte, will succeed the Red Norvo-Mildred Bailey band in Hotel St. Francis Nov. 23, Nagel's orchestra, a University of California group, will be aired via KSFO-CBS.

Quebec Leader Backs Autonomy for Radio

MONTREAL, Nov. 12.—Maurice Duplessis, Premier of the Province of Quebec, has rallied to the standard of Quebec's radio autonomy. In a statement issued from Government offices he said he had received a letter from Gladstone Murray, chairman of the Canadian Broadcasting Corp. asking for the opinion of the Province regarding regulations for beer and wine advertising on the radio. Quebec is the only one of the nine provinces in which such advertisements are sanctioned. He had replied without airing views, he said.

Control of such advertising, Duplessis thought, was a Federal matter. "Some years ago the Taschereau Government (his predecessors) passed some laws regarding radio which were found by the Supreme Court and the Privy Council to be unconstitutional. The net result was the loss of thousands of dollars to the Province. We intend to safeguard provincial autonomy and so will respect Federal autonomy."

Canadian Station Takes Show

Star Radio Programs, Inc., transcribed feature, "Good Morning, Neighbor," has just been signed by CHAB, Moose Jaw, Saskatchewan. Another Canadian station, CKPR, has signed for "The Commercials." The latest station to order the "Christmas Tree" is CKCN.

Neagle, Hall on Air Tomorrow

Anna Neagle, star of "Victoria the Great," will appear on the Chase and Sanborn Hour over the NBC Red tomorrow at 8 P. M. She will be heard in a dramatic interlude. Another picture dramatization will be "The Hurricane," with Jon Hall and Dorothy Lamour re-enacting brief scenes from the production.

Starr, Clark to Coast

Herman Starr, vice-president of Warners, and John L. Clark, president of Transamerica, Inc., a subsidiary, left yesterday for the coast to confer with company executives there on the details of the 52 time NBC radio broadcasting arrangement with Lucky Strike and to set up the executive machinery.

WINS Official Voice Of the Daily Mirror

Beginning Monday, WINS will become the official voice of the *New York Daily Mirror* and *Sunday Mirror*. The newspapers will take over "Mr. & Mrs. Reader," early morning feature; a sports resume daily at 5:45 P. M.; the "Globe-Trotter" news reports at 6:30, and a Prudence Penny feature talk will be added to the station's daily schedule.

WINS is a Hearst-owned station, and formerly it was the voice of the *New York American*. After the merger of the *Journal-American* it became the official station of the combined newspapers.

Technical Expansion Of WIP Is Completed

PHILADELPHIA, Nov. 12.—Major additions to WIP's technical facilities, upon which the station spent over $60,000, have been completed. In general this expansion program, guided by WIP's president, Benedict Gimbel, Jr., included a new 320-foot vertical antenna, a completely new master control room, the building of four more individual control rooms and the erection of an entirely new transmitter.

The transmitter is of the newest type high-fidelity, high efficiency type.

WKY Starts New Program

OKLAHOMA CITY, Nov. 12.—WKY started a new program, "Sunday Aft'noon Social" this week sponsored by the Oklahoma Tire & Supply Co. The program will originate in the studio of KVOO, Tulsa, and will be carried over the two stations only.

Film to Metro Show Feature

HOLLYWOOD, Nov. 12.—Third of the M-G-M General Foods programs, "Good News of 1938," to be broadcast Nov. 18, will feature a preview of the picture, "Navy Blue and Gold." The players on the show will include Luise Rainer, Allan Jones, James Stewart, Robert Young, Tom Brown and Florence Rice.

Name Lux Show Stars

Herbert Marshall and Margaret Sullavan will star in the Lux "Radio Theatre" version of "Petrified Forest" Nov. 22.

To Probe Probers In Inquiry of I. A.

(*Continued from page* 1)

the formation of a committee to investigate the investigators' asserted C.I.O. leanings.

Assemblyman Paul Richie, of the legislature's Capital-Labor Committee, welcomed the investigation but added that the state probers may in turn investigate the investigators of the solons.

The first witness was Irwin P. Henschel, I.A.T.S.E. member and one of the spokesmen for the I.A.T.S.E progressives' secret group of alliance members supporting the probe, who charged the I. A.'s officers were running a full-fledged gambling place in union headquarters, had held no meetings of members, nor consulted them in any way. He also said that 1,200 workers forced into the I. A. had to pay initiation fees as well as two per cent assessments; that no financial statement ever had been made and that the two per cent levy had been turned over to George Browne, I.A.T.S.E. president, to use for whatever purpose he saw fit.

Steve B. Newman, the first international official called to the stand, testified that Browne draws an annual salary of $20,000 plus an unnamed amount as expenses. Newman stated that his own salary is $110 weekly plus $12 a day traveling expenses while on the road.

Adjourn Until Monday

The hearing adjourned until Monday immediately after Newman, replying to a query by Assemblyman Jack B. Tenney, stated that he did not know the relationship between Browne and Tom Malloy, assassinated head of the Chicago projectionists' local.

Preceding Newman on the stand during the afternoon session were James E. Shaw and Francis Black, I.A.T.S.E. members, who said that they lost their studio jobs because of their dissatisfaction with I.A.T.S.E. officers.

Interunion discord came into the open today when the disclosure was made that the studio Carpenters' Union had gone on record favoring the investigation. Cliff Mace, business agent of the carpenters' group, said that no union organization operating fairly and above board should have anything to fear from such delving. The carpenters' local and the I.A.T.S.E. have been at odds for some time over the latter's demand for jurisdiction.

G. N. Promotes Two; Adds Three Salesmen

Grand National has made two promotions in its field sales force and added three salesmen, according to Sol Edwards, eastern division head. William Shartin, branch manager at Cleveland, is now in a similar post at Minneapolis and Peter Rosian, formerly a salesman at the Washington branch, now assumes management of the Cleveland office.

Carl J. Goe has been named branch manager of the Buffalo exchange. Jack Lamonte is a new addition to the Washington sales force, and William Crystal has been added to the Minneapolis exchange staff.

New branches have been opened in Memphis and Oklahoma City, making a total of 31 for the company.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 116 NEW YORK, MONDAY, NOVEMBER 15, 1937 TEN CENTS

UA Working Cash, Status Of Selznick Still in Air

"Discussions..Concluded"

Exclusive publication by* Motion Picture Daily *of the consummation of the United Artists deal Saturday was confirmed late that afternoon with a brief and uncommunicative official announcement issued jointly by Samuel Goldwyn and Alexander Korda.

In a statement running slightly over 100 words, Goldwyn and Korda stated discussions had been concluded, all parties are in agreement and final action awaits examination of the details by legal advisors.

It was originally planned to issue the announcement today. The complete statement follows:

"The discussions between Samuel Goldwyn, Alexander Korda and E. H. Lever on the purchase of shares held in United Artists by Mary Pickford, Charles Chaplin and Douglas Fairbanks have been concluded, it was announced jointly by Mr. Goldwyn and Mr. Korda yesterday.

"All parties are in agreement on the conditions by which financing will be made available to Mr. Goldwyn and Mr. Korda to exercise their option, it was stated.

"It was also announced that the purchasing members have decided definitely on the future policy of the corporation after the option has been taken up, as well as on the future administration details.

"Final action on the exercising of the option is being deferred until the legal advisors of the various interested parties, both in the United States and England, have examined the proposed details."

Fight Due on RKO Dividend Plan of Alger

No Common Payment Is Asked; Hearing Today

Special Master George W. Alger's tentative recommendation that no dividends be paid by the reorganized RKO on its new common stock until the company's new $12,718,500 issue of debentures has been fully retired, is expected to be the center of opposition when the hearing on his preliminary report gets under way today.

Atlas Corp., the proponent of the plan, probably will oppose the recommendation and would be joined by the various committees and counsel for RKO representing the common stockholders and other unsecured creditors who will receive new common stock under the provisions of the reorganization plan for the settlement of their claims.

Opponents of the recommendation are expected to point out to the special master that the recommendation,

(*Continued on page* 10)

English Paper Sees Censor Influenced

LONDON, Nov. 14.—There is a growing suspicion here that the War Office is influencing the decisions of the Board of Film Censors, it is reported in *Reynolds' News*. Films, particularly independent productions such as "Spanish Earth," "Thunder Over the Orient" and the home-produced "Millions of Us," dealing with trade unions, have suffered cuts and revisions due to interference from the military board.

An American film consisting of

(*Continued on page* 10)

Federal Film Law Is Planned by Belgium

By PIERRE AUTRE

PARIS, Nov. 5.—Belgium, apparently following the lead of France and Switzerland, plans a legislative regulatory program for the film industry. A committee, including members of the Belgium industry, representatives of the Government ministries and individuals familiar with industry activity, will be created with a triple purpose.

First they will study the possibilities of the development of a trade

(*Continued on page* 10)

Radio—Page 12

Local 306 Demands Early Pay Revision

Nettled by the long drawn out conferences, members of Local 306 have given major circuit heads until Nov. 24 to conclude negotiations on a reinstatement of cuts in salaries, it was learned over the weekend. The Nov. 24 date was agreed upon by the membership at a meeting at Palm Gardens. About 10 motions recommending various types of action to be taken in the event no agreement is reached by the stipulated time were voted down by a majority of the projectionists.

Although the 10-year master agree-

(*Continued on page* 10)

Circuit Directors Will Be Re-elected

All directors of U. A. Theatres Circuit Corp. are expected to be re-elected at the annual stockholders' meeting in Baltimore, Nov. 22. Officers of the circuit also are scheduled for reelection at a meeting shortly after the stockholders' session.

While there is some doubt that the annual statement for the year ended Aug. 31 will be ready in time to be sent to stockholders, it is hoped to have a complete report ready for the Baltimore meeting.

No expansion is planned at the moment, it was stated. The circuit

(*Continued on page* 10)

'Twas Time of High Jinks In Pittsburgh Last Night

PITTSBURGH, Nov. 14.—One of the ranking events of the year for showmen throughout the country, the Variety Club banquet here tonight drew a capacity crowd of 1,000 and played host to representatives of show business from coast to coast. Governors Earle, Nice and Hoffman of Pennsylvania, Maryland and New Jersey, respectively, were the honored guests and a beautiful gift was presented to John J. Maloney, head of the M-G-M office here, upon his retirement as chief barker of the local club.

He was succeeded by John J. Mc-

(*Continued on page* 10)

Bank America, Hemphill, Noyes Group May Be Sources

By SHERWIN A. KANE

Financing for United Artists' future production requirements and the retention of David O. Selznick as a United Artists producer, are the two major loose ends remaining in the company's rapidly shaping pattern of things-to-be, as a result of the conclusion of an oral agreement last Friday on the exercise of the stock option for three-fifths of the company's common shares prior to Dec. 23, it was apparent yesterday.

The financing agreed to by Prudential Assurance of London and its British associates provides only the $4,500,000 minimum cash requirement for the exercising of the options. Prominently mentioned as sources of financing for future production are the Bank of America National Ass'n., with which Dr. A. H. Giannini, now United Artists president, was long associated, and a New York group which is believed to include Hemphill, Noyes & Co., of which Stanton Griffis, chairman of the Paramount executive committee, is a partner.

Prudential Studio Funds Likely

There is, however, an entirely probable supposition that Prudential, with or without other associations, will make production financing available to Alexander Korda's London Films, or to United Artists itself. This is predicated upon the assumption that with the exercise of the option the British interests' investment in both London Films and United Artists will be so large that it will have to be safeguarded in this or any other vital respect.

Prudential's investment in the option deal will run to a maximum of $2,000,000, it is said. The remaining $2,500,000 in cash will be supplied by its associates, all of whom are understood to be British concerns. The balance required to swing the $6,000,000 option deal will be made up of $1,500,000 in an early maturity preferred stock of United Artists Corp., which will be issued to Pickford Corp. and Elton Corp., the Douglas Fairbanks holding company for their respective one-fifth stock interests in United Artists, immediately following a revision of the latter company's capital structure. This financial reorganization is required due to the fact that under United Artists' present

(*Continued on page* 9)

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Legion Approves 10 Of 12 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved 10 of the 12 new films reviewed, seven for general patronage and three for adults. Two were called objectionable in part. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Bulldog Drummond's Revenge," "Chicos de la Prensa," "Courage of the West," "Love on Toast," "Old Wyoming Trail," "El Pobres Perez" and "She Loved a Fireman." Class A-2, Unobjectionable for Adults—"Expensive Husbands," "The Hurricane" and "Paid to Dance." Class B, Objectionable in Part—"Madame Bovary" and "Second Honeymoon."

$5,726 in Two Days

Paramount on Saturday reported "Ebb Tide" grossed $5,726 in its first two days at the Warfield, San Francisco and added this was the biggest opening business at that theatre in two years.

Company sources also declared "The Barrier" opened to $4,100 at the Fenway, Boston and to $1,300 in its first day at the Capitol, Portland, Me.

Insiders' Outlook

By RED KANN

AS indeterminate as NBC appears to have been in last week's tilt with General Hugh S. Johnson, an examination of the circumstances leads to this observer's conclusion that the broadcasting network displayed good judgment in refusing the General permission to deliver his scheduled address on gonorrhea and syphilis. It seems Johnson was chiefly angered because the censorship was not applied until a few minutes before his program was to take the air. What happened behind the scenes, the temperature in the words presumably fired back and forth between Johnson and Major Lohr, president of NBC, are not exactly basking in the sun's glare. But it makes little difference. . . .

▼

It makes little difference, as we approach the question, because astride the base line of the discussion is the issue of whether or not the problem of social diseases should be turned loose into no one can calculate how many directions, how many homes, how much of an audience, as well as the ages of that audience, through a medium which is primarily one of entertainment. We assert it should not. We maintain that inherent in such a handling are the possibilities for more harm than good. There can be no doubt about the need for widespread dissemination of information among formulative minds and minds presumably already formed on the dangers of social diseases. The press in increasing measure is opening its columns to headlines in which gonorrhea and syphilis get display mention. Medical societies which once whispered the words behind cupped lips have abandoned that reserve in the light of what, more and more, is assuming a nation-wide movement to stem the tide by more thoroughly familiarizing the public with pitfalls to be avoided. . . .

▼

All of this is merely to read the directional signs. To attempt to deny the impact of a growing educative campaign is futile and ostrich-like. Yet, reading the printed word is one thing. Idly flipping a dial in the search for entertainment and by ready ear absorption happening upon, or even hunting out, discussions of venereal diseases is entirely different. There is to consider the susceptibility of the adolescent child, his pliability for impressions induced by forceful address. There is also to consider the responsibility of the parent who, firstly, is the person who should impart the essential facts. If information on gonorrhea and syphilis is to be widely thrown to the four corners of the land, and we argue that it should, the lecture hall and special facilities should be utilized for the purpose. . . .

▼

Broadcasting on a national, or even a limited geographical scope, carries with it such vast potentialities for good and something less that every care ought to be brought into play to make certain desirable consequences can be assured, if this is possible. In the instance of NBC, the facts reveal an inconsistency in that social diseases were earlier discussed over that network during the Forum on Current Problems under the auspices of the *New York Herald-Tribune*. It, therefore, might be argued General Johnson has been discriminated against. It may be, on the other hand, the error was originally made in the first instance and measures sought to bar a repetition in the next following circumstance, which happened to be the case of General Johnson. We do not know what the history of the incident will show. We do know, however, that NBC was correct in clamping down its censorship on Johnson because of the context of his proposed talk. For there are ways by which such problems in the public interest can be given their say without turning an essentially entertainment medium into an agency for specialized propaganda. . . .

Purely Personal

STANTON GRIFFIS, chairman of the Paramount executive committee, leaves for the coast on the Century today. He will join BARNEY BALABAN, Paramount president, in Chicago tomorrow, when the two head for the studio on the Super Chief.

•

RUFUS KING's as yet unpublished novel, "Victoria Docks at Night," has been purchased by CHARLES BEAHAN, Universal story editor.

•

CHARLES SKOURAS and MIKE ROSENBERG, who plan to return to the coast tomorrow, may delay their departure until a later date.

•

ELIOTT D. ODELL has been appointed advertising manager of the Fawcett groups that include women's, detective and mechanical publications.

•

MRS. OSA JOHNSON will arrive today on the *Queen Mary*. She has been making background shots in Africa for "Stanley and Livingstone."

•

SIDNEY R. KENT, president of 20th Century-Fox, today leaves for the coast on his annual trip. He will be gone about a month.

•

D. YANCEY BRADSHAW, chief technician of The March of Time, will marry CLARA JANE HOPSON today in Omaha.

•

JACK GOETZ and ARTHUR GOTTLIEB of DuArt plan to leave for Toronto tonight.

•

PAUL and MRS. MUNI are scheduled to sail for Europe the latter part of this week.

•

AL SHERMAN will sail Nov. 24 for an 11-day vacation in Havana.



40
DAYS TO
CHRISTMAS
and every day say:
"THANKS FOR
'ROSALIE'!"
M-G-M's Holiday Package

UNIVERSAL'S MERRY GO ROUND OF 1938

BEATS ALL IN BOSTON!

BEATS MY MAN GODFREY!

BEATS 100 MEN AND A GIRL!

— at Boston Memorial Theatre

. . . and THE HURRICANE OF P

A hurricane to blast you from the orchestra pit to th
zanine, to film your eyes with spindrift, to beat at yo
thunder, to clutch at your heart and send your diaph
. . . hurricane is a whopper.

—Ne

A film triumph . . . mightiest spectacle staged to d
all the extravagant splendor which is Goldwyn, ma
intense, stunning, stupendous . . . Hall handsome
its sheer magnificence will thrill the fans and
popularity.

—Ne

A stirring show . . . a brilliant film spectacle
in the sheer fury of the elements . . . smash
gives splendid performance . . . as terrify
been devised by the screen.

—N

Spectacular and stirring movie . . . exqu
and striking seascapes . . . excellent m
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cle . . . principal actors unusual
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Realistic "Hurrica
hurricane scenes l
ture of South S



SE SWEEPS EVERYTHING BEFORE IT!

It raced through my body, leaving me weak from sheer physical exhaustion . . . I was completely captured by the charm of the South Seas story . . . a romance that is given a terrific flavor of sex . . . "Hurricane" will definitely make a star of Jon Hall . . . Dorothy Lamour lovelier than I have ever seen her . . . grownups and children should put "Hurricane" on their "must see" list.

—JimmieFidler

A manifestation of Nature's fury the like of which has not been experienced since the night of the fabled Big Wind . . . brilliant production . . . sustained punch . . . the magnificent illusion of awesome realism . . . on a par with the industry's outstanding production feats . . . performances are intelligent, convincing . . . Miss Lamour is a perfect sarong-clad Marama, Hall a fine, stalwart Terangi . . . not a dull moment in the picture's 103 minutes.

—The Film Daily

Samuel Goldwyn and his publicity department have been advising the world that "The Hurricane" would take a place among the great pictures of all time; this proves entirely correct . . . a heart-touching love story with human interest . . . John Ford has never before so effectively demonstrated his talents as a director . . . a potent punch, the fury of which actually stuns the senses . . . compared to it, the earthquake episode in "San Francisco" is like a tempest in a teapot . . . many other things which accentuate the entertainment and commercial value of the film . . . there need be no worry as to what "The Hurricane" will do at the box-office . . . that it will be a great attraction for those who play it is certain.

—Motion Picture Daily

A spectacular, thrilling drama that should shatter box-office records . . . splendid photography, fascinating South Seas atmosphere . . . it will send the customers away to tell their neighbors . . . audience sat spellbound by the powerful climax . . . should be a word-of-mouth moneymaker.

—Jay Emanuel Publications

Tremendous in its terrifying power, skillful in its successful capture of tropical charm and tempestuous fury, this Samuel Goldwyn achievement delivers a roaring, surging climax the like of which the screen has never seen . . . its astonishing authenticity will only be rivalled by the unquestioned box-office records it will mark up in every booking situation.

—Associated Publications

There has never been anything like it on land or screen . . . superlatively thrilling . . . distinguished jobs of directing and writing . . . storm sequences leave you limp . . . most realistic and exhausting experience the screen has yet offered.—*Los Angeles Evening News*

First nighters stunned and spellbound . . . no other motion picture has unleashed a thrill to equal the storm scenes in "Hurricane" . . . even the earthquake sequence in "San Francisco" must take second place to this spectacle . . . characters vividly brought to life . . . truly inspired musical score.—*Los Angeles Evening Herald and Express*

A triumph of modern craftsmanship on the screen . . . the storm sequences are tops in spectacular cinematic treatment of natural disaster . . . the earthquake of "San Francisco," the avalanche of "Lost Horizon," the volcanic eruption of "The Last Days of Pompeii" are mild by comparison . . . players are without exception excellent . . . something contributed to motion picture history.
—*Hollywood Citizen-News*

Spectacular thrills reigned in an overshadowing way at the premiere of "The Hurricane" . . . the biggest South Sea Island storm ever viewed in pictures raged with awe-inspiring force and fury . . . stands alone in the power of its climax . . . a historical technical achievement . . . in many ways epochal . . . will go far with audiences . . . splendid power and promise by Jon Hall . . . Dorothy Lamour reflects rare charm and personality.—*Los Angeles Times*

All but swept the first-night audience out of their seats . . . Samuel Goldwyn pictures the terrifying strength of the unleashed elements and their devastating effects on frail humanity in a manner never equalled in any motion picture . . . the earthquake in "San Francisco" now seems mere child's play . . . a touching story of romance . . . Jon Hall the most sensational discovery of this year . . . top entertainment . . . a thrill and excitement the like of which you have never experienced from any movie.
— *Louella O. Parsons, Los Angeles Examiner*

A production of such magnitude that it can be described only in terms of press agentry . . . combines the entertainment requisites of story and action with the ingenuity and skill of cinematic art . . . hurricane scene the most amazing sequence ever filmed . . . Dorothy Lamour establishes herself as an actress of great merit . . . Jon Hall is a fine and sincere Terangi . . . Combined with music and sound effect, it is the most masterly piece of cinematic craftsmanship yet recorded. —*Los Angeles Daily News*



SAMUEL GOLDWYN

presents

THE HURRICANE

By Charles Nordhoff and James Norman Hall, authors of "Mutiny on the Bounty"

with

DOROTHY LAMOUR • JON HALL • C. AUBREY SMITH
MARY ASTOR • THOMAS MITCHELL • RAYMOND MASSEY
JOHN CARRADINE • JEROME COWAN

Directed by **JOHN FORD**

Screenplay by Dudley Nichols • Adaptation by Oliver H. P. Garr

Released thru United Artists

Printed in U. S

Working Cash And Selznick U.A. Problems

(*Continued from page* 1)

setup it is without authorization to issue preferred shares.

United Artists has a surplus of $1,500,000, but indications are that this would be reserved for retirement of the Pickford-Fairbanks preferred shares within the prescribed time limit. A default on the redemption of this preferred might result in a readmittance of Pickford and Fairbanks to the United Artists common stockholders' list providing the preferred to be issued to them carried a conversion privilege.

While negotiations looking to a renewal of Selznick's production deal with the company have been active, sources close to Selznick are inclined to believe that his chances of remaining are less than for the setting of an M-G-M deal.

As reported exclusively in Motion Picture Daily on Saturday, the Pickford - Fairbanks - Chaplin United Artists stock will be pledged as security for the $4,500,000 British loan by United Artists Corp., to whom the loan is being made. Samuel Goldwyn and Korda thus will have a virtually unlimited time in which to acquire ownership of the controlling stock through repayment of the loan. No dividends are to be paid on United Artists common following the exercise of the option, however, until the $1,500,000 of new preferred to be issued to Pickford and Fairbanks has been retired.

Play Suit Dismissed

Moss Hart, George F. Kaufman and Sam H. Harris won a dismissal of the infringement suit brought against them by Virginia Gordon in the U. S. District Court when Federal Judge John C. Knox ruled Saturday that their play, "You Can't Take It With You" was not plagiarized from the Gordon play, "Rash Moments." Counsel fees amounting to $500 were awarded to the defendants for the successful defense of the action.

Fire Razes Bowes' Home

Ossining, N. Y., Nov. 14.—Major Edward Bowes' 10-room residence, "Laurel Hill," near here, was burned to the ground on Friday afternoon. Loss was estimated at $50,000. It was reported that the house contained many valuable art works.

Union Party Tonight

The American Federation of Musicians, Local 802 will stage its annual benefit show at the Astor tonight. About 30 name bands have been lined up. In addition numerous stars of stage, screen and radio have promised to be on hand.

Guild Joins Award Vote

Hollywood, Nov. 14.—Voting for the annual awards by the Academy of M. P. Arts and Sciences will be widened with the acceptance of the former's bid to the Screen Actors' Guild to participate in the selections.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Blossoms on Broadway"

(*Schulberg-Paramount*)

Hollywood, Nov. 14.—The radio popularity of the title song is a factor in favor of "Blossoms on Broadway." So is the wholly amusing and too brief presence of the long-beloved Weber and Fields. Edward Arnold has had far happier castings but triumphs over this one like the true trouper he is. Other box office names of varying magnitude are Shirley Ross, William Frawley, John Trent, The Radio Rogues, Frank Craven, John Arthur and Rufe Davis. But none of these save Miss Ross has much opportunity for distinguished services, and she flounders. The production is a strangely uncoordinated collection of miscellaneous materials, some of them independently meritorious. It is likely to sell better than it wears.

The screenplay by Theodore Reeves is a fantastic yarn about Confidence Man Arnold who persuades the rural Miss Ross to pose as the owner of a gold mine so he can induce Hoarder Craven to entrust him with contraband coin to be melted down and marketed as new. This not especially funny idea gets kicked around until it is practically lost, which wouldn't be regrettable if the song numbers and comedy specialties interpolated with this result weren't kicked about as fatally, in turn, by the ever-reviving plot.

The title song is by Leo Robin and Ralph Rainger, two others by Frank Loesser and Manny Sherman, who are credited also with a kind of musical comedy finale in which everybody sings or speaks lines that rhyme but don't bounce. A slapstick opera sequence by Phil Boutelje and Ralph Freed clicks. Direction is by Richard Wallace, who should have taken a firm hand with matters when things began to snarl. George Auerbach is associate producer and it is of record that men so experienced as these have fabricated films as unorthodox and undisciplined as this which have tickled the unpredictable public prodigiously. This may be such a film, but it didn't cheer up a crowd sitting over from "Angel" at the Los Angeles Paramount. And that fact smacks of significance.

Running time, 85 minutes. "G."

"Children of Loneliness"

(*Jewel*)

Hollywood, Nov. 14.—This item from the Samuel Cummins collection of esoterica (to use the nicer word) followed his "Love Life of a Gorilla" into Tally's Criterion heralded by newspaper and lobby exploitation copy defining it as "inspired by 'The Well of Loneliness'" and indicating, by word and picture, that it deals with perversion. It does just that, a person identified as a Dr. S. Dana Hubbard of the New York Health Dep't taking the screen at the start and the close of the picture to say, however, that it is an authentic presentation of the subject and that if it rescues so many as one of these "mentally abnormal" persons from his or her "mental complex" it will have been well worthwhile. He doesn't say what it will have been worth if it works the other way.

The story in "Children of Loneliness," acted out by unknown players in front of an inexpertly wielded camera under booming microphones, concerns a girl wooed by another girl but saved in the nick of time by falling for a fullback. A parallel thread concerns a supposedly masculine artist and his supposedly feminine would-be fiancee, whom he sends about her business and who says, after she has learned he has committed suicide and why, she wishes he had told her (intimating that everything would have been dandy). Assorted perverts are paraded in the course of the action, with a character representing a psychoanalyst explaining matters while treating the two principal ones as patients. Technically, the production is on a par with the lesser "B" output of the lesser studios.

After the Criterion presentation, a lecturer aided by three girls, one of whom he described as over-sexed, offered a book by Dr. Hubbard, plus a birth control chart and other clinical data, for sale to the customers at 50 cents the mess, but probably this service costs extra. Sales were slow at the premiere, anyway.

Reviewed without code seal. Running time, 68 minutes. "A."

(Additional Reviews on Page 11.)

Studio Club Show Set

Hollywood, Nov. 14.—The Paramount Studio Club will present "Modern Minstrels" on Dec. 5.

Para. Buys "Ambush"

Hollywood, Nov. 14.—Paramount has purchased "Ambush," a *Liberty* serial by Robert Ray.

Mentone Due to Sign With Guild Shortly

Mentone Prod. has requested a contract form from the Screen Actors' Guild and the pact will probably be signed early next week, it was learned yesterday.

The signing of Mentone, following closely upon that of Educational and Tru Pictures, will leave only March of Time and Pathe commercial films unsigned by the guild among eastern producers. Indications are that the guild's eastern office will formally act in both of the latter instances in the near future.

Kenneth Thomson, executive secretary of the guild, left for the coast over the weekend.

Many Film Notables At "Night of Stars"

Many film notables will be on hand for the fourth annual presentation of "Night of Stars" at Madison Square Garden Wednesday night. The performance is being held under the auspices of the United Palestine Appeal.

Among those scheduled to attend are Paul Muni, George M. Cohan, Lou Holtz, Kitty Carlisle, Floyd Gibbons, Gloria Swanson, Molly Picon, Jimmy Savo, Mitzi Mayfair, Willie and Eugene Howard, Edwin C. Hill, Helen Morgan, Eddie Dowling and Burgess Meredith.

Carriers Convention Opens in Louisville

Louisville, Nov. 14.—The joint convention of the National Film Carriers, Inc., and the National Trucking Ass'n. got under way here today with the registration of visitors and numerous social events on the program. Business sessions will open tomorrow.

The new regulations of the Interstate Commerce Commission governing interstate motor transport of films will be discussed during the convention.

Jack Carson Is Cast

Hollywood, Nov. 14.—Jack Carson has been assigned to "Vivacious Lady" on the RKO lot.

Wall Street

Light Board Changes

	Open	High	Low	Close	Net Change
Col.	17⅜	18	17⅜	18	+ ½
Cons., pfd.	8½	8½	8½	8½	+ ¼
E. K.	163¼	164	163¼	164	.....
G. T. E.	15½	15⅝	15½	15⅝	+ ⅛
Loew	61	61	59¾	61	— ⅛
Para.	14¾	14⅞	14½	14⅞	.....
Para. 1.	109	109	107½	107½	—1½
Para. 2.	13⅛	13⅜	13⅛	13⅜	— ¼
Pathe	6⅝	6¾	6⅝	6¾	+ ⅛
R.K.O.	5⅝	5¾	5½	5¾	.....
20th Fox.	24¼	25	24¼	25	+ ⅜
W. B.	8¾	8⅞	8½	8¾	— ⅛

Fractional Curb Movement

	Open	High	Low	Close	Net Change
G. N.	1½	1½	1½	1½	.....
Sentry	1⅞	1⅞	1⅞	1⅞	+ ⅛
Sonotone	1⅞	1⅞	1¾	1¾	.....
Technicolor.	20	20	19¾	19¾	— ½
Trans-Lux.	2⅞	2⅞	2⅞	2⅞	.....
Univ. Corp.	2¼	2¼	2¼	2¼	.....

Little Bond Activity

	High	Low	Close	Net Change
Keith 6s '46	88¾	88¾	88¾	— ¼
Loew 3½s '46	99¼	99¼	99¼	.....

(Quotations at close of Nov. 13.)

Fight Due on RKO Dividend Plan of Alger

(*Continued from page* 1)

if it is permitted to stand, might force reorganized RKO to accumulate and hold large cash amounts for the retirement of debentures which would be subject to heavy taxation under the Federal levies on undistributed profits. However, this argument may collapse in the event that the special session of Congress, which convenes in Washington today, takes favorable action on a modification of the undistributed profits tax, as now appears likely.

If the special master's recommendation does stand, many factors in the reorganization believe that it will have a tendency to "freeze" the market value of the present RKO common stock at approximately its present level of $5 to $6 per share. In this event, the new common being worth two shares of old, probably would be quoted upon consummation of the reorganization at the $10 to $12 per share value referred to in Alger's tentative report.

Value Would Be $5,532,000

On this basis, as Alger suggests in his report, the $9,150,628 Rockefeller Center claim against RKO would have a maximum market value of $5,532,000, giving effect to Alger's recommendation of a maximum 39,000 shares reduction in the 500,000 shares of new common which the reorganization plan proposes to issue to Rockefeller Center in settlement of the claim. It is obvious, however, that any fluctuation in the new RKO common's market value would either increase or decrease the stock value of the claim away from the $5,532,000 valuation referred to by Alger.

Rockefeller Center officials advised MOTION PICTURE DAILY last week that they would not object to Alger's proposed treatment of their claim. Moreover, the RKO trustee is in no position to contest it as the trustee's opposition to allowance of the claim has been argued before Federal Judge William Bondy already, whose decision has been reserved pending the outcome of the hearings on the reorganization plan.

Alger's report was distributed to reorganization counsel on Nov. 6 and, as reported earlier in MOTION PICTURE DAILY, approves the reorganization plan in virtually all of its major proposals, exclusive of those referred to above.

Stan Laurel Forms New Producing Firm

HOLLYWOOD, Nov. 14.—Revising the four-picture deal signed recently with Hal Roach, Stan Laurel has formed the Stan Laurel Corp., and in addition to making two Laurel and Hardy features for Roach and two directly for M-G-M, will produce other pictures.

Fred Scott, singing western star, has been signed to a five-year contract, to take effect upon the completion of his now existing contract with Spectrum. Jed Buell, now producing for Spectrum, has been signed by the Laurel firm to produce the entire series of westerns starring Scott.

Pittsburgh Rings To Variety Antics

(*Continued from page* 1)

Greevey, chief booker of the Harris Amusement Co., into whose arms Maloney placed George Variety Barker, the Variety Club's adopted boy, for safekeeping during 1938.

The affair began at 7 P. M. and at midnight adjourned downstairs to the Variety Club's new hotel headquarters where the festivities continued into the early morning. Norman Frescott flew in from Hollywood to serve as toastmaster, a post he has passed up only once since the affair was started several years ago, introducing among others Larry Kelley, All-American end from Yale; Red Kann, editor of MOTION PICTURE DAILY; Jock Sutherland, coach of the Pitt football team, and Attorney General of Pennsylvania Charles Margiotti. Mayor Scully of Pittsburgh was to have attended, but he has been ill for the last week and was ordered by his physician to remain in bed.

An all-star floor show, recruited from stage, screen and radio in New York by John H. Harris, general chairman, was presented by Dan Healy, who served as "m. c.," and which lasted for more than two hours following the dinner. Another feature was a big souvenir program edited by George Tyson and including articles by leading Pittsburgh newspapermen.

More than 200 out-of-town guests, representing all of the big film companies, arrived in Pittsburgh a day ahead of the banquet to see the Pitt-Nebraska football game.

Federal Film Law Is Planned by Belgium

(*Continued from page* 1)

organization, designed to foster the best interests of the industry from the economic and cultural standpoints. They will consider the advisability of centralizing all public services connected with the screen, and they will prepare for the establishment of a trade publication which will be the general organ of the industry.

The board of the National Union of the Belgian Cinema, which is the Federal unit of all Belgian film associations, has consented to the creation of such a commission.

Warners in Camera Buy

HOLLYWOOD, Nov. 14.—Warners will take delivery in two weeks of the first of 10 new Mitchell De Lux cameras for experiments under the supervision of Mike McGreal, head of the studio camera department.

To Do Handel Short

HOLLYWOOD, Nov. 14.—Reginald Le Borg, short subject writer-director, has been assigned by Jack Chertok, M-G-M short subject head, to write a two reel musical featuring the life of Handel, to be titled "Largo."

Apollo to Brandt

Harry Brandt has taken over the Apollo on West 42nd St. from the Bowery Savings Bank and will inaugurate a double feature policy there Dec. 1. The house now runs burlesque.

Substitution

Hollywood, Nov. 14.—The M-G-M trailer for "Thoroughbreds Don't Cry" starts with Freddie Bartholomew introducing Ronald Sinclair, who plays his first important role in the picture.

Ronald is the lad that took Freddie's place in the picture when litigation over the Bartholomew boy's contract occurred.

English Paper Sees Censor Influenced

(*Continued from page* 1)

stock shots had been turned down for its anti-armament angles. The sound track was removed and another imposed boosting the Government's rearmament schemes, the paper said. It was passed after certain uncomplimentary references to Italy had also been eliminated. The paper adds that there is a movement of organized opposition to the board with a view to replacing present members with younger men.

Circuit Directors Will Be Re-elected

(*Continued from page* 1)

has an interest in approximately 250 theatres, among which are Metropolitan Playhouses with 120 units, United-West Coast with 50 theatres on the coast, Robb & Rowley with 60 in Texas, four Loew houses in Columbus, Baltimore, Pittsburgh and Louisville and others.

"Gunga Din" Is Definite

HOLLYWOOD, Nov. 14.—While no producer has been assigned to take the place of Edward Small, RKO has definitely decided to produce "Gunga Din," from the Ben Hecht-Charles MacArthur script based on the Rudyard Kipling poem. Cary Grant is definitely set for the lead role, under a commitment settled this week. Howard Hawks may direct. The picture had been assigned to Small's production unit before he left the studio.

Sales Heads in West

PORTLAND, Ore., Nov. 14.—Grover Parsons, Republic west coast division manager, is here in the course of a swing of the northwest; William Heineman of Universal is conferring with Gordon Craddock, branch manager here, and Harry Thomas is covering the territory on state rights deals.

Switch in Salt Lake

SALT LAKE CITY, Nov. 14.—Charles M. Pincus, manager of the Capitol, replaces Holden Swiger at the Utah, who resigned. Pincus will also manage the Centre, which opens around Christmas.

"Ecstacy" Up Again

ALBANY, Nov. 14.—Hearings on a motion by Eureka Prod., Inc., for a reargument of the "Ecstacy" censorship ban before the Court of Appeals, or, as an alternative, for leave to appeal from the decision of the Appellate Division to the Court of Appeals, will be held Nov. 23.

Local 306 Demands Early Pay Revision

(*Continued from page* 1)

ment between the circuits and Local 306 provides for arbitration if a deadlock is reached on terms, a source close to the union intimated that secret plans are being made that may result in a walkout or a concerted sitdown strike in one of the major circuit's houses. The hour and day when such action may be taken have not yet been decided, it was stated.

A meeting of union and circuit representatives is scheduled for today at C. C. Moskowitz's office in the Loew Bldg. The session is expected to last several hours with the union men presenting the final demands of Local 306 members.

Since 1927, union sources claim, operators have accepted reductions totaling approximately 35 per cent. Union officials are seeking increases up to 48 per cent, it was declared, because of the high cost of living.

Up to the present time circuits have granted Local 306 men a tentative 10 per cent increase, retroactive to Sept. 1. Other boosts in salaries agreed upon also will be retroactive to the same date.

To Confer Bi-Yearly

According to the master contract signed in 1935, both operators and theatre heads are to get together every two years on the salary question. The deliberations between circuits and union executives have been in progress several months. They have been interrupted from time to time because of negotiations between the I.A.T.S.E. and distributors on contracts for "back room" help in exchanges throughout the country. These pacts are all cleared up except for a master agreement.

Recently the circuits granted members of Stagehands' Local No. 1 a six per cent increase in de luxe theatres, retroactive to Sept. 1, and promised another six per cent next Sept. 1. Stagehands in neighborhood theatres were given one per cent less in both instances.

Major circuit operators declare they are anxious to wind up negotiations with Local 306, but when it comes to granting 48 per cent increases that is another thing. It takes time to work out new contracts, it was stated, and decisions in such instances cannot be made hastily.

Independents Pessimistic

Meanwhile, independent circuits have until next September to work out a new two-year agreement with Local 306. Numerous unaffiliated exhibitors have been decrying what they term the worst business in years. Admissions have not gone up with the change in times, they state, and distributors are demanding increases in rentals all along the line. The major circuit neighborhood houses also have felt the slump in grosses, it was stated, and the thought of boosting price scales is further from their minds than ever.

It is likely that major circuits will offer a small percentage hike in salaries now and another next September. Whether the union will agree to such an arrangement is problematical. Some interests are of the opinion that the matter will finally wind up before an arbitration board without a walkout or sitdown strike.

Short Subjects

"A Night at the Movies"

(*M-G-M*)

Another Robert Benchley opus. It contains some shrewd wit that will be readily appreciated by practically everyone in the theatre. Benchley and his wife, after a bit of conversation, decide to see a picture. Benchley gets the tickets mixed up with the stubs for an automobile giveaway. This creates a situation in the foyer until the manager, haughty and bored, ends what threatened to become an issue. In the auditorium the couple disrupt the performance, but finally manage to get seats. Benchley has a fit of coughing and leaves by a side door. When he attempts to re-enter he takes the stage door and appears on the stage while an act is in progress. It merits billing on the marquee. Running time, 10 mins. "G."

"The King Without a Crown"

(*M-G-M*)

A moderately interesting historical mystery is offered here. It concerns the disappearance of the Dauphin during the French Revolution and how later the Prince de Joinville visiting in Wisconsin interviews Eleazer Williams, a missionary among the Indians, whom he has traced as the missing monarch. The missionary refuses to sign away his claim to the throne and the film shortly fades out with a question mark. Carey Wilson handles the narration. Running time, 9 mins. "G."

"Behind the Criminal"

(*M-G-M*)

The latest issue of the "Crime Does Not Pay" series deals with the illegal activities of a smart lawyer who obtains acquittals for hardened and dangerous criminals by placing perjured witnesses on the stand. Eventually, the district attorney cracks down on him and his gang. The narrative has the usual punch and vivid melodrama which serve the dual purpose of thrilling and enlightening. Running time, 21 mins. "G."

"Decathlon Champion"

(*M-G-M*)

Here Pete Smith applies himself to the career of Glenn Morris, an outstanding athlete and Olympic champion. The narrative covers Morris' activities from the time he was a farm boy in Colorado to his attainment of the top in Berlin last year. The action is fast-moving and exciting. It should fit in well anywhere. Running time,10 mins. "G."

Open Two Houses in New Rochelle Soon

NEW ROCHELLE, Nov. 14.—This city will have two new theatres shortly, one to be operated by Samuel Strausberg of the Interboro Circuit and the other by Harry Brandt. Each will seat 600.

The new Trent, situated on Main St., will cost about $40,000 and is expected to be ready for opening in three weeks. The North Avenue, located on North Avenue, has been leased from the Ward Foundation by the Brandt circuit. This theatre will cost approximately $60,000.

Looking 'Em Over

"Wild Innocence"

(*Herman Garfield*)

Chute, a kangaroo, gets top billing in this Australian-made feature and, for once, the credit lines are properly distributed.

"Wild Innocence," based on a *Cosmopolitan* story by Dorothy Cotterell, by general classification, fits into the "Sequoia" category with some of that film's merits. The story thread deals with the civilizing influence on the "roo" and man's cruelty toward dumb animals. When the picture adheres closely to scenes in the bush and successfully captures the animals cavorting on their native heath, it is arresting. When the humans enter the scene and the circus episodes come along, the interest drops quickly. This leads to the conclusion that somewhat unfortunate was the decision to devote so much of the treatment to an indifferent and hackneyed story, amateurishly acted and handled.

However, there is enough in the 65 minutes' length in which Chute takes the center of the stage to mark this film from "down under" away from the routine and, on that ground, worthy of exhibitor attention. It also carries with it considerable potentialities for ballyhoo which the smart showman will readily appreciate can be turned to his advantage.

Ken G. Hall directed from an adaptation by Edmund Seward.

Running time, 65 minutes. "G."

"The Legion of Missing Men"

(*Monogram*)

The French Foreign Legion is the background for this film, but there is little of consequence in the story it serves. It is the usual tale of brotherly love, not very well acted, that is heightened by a fair battle sequence when the old and reliable 20th comes marching up over the sand dunes and turns the tide of an Arab attack on a desert post.

Ralph Forbes' brother, Ben Alexander, joins the legion and arrives on the scene following a mediocre introduction to make the story stand up. Alexander develops interest in Hala Linda, a cafe singer. Miss Linda secretly loves Forbes. Alexander strikes an officer in a brawl. He is locked up but Miss Linda contrives his escape with two Arabs. Forbes and his buddies give chase because the former had arranged his brother's release. The entire group is caught by a renegade Arab chieftain. Forbes is forced to assemble and fire a number of machine guns as the climax approaches. He manages to stave off the battle until the reinforcements brought by Miss Linda arrive. During the fight his brother is killed and the piece closes with the troops marching on.

The cast also includes Paul Hurst, Roy D'Arcy and Georges Rigas. Normal S. Hall wrote the original. Hamilton MacFadden directed.

Running time, 62 minutes. "G."

Kansas Revenue Off

TOPEKA, Kan., Nov. 14.—Although there are 57,838 firms in Kansas registered with the state tax commission and therefore collectors of the state's two per cent sales tax, only 42,582 made returns for the first month of the levy, June; 41,512 in July; 38,890 in August, and only 27,561 in September, according to W. G. Fink, chairman of the commission.

Opens Phila. Exchange

DENVER, Nov. 14.—The Allied exchange has been opened in Philadelphia by Harry Marcus, formerly of the Allied exchange in Denver, and his brother Gene, former operator of exchanges and theatres in Salt Lake City.

Heads Denver Union

DENVER, Nov. 14.—Elected president of the Film Exchange Employes' Union to succeed Martin Austin, resigned, is Lee Cronk, head shipper at the Paramount exchange here.

Retitle "Defender"

HOLLYWOOD, Nov. 14.—"Public Defender" on the Warner schedule has had its title changed to "For the Defense."

Reopen Warner House

SOUTH MANCHESTER, Mass., Nov. 14.—The Circle, Warner house dark for the past five years, has reopened here. The policy will be first run weekends, and subsequent for the remainder of the week. Thomas Grace, formerly of the Bristol, has been appointed manager. Warners also operate the first run State here.

Krims on "Sisters"

HOLLYWOOD, Nov. 14. — Milton Krims, Warner writer, has been assigned to do "The Sisters," a novel by Myron Brinig. Other writing projects at that studio include "Great Lie," to be done by Ivan Goff, and "The Story of the Wright Brothers," to be adapted by Abem Finkel.

Santly to Publish Music

HOLLYWOOD, Nov. 14.—Santly Bros.-Joy will publish the music of "Hawaii Calls," Principal's starring vehicle for Bobby Breen, instead of Irving Berlin, Inc., as previously planned.

Sells Song to M-G-M

HOLLYWOOD, Nov. 14.—Bonnie Lake, sister of Ann Sothern, has sold a song, "I Own a Palomino," to M-G-M. It will be sung in "The Girl of the Golden West."

Melbourne Takes Hit Severely by Disease

SYDNEY, Oct. 20 (*By Air Mail via London*).—The infantile paralysis epidemic continues to average seven or eight cases a day in Melbourne suburban areas. Meanwhile theatre business is suffering its most serious reverse since the bubonic plague of 1920 caused a complete shut-down of theatres for several weeks.

If accompanied by adults, children are now allowed to attend either city or suburban theatres, but Saturday afternoon suburban matinees are still cancelled and at present there is no indication when they will be resumed. A decision by the Exhibitors' Ass'n. to resume them in suburbs, where schools had been reopened and where no cases had been reported for at least four weeks, met with a strong protest by the Consultive Council on the disease and the association had no option but to rescind its decision.

The Government has declared that it has no intention of compensating theatre owners for the period the theatres have been affected by the epidemic ban, as requested by the exhibitors' association.

Threaten House Boycott

SYDNEY, Oct. 20 (*By Air Mail via London*).—Threats to boycott theatres which employ non-union labor have been made in Adelaide by the Theatrical Employes' Ass'n. Unless an amicable settlement is reached shortly, the union declares it will seek a public boycott. It claims some suburban theatres are using non-union men at wages far below the standard.

Dubbing in Austria Gaining this Season

By HANS LORANT

VIENNA, Oct. 24.—The attempt of many years on the part of the Austrian authorities to encourage American companies to dub some of their product in German in this country is beginning to bear fruit at last. Greater activity by the American companies is expected this year.

Warners are dubbing three, "San Quentin," "The Life of Emile Zola" and "The Prince and the Pauper." RKO plans to dub three and Universal has finished "Three Smart Girls." Other American companies here are considering similar action.

* * *

Selenophon, the official company which makes the Austrian newsreel, has obtained the exclusive Austrian distribution rights to News of the Day, the M-G-M newsreel.

French Unit in 3rd Year

PARIS, Nov. 12.—The socalled Cercle du Cinema, an organization here which exhibits examples of the most famous films of the silent days and the early period of talking pictures, is now starting its third year. Performances are held weekly. Numerous early American films are included in the list of pictures scheduled for showing during the 1937-'38 season.

Named Iowa Booker

DES MOINES, Nov. 14. — Evan Jacobs, formerly in the 20th Century-Fox home office, has come to the Des Moines office as booker, replacing E. M. Canty, who resigned.

FCC Hearings Are Scheduled For This Week

WASHINGTON, Nov. 14.—Hearings to be held during the current week by the F.C.C. have been scheduled as follows:

Nov. 15, before an examiner—Applications of Platt & Platt, Inc., for a 1,000-kilocycle, 1,000-watt daytime station at Poughkeepsie, and WDZ, Tuscola, Ill., for increase of power from 250 to 1,000 watts.

Nov. 16, before an examiner—Applications of Citizens Broadcasting Corp., Schenectady; Thomas J. Watson, Endicott, N. Y., and the Hampden-Hampshire Corp., Holyoke, Mass., for a 1,240-kilocycle, 1,000-watt station.

Nov. 18, before the commission—Applications of *The Bend Bulletin* for a 1,310-kilocycle station at Bend, Ore., 100 watts night, 250 watts day; Waterloo *Times-Tribune* for a 1,370-kilocycle, 100-watt daytime station at Waterloo, Ia.; T. E. Kirksey for a 930-kilocycle station at Waco, Tex., 250 watts night, 500 watts day.

Nov. 18, before an examiner—Application of WSAY, Rochester, for increase of time from day to unlimited, to operate with 100 watts night, 250 watts day.

Nov. 19, before an examiner—Applications of C. Bruce McConnell for a 1,500-kilocyle station at Indianapolis, 100 watts night, 250 watts day, and WFBR, Baltimore, for increase of power from 500 watts night, 1,000 watts day to 1,000 watts night, 5,000 watts day.

Obrist Joins Radio Staff of Jones Co.

Latest addition to the radio staff of the Ralph H. Jones Co., advertising agency, is Edward C. Obrist. Obrist has had nine years experience in radio, two years as program director of WSYR, Syracuse, and since 1930 as production manager and supervisor of commercial copy for WBEN, Buffalo.

Atlas Radio Company Formed in Delaware

DOVER, Del., Nov. 14.—Atlas Radio Distributing Corp. has been formed here to deal in radio productions, shows, broadcasts, etc., with a capital of 500 shares, no par value. Incorporators are Ann Victor and Josephine Langfelder, New York, and Florence Abramson of Brooklyn.

"Hello, Peggy" Show Renews

"Hello, Peggy" sponsored by the Drackett Products Co. for Drano and Windex has renewed its spot contracts for 13 weeks on WLW, WFLA, WFAA, KOA, KFI, KGO and KOMO. The Ralph H. Jones Co. is the agency.

Vallee Returning Soon

Rudy Vallee will return from Hollywood sooner than expected, making his last broadcast from the coast Nov. 25. He will broadcast for the following six weeks from Radio City and then return to Hollywood to begin work in the "Gold Diggers" picture.

Radio Personals

MRS. PAUL WHITEMAN will leave New York today to join her husband when he opens at the Drake in Chicago this week. . . Stork flashes from the coast inform that the Danny Dankers and the Jim Bealles, of the J. Walter Thompson office in Hollywood, are new fathers. . . Buddy Manners, WHN vocalist, has set the wedding date for Dec. 12. . . Tim and Irene have appealed to radio editors for suggestions as to what programs they want burlesqued on their series. . . Charles Kullman will be the guest soloist with the Ford Symphony Nov. 21. . . . Claire Trevor will be interviewed by Elza Schallert on the latter's review program over the NBC-Blue this Thursday. . . NBC will broadcast the Rose Bowl and Sugar Bowl gridiron games Jan. 1. . . Kate Smith will receive, from Mrs. H. Pierson Mapes, vice-president of the Philco Radio Corp., the 10 millionth Philco radio set on her broadcast of Nov. 18. The award is in recognition of Kate's radio achievements.

Erwin Opens Series Tonight

Vic Erwin, band leader, will begin a series of his own, titled "Musical Cartoons," over Mutual tonight from 9:30 to 10 P. M., and weekly thereafter at this time. The soloists on the program will be Elinor Sherry and the "Key Men," quartet.

Kaltenborn Is Better

CINCINNATI, Nov. 14.—The condition of H. V. Kaltenborn who was removed from a train and placed in a hospital here as the result of an inflamed gall bladder, is improved. He must remain in the hospital for at least two weeks, however.

Book Reviews Over WMCA

WMCA will inaugurate a book review of the air series to be heard weekly on Mondays conducted by Harry Pascoe, beginning today at 2:15 P. M. Pascoe is continuity editor of the station.

He Asked for It

Jack Miles, NBC press, mulled all last week on how to get a pass for Saturday's Army-Notre Dame game. After much scheming he sold announcer Bill Stern on the idea of having him along in the press coop, to do a color story about how Stern works at the business of describing a football game.

Came Saturday, and the most severe rain storm of the season. Miles tried to give the ticket away, with no takers, then tried to beg out of the assignment, but Stern wouldn't hear of it. He went to the game, but he didn't care much for it.

Asks FCC Permit on Providence Station

WASHINGTON, Nov. 14.—Construction of another broadcasting station in Providence, R. I., is contemplated in an application filed with the F. C. C. by Peter J. Caldarone, asking for use of the 1,270-kilocycle channel with 250 watts power for daytime operation.

An amended application for a construction permit for a station at San Francisco was filed by Larry Rhine, the original application, calling for a 980-kilocycle, 250-watt daytime station, being changed to provide for use of the 1,150 kilocycle channel with power of 1,000 watts.

A change of frequency from 1,190 to 1,210 kilocycles and increase of time from daytime to unlimited, with 100 watts night and 250 watts day, was asked by KTKC, Visalia, Cal.

Woodyard to WALR

ZANESVILLE, O., Nov. 14.—Ronald B. Woodyard, assistant to James Harnahan, vice-president Scripps-Howard Radio, in charge of WCPO, *Cincinnati Post* station, has resigned to manage WALR here, in which he has purchased an interest from Frazer Reams of Toledo. Woodyard previously was assistant general manager of KSOO and KELO.

Weather Delays CBL Work Near Toronto

TORONTO, Nov. 14.—The inauguration of Canada's most powerful radio station, the 50,000-watt plant at Hornsby, Ont., 25 miles from Toronto, by the Canadian Broadcasting Corp. has been delayed from Nov. 15 to Dec. 1, because of unfavorable weather, including frequent high winds, which have made it impossible to rush the completion of the 647-foot towers.

The opening of this station will be the signal for a number of changes in the organization and facilities for broadcasting across the Dominion. The new Hornsby outlet, which is intended to blanket the Province of Ontario, will be known as CBL and will replace CKCL, which has operated in Toronto for many years. CBL will be on the air continuously from 7:30 A. M. to 12 P. M.

Work is also being completed on CBF at Vercheres, Que., 25 miles east of Montreal, as the outlet of French-language programs for the many French-Canadians residing in the Province of Quebec. CRCM will be maintained in Montreal as at present for English-language programs. Call letters for a number of stations owned by C. B. C. are being changed. CRCM at Montreal becomes CBF; CRCO at Ottawa will be known as CBO; CRCW at Windsor becomes CBW, and CRCV at Vancouver is to be CBR.

With the opening of the two new units, C. B. C. will have 34 stations from coast to coast.

"La Boheme" in Bank Series

Lucy Monroe, Susanne Fisher and Armand Tokatyan will sing the lead roles in "La Boheme" when the bank-sponsored Philadelphia Orchestra presents the Puccini opera on the broadcast of Nov. 22. Alexander Smallens will be the orchestra's guest conductor.

The program will mark the first time that the Philadelphia Orchestra has brought opera to the air.

Wilson WHDH Program Head

BOSTON, Nov. 14.—Kenneth Wilson, associated with WHDH here for the past six and a half years, last week was appointed program director of the outlet. Wilson succeeds Jack Knell, who moved up to the staff of WEEI, CBS lessee. Wilson's organ programs have been featured locally for the past few years. He is from Quincy.

Agency Meeting Here Nov. 18

The American Ass'n of Advertising Agencies will hold a regional meeting at the Hotel Roosevelt Nov. 18 and at the Medinah Club, Chicago, Nov. 23.

Hollywood Town Pump

HOLLYWOOD, Nov. 14.—Glen Heisch, for four years production manager of KFI-KECA, will resign Dec. 1 to join, as writer-producer, Transco, radio transcription firm. . . . George Houston will be guest on the "Hollywood Showcase" Nov. 28. . . . "Ho-Hum," series of 15-minute programs kidding inane items in newspapers, has moved from KECA to KFI. John Boylan is writing and Don Clark producing the program. . . . Alka Seltzer is sponsoring "Corriere Dell' Aria," Italian program featuring Italian news and music on KMTR. . . . KFWB has inaugurated the "Experimental Theatre." It is a half-hour drama presentation written and produced by Russell Hughes to be presented Friday nights.

KFWB has started the weekly presentations of the Shirley Temple Radio Guild, to be broadcast from the stage of the Fox, Pasadena, under the direction of Bob Cannon, manager. The Guild's idea is to promote and develop entertaining talent among youngsters and is said to have the sponsorship of Shirley Temple. The programs will be heard Saturday at 10 A.M., P.S.T. . . . Edward Everett Horton will be Al Jolson's guest Tuesday.

KEHE starts two new programs next week, "Stars Over Hollywood" Monday, Wednesday and Friday morning presentation, and "The House of MacGregor," Mondays through Fridays. In the first will be Lila Lee, Duane Thompson, Frederick Shields, Charles Carroll, Joseph Kearns, Verne Fulton and John Gibson. The writer is Eugene Carman. The second show will have Norman Field, Barbara Luddy, Frederick MacKaye, Bruce Payne, Lurene Tuttle, Bea Benaderet, Edwin Max, Frank Nelson, Alvia Allman and Charlie Lung. . . .

SRCSRCSRCSRCSRCSRCSRCSRCSRCSRCSR
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COAST-TO-COAST
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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 117 NEW YORK, TUESDAY, NOVEMBER 16, 1937 TEN CENTS

RKO Plan Is Advanced by Alger Action

Written Objections to Replace Hearings

The completion of the RKO reorganization may be advanced a month or more as a result of an unscheduled shortening of the procedure for hearings on the plan invoked yesterday by Special Master George W. Alger.

Hearings on Alger's tentative report, presented to reorganization principals on Nov. 6, which were scheduled to get under way yesterday and may have continued for a matter of either days or weeks, are being dispensed with. In their stead, the special master informed attorneys yesterday, written objections to the report will be accepted and will be sent to Federal Judge William Bondy with the special master's final report on the plan, the preparation of which Alger is undertaking at once.

Thus, there will be no further hearings before the special master and the reorganization will go into its final stages with the opening of hearings

(*Continued on page* 10)

Kuykendall, Quigley Will Speak at MPTO

CHARLOTTE, Nov. 15.—Ed Kuykendall, M.P.T.O.A. president; Martin Quigley, publisher of MOTION PICTURE DAILY and *Motion Picture Herald,* and Walter Vincent, veteran exhibitor and chairman of Republic Pictures, will be featured speakers at the 25th anniversary convention of the M.P.T.O. of North and South Carolina, Charles W. Picquet president of the organization, said today.

The convention will be held at the Carolina Hotel, Pinehurst, Dec. 6 and 7. A golf tournament, banquet and other social functions are being included in the two-day program.

Capone Name Comes Up in IATSE Probe

HOLLYWOOD, Nov. 15.—Al Capone's name entered the legislature's Capital-Labor Committee probe of the I. A. T. S. E. today when Steve Newman, I. A. officer, was asked if he knew of any connection between George Browne, president of the organization; William Bioff, west coast union

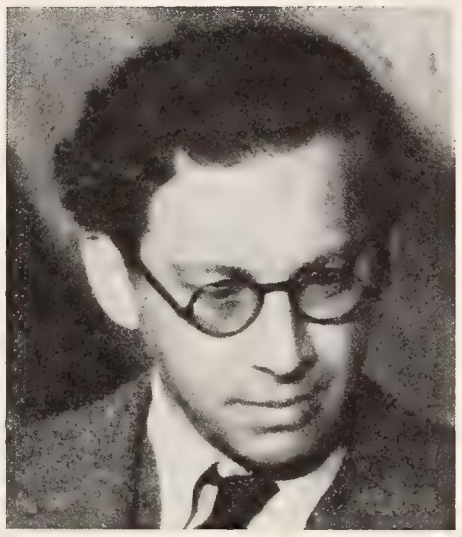
(*Continued on page* 10)

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American End of U.A. Deal Signed; London Next Step



Samuel Goldwyn, one of the two principals in the United Artists deal, who left for Hollywood by train last night. He was accompanied by Maurice Silverstone, managing director for U. A. in England.



Alexander Korda, Goldwyn's partner in the deal and head of London Films. He left for a short visit to the coast last night via the air route and was accompanied west by Marcel Hellman.

By SHERWIN A. KANE

The agreement for financing and exercising the option for the purchase of the United Artiscts common stock held by Charles Chaplin, Mary Pickford and Douglas Fairbanks was signed and closed by the American principals in the deal yesterday, MOTION PICTURE DAILY learned from authoritative sources.

The action here yesterday leaves only the British end of the deal unclosed and permits E. H. Lever, secretary of Prudential Assurance of London, to take with him when he boards the *Queen Mary* tomorrow a complete agreement bearing all of the necessary signatures of American participants.

The closing of the American end of the deal ended the two and one-half weeks of negotiations and conferences here by Lever, Samuel Goldwyn, Alexander Korda, David Rose and their local attorneys. Korda, accompanied by Marcel Hellman, president

(*Continued on page* 5)

Final Signing In Two Weeks, Korda States

By BILL ORNSTEIN

NEWARK AIRPORT, Nov. 15.—Alexander Korda, in a jovial frame of mind as he left for Hollywood tonight via American Airlines, told a MOTION PICTURE DAILY staff reporter that the remaining details in the U.A. deal will be settled and signed by the English interests concerned in two weeks.

Lazenove, Akroid & Co., financiers, head the syndicate of four or five different English companies which will

(*Continued on page* 5)

ASCAP Moves For Further Legal Relief

The issuance of a temporary injunction by a Federal statutory court restraining state officials from enforcing Nebraska's anti-Ascap legislation is to be followed up with the filing of applications for similar injunctions against officials of Florida and Tennessee, Schwartz & Frohlich, Ascap counsel, said yesterday.

The Florida application will be filed in a week or 10 days and the Tennessee action will be instituted later. These are the only two states in

(*Continued on page* 9)

Selznick to M-G-M; Two To Go at UA

Contract Set—May Be Announced Today

David O. Selznick will join M-G-M, MOTION PICTURE DAILY learned yesterday. Formal announcement of his rejoining the company which he left to launch Selznick International is expected momentarily and may be made this afternoon.

It is understood Selznick's functioning as a separate identity will be maintained, that this applies to his corporate setup as well and that he will continue to maintain production headquarters at the former Thomas H. Ince studio in Culver City, a few minutes removed from the M-G-M lot.

"Tom Sawyer" and "Nothing Sacred," part of his commitment under his present United Artists contract, are finished, but he has two more to make under the current deal. This probably will keep him busy well into the new year and suggests the probability that his first release for M-G-M will be held by his new affiliation until the opening of the 1938-'39 season. His initial film most likely will be "Gone with the Wind" for which Clark Gable automatically will be available for the role of Rhett Butler.

Selznick, for some time, has been

(*Continued on page* 10)

Berman, Spitz Cool On RKO Studio Post

HOLLYWOOD, Nov. 15.—Pandro S. Berman, it has been learned authoritatively, is not interested in the appointment as permanent head of RKO production but is merely filling in for the time being through a supervision of scripts designed for "A" production pending a realignment.

Furthermore, no credence need be given, it is further learned, to speculation that Leo Spitz may assume the production helm. It is said for the president of RKO that he appreciates that he does not know production. In addition, there is his objection to transplanting his headquarters from New York to Hollywood.

See Capra-Columbia In Amicable Accord

HOLLYWOOD, Nov. 15. — Frank Capra's difficulties with Columbia may reach an amicable, out-of-court accord momentarily. The director has been conferring with Harry Cohn on an adjudication of the difficulties.

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MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
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ROME: Via Lovanio 1; Vittorio Malpassuti, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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"Truth" $65,000 4 Days

"The Awful Truth" garnered approximately $65,000 in the four days of the second week with indications that the Music Hall take will finish with about $90,000. "Second Honeymoon" at the Roxy took in $26,000 for the first three days and will be held for a second stanza.

"Angel" at the Paramount will wind up a second week tonight with approximately $35,000. "Ebb Tide" opens there tomorrow.

Report Jap-Reich Deal

WASHINGTON, Nov. 15.—The Dep't of Commerce made public over the weekend a report which revealed an agreement made by Japan and Germany for the interchange of cultural and educational films. The report, from a Tokyo source, shows the agreement to be an "effort to strengthen the cultural ties."

Flash Preview

"Thoroughbreds Don't Cry." . . . Superimposes upon a background of horse racing a beautifully executed, pre-adolescent companionship theme of three youngsters. . . .

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Purely Personal

NED E. DEPINET, GRADWELL SEARS, HERMAN ROBBINS, SAM and GEORGE DEMBOW, JAMES R. GRAINGER, GEORGE J. SCHAEFER, LOUIS SCHINE, JOHN J. O'CONNOR, FRED MEYER—the RKO theatre divisional manager—CARL LESERMAN, WILLIAM T. POWERS, E. M. SAUNDERS, T. J. CONNORS, WALTER WANGER, BILL JAFFE, EDDIE PESKAY, LOUIS FRISCH, SAM RINZLER and RED KANN were among those who returned yesterday morning from the Variety Club dinner at Pittsburgh. WANGER, without warning, appeared in the Smoky City and shared SCHAEFER's drawing room on the return trip, ousting NEIL F. AGNEW who could not make that train.

•

ED KUYKENDALL, postcard in hand again, writes from New Orleans:

"There's something about little old New Orleans that gets under your skin. Just had a little vermouth frappe at the Roosevelt bar."

•

JACK ELLIS has lined up MARGOT GRAHAME and IAN KEITH, in addition to SYLVIA SIDNEY and FRANCES FARMER for the M. P. Associates affair at the Astor Nov. 20.

•

FRED S. MEYER of the Hollywood Meyers is still here. His return to the coast has been delayed by business. Wednesday looks like the departure day now.

•

MORRIS and Mrs. STRAUSBERG have returned from an extended honeymoon in Hollywood. STRAUSBERG is connected with his father in the Bronx circuit.

•

BRUNO FRANK, author and playwright signed by M-G-M recently, will entrain for the coast in two weeks.

•

ADOLPHE MENJOU and VERREE TEASDALE have gone back to the coast after a vacation here.

•

MOE SEIGEL will leave for Hollywood the end of the week.

MITCHELL WOLFSON of the Wolfson-Meyers circuit has challenged RUBE JACKTER to a game of golf. The match will take place this winter in Miami. JACKTER, by the way, leaves for the coast with ABE MONTAGUE to attend the last of Columbia's regional sales meetings in San Francisco Saturday and Sunday.

•

LOUIS WEBER, who is recuperating at home after an operation at New York Hospital, will leave for the coast by boat in a week. The Skouras attorney will spend about a month in California before resuming his duties at the local circuit's headquarters.

•

MIRIAM HOPKINS is due today from the coast. She is expected to appear in a play here. ANATOLE LITVAK, her husband, is accompanying her.

•

CLINTON M. WHITE, assistant to the G. B. general manager, returned yesterday from a two-week trip through the south.

•

JESSE J. GOLDBURG is in town arranging distribution deals on "Tarzan and the Green Goddess." At the St. Moritz.

•

CHARLES KOERNER, RKO New England district manager, is in town from Boston for a few days.

•

BORDEN CHASE's magazine serial, "Hell's Kitchen Has A Pantry," has been purchased by Universal.

•

REG WILSON, special G. B. sales representative, is in Canada to attend his mother's funeral.

•

BOB MOCHRIE, U.A. division manager, will spend the Thanksgiving holidays in New York.

•

RUTH WATERBURY, editor of *Photoplay* and *Movie Mirror,* is due shortly from the coast.

•

WALTER WANGER will leave for the coast shortly to line up next years' production.

•

MARY PICKFORD and BUDDY ROGERS have returned to Hollywood.

England Prospering, States Skouras, Home

Returning on the *Queen Mary* after a two-month vacation, during which he visited England, France, Italy, Austria, Germany, Hungary and Greece, Spyros Skouras, operating head of National Theatres, 20th Century-Fox subsidiary, yesterday pointed to England as the country prospering and in a healthy state as far as business is concerned.

"England," he said, "is doing a wonderful business." In Athens, Greece, Skouras stated, "there are 10 first runs, five of which are new."

"Italy is doing well, France is improving, Belgium is very good and Hungary is coming along. But England tops them all," he declared. While in those countries, Skouras said he visited all the first run houses and was impressed by the progress being made.

Charles Skouras and Mike Rosenberg, who delayed their departure to the coast until Spyros returned, plan to get away today.

Para.'s Offices in China Still Operate

Both the Shanghai and Hong Kong offices of Paramount are still operating, it las learned yesterday with the arrival of J. E. Perkins, manager for the company in China. Perkins will spend several weeks here before returning. He arrived from the coast yesterday after spending three weeks there.

John W. Hicks, head of foreign sales for Paramount, is not anticipating a trip to the Orient, it was stated yesterday.

Hit "Pernicious" Films

SPRINGFIELD, Nov. 15.—The Knights of Columbus were called upon to operate as "a solid phalanx" to combat "pernicious motion pictures" at the 12th anniversary banquet of 125 members of the fourth degree here yesterday, by Archbishop Williams. Communism and lascivious books were also scored.

Congress Help Asked on Wage And Hour Laws

By BERTRAM F. LINZ

WASHINGTON, Nov. 15.—Aid of Congress in combating the business recession was invoked today by President Roosevelt in his message to the opening meeting of the special session. Adopting a conciliatory position, the President indicated he would accept whatever type of wage and hour legislation the Congress decided to enact, asserting that while the position of labor should be improved "this does not mean that legislation must require immediate uniform minimum hour or wage standards."

While such standards are the "ultimate goal," the President said, "we should provide flexible machinery that will enable industries throughout the country to adjust themselves progressively to better labor conditions."

Tax Revision Possible

As a further encouragement to business and industry, the President, while not listing tax legislation as a feature of the session, declared that injustices in the law should be eliminated but without enabling taxpayers to escape their just responsibilities. He had reference in this respect of relaxation of the undistributed profits tax, while the warning was directed at speculators and taxpayers using holding companies and other methods of evasion.

The President pointed out that later messages will be sent to Congress outlining other parts of his legislative program, probably including anti-trust law modernization and other subjects which were not discussed today.

Congress, upon convening today for the five-week special session, found ready none of the legislation called for by the President and will spend several days marking time

Orders Details in Suit

The Beekman Film Corp. was ordered to file a sworn bill of particulars in its copyright infringement suit against Warners by Federal Judge Henry W. Goddard in the U. S. Distrist Court yesterday. Beekman alleges that its picture, "This is America" was infringed in the Warner picture, "The Yanks Are Coming" after the Beekman film was exhibited to Jack L. Warner, vice-president in charge of production for Warners. A permanent injunction, damages and an accounting of the profits is asked. Warners denied the infringement and asserted that "This Is America" was compiled exclusively from newsreel shots taken from a film library.

Set Roxy Fee Hearing

A hearing on applications for fees totaling $612,000 in the reorganization of the Roxy will be heard Friday by Federal Judge Francis G. Caffey. Among them will be included Howard S. Cullman's fee of $120,000.

"Beethoven" Saturday

"The Life and Loves of Beethoven" will open at the 55th Street Playhouse Saturday. It previously was scheduled to start on Thanksgiving Day.



First Lady

BUSINESS NOTE:

Warner Bros. made it from Broadway's record-run comedy smash by George S. Kaufman and Katharine Dayton



Kay's Gay, Kay's Gorgeous, Kay's the Person Every Woman in the Land Would Want to Be

KAY FRANCIS

As The

First Lady

With an Accompanying Cast of National Favorites

PRESTON FOSTER · ANITA LOUISE · WALTER CONNOLLY

Verree Teasdale • Victor Jory • Louise Fazenda

Marjorie Gateson • Marjorie Rambeau • Henry O'Neill • Grant Mitchell • Eric Stanley

Screen Play by Rowland Leigh • Music by Max Steiner • Directed by STANLEY LOGAN

Sign UA Deal At U. S. End; London Next

(*Continued from page* 1)

of Criterion Pictures, London, left for the coast by plane last night for a vacation and United Artists production conferences. Goldwyn and Maurice Silverstone, United Artists managing director in England, left on the Century. They were accompanied by Stanton Griffis, chairman of the Paramount executive committee, whose investment firm, Memphill, Noyes & Co., has been mentioned as a possible source of financing for future United Artists production.

Lever, having been empowered to act for the British financing principals in the option deal, is expected to obtain the signatures of his constituents promptly after his return to London. This will permit the actual exercising of the option well in advance of Dec. 23, its expiration date, the American principals believe.

Saturday Story Confirmed

Authoritative sources, including actual participants in the deal, gave confirmation yesterday to MOTION PICTURE DAILY's exclusive story of the details for exercising of the option, which were published Saturday. These comprise the agreement for the loaning of $4,500,000 cash to United Artists Corp. by Prudential and its British associates and the issuance of a short term preferred stock in the amount of $1,500,000 in equal shares to Pickford and Fairbanks. Chaplin's one-fifth interest in United Artists is, of course, being acquired by a full cash payment of $2,000,000. Fairbanks and Pickford receive, for the same amount of United Artists stock, $1,250,000 in cash and $750,000 in new preferred stock, each.

The options will be exercised with the British financing and the Pickford-Fairbanks-Chaplin stock pledged as security for the loan. The controlling stock does not come into the possession of Goldwyn and Korda until the loan is repaid.

London Reception Is Mixed and Cautious

LONDON, Nov. 15.—Cabled announcement from New York that discussions had been concluded in the United Artists deal met with a mixed and cautious reception in the London trade today.

It was pointed that the phrase "all parties are in agreement on the conditions by which financing will be made available to Mr. Goldwyn and Mr. Korda to exercise their option" makes it clear final papers by which the deal would be concluded have not been signed. Significance also is seen here in the closing paragraph of statement which read:

"Final action on the exercising of the option is being deferred until the legal advisors of the various interested parties, both in the United States and England, have examined the proposed details."

MacFarland Joins U.A.

James H. MacFarland yesterday joined the United Artists publicity department.

Goldwyn Talks by Trainside; Agreeable, but Tight-Lipped

By BILL ORNSTEIN

In an exclusive interview, and taken by surprise when a MOTION PICTURE DAILY reporter approached him at the train, Samuel Goldwyn talked about evrything but the pertinent facts in the U. A. deal for control of the company by himself and Alexander Korda.

"Have you anything to say about the deal?" he was asked.

"You got a statement."

"Yes, but there are some details remaining that we'd like to clarify," he was told.

"I'll send you a statement."

Goldwyn turned to Ben Washer, his eastern publicity representave, and told him to send out a statement. Washer said he would.

"When will the board of directors of U. A. meet to approve the deal?"

"I don't know when the board will meet, but it does not have to approve the arrangement."

"How about financing arrangements? Have they been completed?"

"I think MOTION PICTURE DAILY is a good paper and you're a nice fellow."

"But is the money all set?"

"Have you ever been to Hollywood?" Goldwyn asked.

"No. Do you want to take me along with you?"

Goldwyn smiled and walked off with David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc.

"When are you coming back to New York?" the reporter shouted as Goldwyn and Rose strode off.

"Not for a long while."

In a telegram filed at 5:46 P. M., or exactly 13 minutes after the producer left for the coast, the United Artists publicity department yesterday informed the press that Goldwyn had departed.

Rose to Coast Tomorrow

David Rose, vice-president and financial adviser for Samuel Goldwyn, Inc., will leave by plane for Hollywood tomorrow. E. H. Lever, secretary of Prudential Assurance Co. of England, will said for home on the *Queen Mary* tomorrow. Both have been instrumental in closing the U. A. deal for shifting control to Goldwyn and Alexander Korda.

The First Story on the Big Deal

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 115 NEW YORK, SATURDAY, NOVEMBER 13, 1937 TEN CENTS

AGREE ORALLY ON U.A. DEAL; ALL-BRITISH FINANCES SEEN

Control at Outset Goes to Prudential—Extends Time in Which Goldwyn and Korda Ultimately Take Hold

By SHERWIN A. KANE

An oral agreement which, it is planned, will be put in final form in London, was reached yesterday giving effect to the exercising of the options for control of United Artists through the acquisition of the stock of Douglas Fairbanks, Mary Pickford and Charles Chaplin, MOTION PICTURE DAILY learned from an authoritative source.

Under the agreement reached, Prudential Assurance of London, and its British financial associates, will loan $4,500,000 cash to the United Artists Corp., which will be used by the latter company for the purchase of Chaplin's one-fifth interest in United Artists and 62½ per cent of the United Artists' common stock held by Pickford Corp. and Elton Corp., the Fairbanks company.

Following a financial reorganization of United Artists which will be undertaken in the very near future, the main purpose of which will be to give the company authorization to issue new preferred stock, $1,500,000 of short-term preferred will be issued to Pickford Corporation and Elton Corporation for the remaining 37½ per cent of the United Artists common held by each. Provision will be made for the redemption of this $1,500,000 of short-term preferred before any dividends are paid on the outstanding common stock.

The Chaplin, Pickford and Fairbanks United Artists common stock thus acquired will be pledged by the company as security for the $4,500,000 loan from the British financial interests. The stock will remain under the control of these interests until the loan has been repaid, although the present indications are that Goldwyn and Korda will be accorded a free hand in production and many administrative matters in their respective spheres.

The fact appears to be, however, that Goldwyn and Korda will not become the owners of the stock through the exercise of the option. The British financing, it would seem, merely serves to extend the time during which the two producers are privileged to acquire United Artists control and, in that respect, the deal is essentially equivalent to a long-term extension of the option agreement.

The option to purchase the Pick

(*Continued on page* 2)

How Motion Picture Daily ***scored a clean beat on the conclusion of the United Artists deal. The story not only divulged inside detail first, but went considerably further than the uncommunicative announcement issued late Saturday by Samuel Goldwyn and Alexander Korda.***

Final Signing In Two Weeks, Korda States

(*Continued from page* 1)

put up the $4,500,000. Korda said he did not know the names of the British companies and declined to comment on Star Eagle as one of the parties.

Payment of the $4,500,000 to the British companies will be made from the earnings of U. A., Korda explained, denying, at the same time, that Prudential would participate in any way. Hemphill, Noyes & Co., of which Stanton Griffis of Paramount is a partner, will not finance production in any shape or form, according to Korda.

New money for financing production will not be necessary, Korda added. "We don't need working cash. We have enough to take care of it."

Asked about financing of Walter Wanger productions, Korda said: "That has been provided for in the arrangement."

To Return Sunday

Korda expects to return from the coast by plane Sunday. He said: "There is nothing for me to do here so I am going to Hollywood to look around." There will be no coast conferences on the deal as "there is nothing further to discuss." Korda added he may discuss new producers for U. A. while in Hollywood.

"When will the options be picked up?" he was asked.

"As soon as the legal documents are drawn and signed. I expect that to take place in two weeks. You know E. H. Lever is sailing Wednesday on the *Queen Mary* to take care of that. I will sail on the *Normandie* next week."

"Will there be any new producers?"

"We hope there will be. U. A. is open to new ones. We have some in mind and it is too early to talk about them."

"Will there be any change in administration or policy?"

"We are very satisfied with things as they stand and I don't think there will be any changes."

"Will there be a voting trusteeship?"

"New Board of Directors"

"No. There will be a new board of directors. Who they will be I cannot say at this time."

"Will there be additional British interests on the new board?"

"That hasn't been discussed yet."

"What about Lever?"

"His status doesn't change. He continues as secretary of Prudential, which is the chief backer of London Films."

"Will Dr. A. H. Giannini continue as chairman and president?"

"I don't see any change at the moment."

"There is a report that Maurice Silverstone will become president. Is there any truth to it?"

"I can't say. I don't know. When we take over the company there will be some minor adjustments. What they will be I cannot say now."

"Will there be a stock issue?"

"No. Definitely not."

"Will a voting trusteeship be set

(*Continued on page* 9)

Paramount's Briefs Deny Gary Charges

INDIANAPOLIS, Nov. 15.—Validity of the evidence offered by the Gary Theatre Co. in its action for a mandatory injunction compelling Paramount to deliver 10 additional feature pictures is attacked by the producer in its briefs filed late today in U. S. District Court here. The plaintiffs maintain that some of the pictures in question were "admittedly completed within the contract period," and quote statements of Adolph Zukor and William LeBaron in the trade press to that end.

Paramount, however, declares this evidence incompetent, and refers in the brief to an affidavit filed earlier by Russell Holman, Paramount eastern production head, describing production delays that made delivery in the year ending Aug. 1, 1937, impossible. The Gary firm describes Holman's explanation as "not adequate" and asserts the alleged failure to deliver was not for causes beyond Paramount's control.

Pact Meaning in Dispute

What is meant in the contract's wording of "not to exceed 65 pictures" is another point at issue. The plaintiffs assume this to mean that "Paramount is under an affirmative duty to produce, release and deliver to the plaintiffs 65 feature length motion pictures with the titles and stars set forth in its catalogue."

Paramount asserts that "under the contract there is no expressed or implied duty for the defendant to produce or release any particular picture or any particular number of pictures."

Fifty-three pictures were delivered, according to briefs on both sides.

The plaintiffs' brief states that "actual damages plaintiffs will sustain if they do not exhibit these pictures are necessarily extremely difficult of ascertainment and to some extent at least they probably can never be fully ascertained. These facts not only justify but impel injunctive relief."

Holding that the Gary company's remedy at law is adequate, Paramount sees this statement as an admission that "no irreparable injury was caused by the lack of pictures expected and that the plaintiffs' brief bears this out."

Say New Contract Refused

The plaintiffs assert that Paramount has refused to enter into a new contract for the Gary theatres and that they propose to exhibit the pictures in question in a new theatre recently opened in Gary which is affiliated with Paramount.

Paramount's answer is that "plaintiffs seek a decree which will prevent the performance of definite contractual obligations to furnish pictures to the two corporations operating the State and Grand in Gary and these corporations are not parties to this action."

The plaintiffs operate the Gary and Palace.

Declaring that the plaintiffs sought from Jules J. Rubens, head of Great States Theatres, release of rights in RKO pictures in exchange for Paramount rights, the defendant views this action as not equitable and states the plaintiffs do not "come into the case with clean hands." Paramount's brief also says that "no preliminary injunction should issue where the facts are disputed or in any doubtful case," and that "plaintiffs may not rely on alleged representatives to change the terms of the contract which they are attempting to have specifically enforced."

Plaintiffs have until Saturday to file in rebuttal. Judge Robert C. Baltzell is expected to rule on the case within a few weeks. Appearing as plaintiffs on the brief filed for them are the Gary Theatre Co., the Young Amusement Co. and Theatrical Managers, Inc. Their affidavits were filed by V. U. Young and Clyde Winans.

"Awful Truth" Leader of Film Parade in Past Week

"The Awful Truth" was one of the leading films at the box-offices of the country's key city theatres last week. In its third week at the Metropolitan in Washington it took in $7,900, which is over average by $3,600. "The Perfect Specimen" and "The Life of Emile Zola" also were highlight attractions.

The Irene Dunne-Cary Grant farce at the Allen in Cleveland rolled up $8,500, $2,500 over the line in its third week. It was transferred to the Lake for a fourth. In Philadelphia it was over the line by $3,000, taking in $7,000 at the second run Keith's.

"The Perfect Specimen" garnered $14,300 at the RKO Palace in Cincinnati, in the black by $4,300. It went over into the RKO Capitol for a second week. In New Haven on a dual bill with "The Lady Fights Back" the film took $6,600, over par by $2,000. Doubled with "Hold 'Em Navy" at the State in Detroit it broke even. It also took in $16,632 at the Warner Hollywood in Los Angeles on a dual with "Escape by Night." On an identical bill at the Downtown it did $15,985, on the profit side by $3,985.

"Breakfast" Strong

"Breakfast for Two" tripled the average $6,000 gross at the Orpheum in Minneapolis but it was aided by Freddie Schniklefritz and his orchestra from a St. Paul night club.

"The Barrier" in its world premiere at the Paramount in Seattle took in $9,250, up by $3,250. In the same city "Double Wedding" kept the cashiers busy with $7,000.

"Heidi" at the Alvin in Pittsburgh was on the profit side to the tune of $2,700. The Shirley Temple film at the Orpheum in St. Paul also did well, taking $5,000, which is $1,000 to the good. On a dual in Omaha it made $9,700, up by $2,500. In Denver, at the Broadway, it also went $1,000 over average, taking $3,500 in the third week.

"The Life of Emile Zola" at the Omaha took $8,400, over par by $2,900. It was dualed with "Charlie Chan on Broadway." At the Madison in Detroit it was good for $11,600, over par by $1,600, and at the Denver, in the same city, it only went $500 above the line, taking $8,500.

"Alcatraz Island" did well at the Stanley in Pittsburgh, taking $25,500 with the aid of Don Bestor and his band. This is over average by $7,500. "Double Wedding" at the Penn garnered $6,800, over by $1,800.

"Wine, Women and Horses," "The Last Train from Madrid" and "Annapolis Salute" at the RKO Family in Cincinnati took in $2,900. The weekly average is $2,450.

New Haven Likes "Wedding"

"Double Wedding" and "Counsel for Crime" at Loew's Poli in New Haven did $10,000, up by $2,000. This film and "Saturday's Heroes" at the Orpheum in Denver more than doubled the average of $7,000, taking $14,500.

"Wild and Woolly" at the State Lake in Chicago rolled up $16,200, over average by $3,200. "Ali Baba Goes to Town" at the Roosevelt in the same city did $14,000, up $3,000. The Cantor picture also did well in Cleveland, going $4,000 over the $12,000 average of Warner's Hippodrome.

"Firefly" and "Bad Girl" at the Fox Wisconsin in Milwaukee were good for $12,000, over average by $4,000.

"Hold 'Em Navy" at the Earle in Philadelphia garnered $20,000, over the mark by $6,000. Vaudeville was a factor here. "Conquest" at the Boyd was good with $19,000, on the profit side by $5,000. "Stage Door" at the Stanley there took in $14,000, $1,000 over average.

Nearly 100 English Houses Open in Year

From 75 to 100 new theatres have gone up in England during the past year, T. A. Connor, Manchester branch manager for M-G-M, said on his arrival yesterday. He was accompanied by A. F. Gibson of Glasgow. Both are prize winners in a sales contest conducted by Arthur Loew. They will leave for the coast Friday and spend about a week there as guests of the company.

There are about 5,200 theatres in the U.K., both men asserted, and about 40 per cent of the houses have been remodeled during the past two years.

High Court Refuses Review to Paramount

WASHINGTON, Nov. 15.—Review of a decision of the Ninth Circuit Court of Appeals, awarding to Walton Hall Smith, $7,500 as damages for breach of contract by Paramount Prod., Inc., was denied today by the U. S. Supreme Court.

The case arose out of the alleged failure of the company to give credit for a photoplay based on Smith's story, "Cruise to Nowhere," which he sold to Paramount under a contract that he should be given screen credit in any picture based thereon. The company subsequently produced "We're Not Dressing," in which Smith was not given the credit he demanded.

In seeking a review from the Supreme Court, counsel for Paramount contended that the lower court erred in holding that there was any substantial evidence to sustain the verdict as to damages. It was contended that while the story had originally been purchased for use as background for a musical picture, it had ultimately been discarded as too heavy and a new story substituted, and the author accordingly was not entitled to credit.

Prince Chegodieff, MGM Settle Action

LONDON, Nov. 15.—Settlement in the high courts here was reached today in the libel action of Prince and Princess Chegodieff against M-G-M, which arose from the producers' handling of the character of Prince Paul Chegodieff and his connection with the murder of Rasputin in the Metro picture "Rasputin." He was depicted as marrying an identifiable princess.

Attorneys for the plaintiff claimed that he is the only prince of that name and further charged that the relationship depicted between Rasputin and the princess constitute a grave libel. The plaintiffs insisted that their names be freed from the serious imputations of the film. They claimed their object to be vindication and the assurance that the American company used their names inadvertently.

Metro expressed regret for the use of the names and stated that reference to the real facts of the time was difficult because of conditions in Russia at the time.

Constance Bennett GB Writ Dissolved

LONDON, Nov. 15.—Another high court action against G. B. was won today by Constance Bennett when the star was granted dissolution of an injunction granted during the last session and which restrained her action against the corporation in California.

Miss Bennett, in her suit, claimed damages of £7,150, alleging breach of contract to star her in "Everything Is Thunder" and "The Hawk." The injunction was granted on the contention that the two actions are based on the same allegations.

Yiddish Premiere Soon

"Where Is My Child?" an all-Yiddish drama, starring Celia Adler and produced by Menorah Prod., will have its premiere Nov. 23 at the Century on 2nd Ave. The picture, with English titles, was co-directed by Abraham Leff and Henry Lynn.

Another Ready Soon

Joseph Green's latest all-Yiddish musical production titled, "The Jester," ("Der Purimspieler") which Green produced in Poland, will be released in America by Sphinx Films about Dec. 1. Picture with English titles, features Miriam Kressyn, Hymie Jacobson and Zygmunt Turkow with a musical score by Nickalous Brodszky.

L. B. Cool Passes

SHARON, PA., Nov. 15.—L. B. Cool, veteran showman who managed the Fulton in Pittsburgh for several years and more recently was manager of Warner houses here, died Saturday in the Buhl Hospital.

Losee Services Today

Funeral services for Frank Losee, veteran stage player who died on Sunday, will be held today from his home in Yonkers. Losee was 81 years old and is survived by his widow.

French Honor Time Head

WASHINGTON, Nov. 15.—Henry R. Luce, president of Time, Inc., was presented with the order of the French Legion of Honor at the French Embassy here yesterday.


ANNABELLA
in
Dinner at the Ritz

The star of
"Wings of the Morning"
now comes to you
in a picture as exciting
as she is excitingly lovely!

SMART gowns and fashionable locale to fascinate women . . . allure and action to absorb the men . . . in this most dangerous intrigue that ever involved a beautiful girl in love—whirling her from the brilliant salons of Paris, through Monte Carlo's gaming palaces, to a mysterious private yacht in the Mediterranean!

ANNABELLA

in

Dinner at the Ritz

with

PAUL LUKAS
DAVID NIVEN
ROMNEY BRENT

Francis L. Sullivan • Stewart Rome • Norah Swinburne
Tyrell Davis

A Robert T. Kane Production

Directed by Harold D. Schuster. Screen play by Roland Pertwee and Romney Brent.

A New World Picture

Released by 20th Century-Fox

Final Signing In Two Weeks, Korda States

(*Continued from page* 5)

up for the representation of the new money?"

"I don't see why all the fuss is being made about a voting trusteeship. There will not be any."

"What will be the aim of you and Samuel Goldwyn?"

"We aim to distribute as cheap as possible and give producing members the benefit. This also applies to outside producers who distribute through us as well."

"Will the Bank of America furnish any working cash?"

"No."

"What about the future policy of the company?"

"That has not been definitely determined. Nothing will be done until the options are taken up. The options will be taken up shortly before Dec. 23, the expiration date."

"How many films will you make?"

To Make Six a Year

"Six a year for international release."

"How many will the company distribute?"

"About 20 a year under the new policy. Our job now is to make good pictures."

Korda then said that future plans of the company will make the company open to first class independent procucers.

Told of reports that he would make 20 a year, Korda laughed. "God will save me from making 20 or 25 in any one year."

"Who will be the big boss under the new arrangement?"

"Everything will be even. Goldwyn and myself will split authority. We will share 50-50."

Korda stated that terms for paying back the British syndicate from the earnings of the company have not been completed. He emphasized that the deal was completed and there was nothing more to do than have the papers signed by the British financiers. He admitted that he and the American interests signed today in New York.

Silent on Selznick

Told that David O. Selznick was definitely leaving the company to join M-G-M, Korda would make no comment.

Arriving at the airport about 20 minutes before plane departure, Korda was happily surprised to see a MOTION PICTURE DAILY man on the spot. Before he would sit down and talk, Korda decided to buy a number of magazines and newspapers. He asked the news clerk: "Have you a copy of MOTION PICTURE DAILY?" A copy was produced by the reporter. He laughed and declined the paper, saying he had already read it.

Korda was accompanied by Marcel Hellman. Emanuel Silverstone and Morris Helprin, his American representatives, saw him off.

Hellman Flies to Coast

Marcel Hellman, producer for Criterion Films, British company which distributes through U. A., left for Hollywood by plane yesterday to confer with U. A. executives on future productions.

Hellman told MOTION PICTURE DAILY last night that his deal with U. A. calls for four pictures and, "I have to see the executives about some matters." He insisted the talks had nothing to do with financing and for his making pictures in Hollywood. "It's something I cannot talk about now," he stated.

Griffis Goes West, Denying UA Interest

Stanton Griffis, chairman of the Paramount executive committee, yesterday left for the coast on the same train with Samuel Goldwyn and Maurice Silverstone. Griffis also is a partner in Hemphill, Noyes & Co.

Insisting that Hemphill, Noyes & Co. has no interest whatever in the U. A. deal," Griffis stated:

"I'm glad Goldwyn and Alexander Korda have made a deal. I am delighted, in fact. I think it is a good thing for everybody."

Griffis declared his trip west had nothing to do with U. A. and that it was "routine." He said he will meet Barney Balaban, president of Paramount, in Chicago today and both will head for Hollywood in the afternoon.

Claims Cleveland Sold

CLEVELAND, Nov. 15.—Bert Stearn, United Artist district manager, says that for the first time in United Artist history, contracts have been signed by every exhibitor in Cleveland and in Cuyahoga County. Stearn reports that he is completely sold in both the Cleveland and Pittsburgh territories and is taking Norman Levin from Cleveland and James Nash from Pittsburgh to Indiana to close that territory.

Expect $17,000

United Artists yesterday anticipated a $17,000-$18,000 first week's gross on "The Hurricane" at the Astor. The company also stated the opening road-show week at the Geary, San Francisco, may reach $13,000.

Wall Street

Losses Hit Board Again

	Open	High	Low	Close	Net Change
Col.	18⅛	18⅛	17	17	—1
Cons.	2	2	2	2	.....
Cons., pfd.	8¾	8¾	8⅛	8⅛	— ⅜
E. K.	165	165	162¾	162¾	—1¼
G. T. E.	15	15	14¾	14¾	— ⅞
Loew	61	61¼	58¾	58¾	—2¼
Para.	14⅞	15	14	14⅛	— ¾
Para. 1	108¼	105	105	105	—2½
Para. 2	13½	13½	12⅝	12⅝	— ¾
Pathe	6¾	7	6½	6⅝	— ⅛
RKO	5⅝	5¾	5⅜	5⅜	— ⅜
20th Fox	25	25⅛	23¾	23¾	—1¼
Univ., pfd.	35½	35½	30	30	—4½
W. B.	8¾	8⅞	8¼	8¼	— ½

Sonotone, Trans-Lux Advance

	Open	High	Low	Close	Net Change
G. N.	1⅜	1½	1⅜	1½	.....
Monogram	1¾	1¾	1¾	1¾	— ⅛
Sonotone	1⅞	1⅞	1⅞	1⅞	+ ⅛
Tech.	20½	20⅝	20	20	— ¼
Trans-Lux	3	3	3	3	+ ⅛

Bonds Off Lightly

	High	Low	Close	Net Change
Keith 6s '46	88½	88½	88½	— ¼
Loew 3½s '46	99¼	99⅛	99⅛	— ⅛
W. B. 6s '39	84	84	84	— ½

(Quotations at close of Nov. 15)

ASCAP Moves For Further Legal Relief

(*Continued from page* 1)

which anti-Ascap legislation has been enacted and remains uncontested. Applications for injunctions have been made and argued before Federal statutory courts in Montana and Washington, where long-awaited decisions are expected to be speeded up as a result of the Nebraska ruling.

Court Sees "Serious Injury"

The three-judge statutory court which heard the Nebraska application made known its decision late last Saturday. In granting Ascap the temporary injunction it sought, the court held that "there is grave doubt of the constitutionality of the (state's) act and plaintiffs have shown that it would inflict serious injury."

The order enjoins Nebraska officials from bringing legal actions to enforce the state legislation; from requiring Ascap or its members to file copies of their copyrighted works with the secretary of state of Nebraska, and from interfering with existing Ascap contracts in the state.

Skouras Business Off

Business in the local Skouras Theatres has dropped approximately 20 per cent, George Skouras, operating head of the circuit, said yesterday. The circuit has completed all its film buys.

See Circuit-Union Battle Arbitrated

With both major circuits and Local 306 deadlocked on the question of additional increases for operators in the local territory, it appeared yesterday that the matter will go before an arbitration board after next Monday, the deadline set by members of Local 306.

The circuits several weeks ago granted the union men 10 per cent increases, retroactive to Sept. 1, but the projectionists are demanding another 38 per cent.

George E. Browne, head of the I. A. T. S. E., with which Local 306 is affiliated, is not anxious to have the matter go before arbitration and is making every effort to settle the salary dispute without the assistance of outsiders.

Further meetings between the two groups are planned, but it is understood major circuits will not agree to additional increases. The circuits recently granted stagehands advances of five per cent for neighborhood houses and six per cent for de luxe with a provision for similar boosts next Sept. 1.

Osa Johnson Returns

After four months in the African jungles, Osa Johnson returned yesterday on the *Queen Mary* and will leave for Hollywood and the 20th Century-Fox studios Friday to confer with Darryl Zanuck on "Stanley and Livingstone."

While in Africa, Mrs. Johnson and her crew took 100,000 feet of film for the picture. She said that Zanuck insisted on authentic locale and natives for the film. She covered 6,000 miles in two months of rain, she said, and covered the same ground Stanley took in searching for Livingstone.



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TWA presents the Nation's mightiest Skyliners—the largest, most luxurious at the service of the air traveler . . . planes weighing 24,800 pounds . . . 2440 horsepower . . . flying 200 miles an hour with 45% power reserve . . . The fastest transcontinental schedules . . . coast to coast in fifteen hours over the most beautiful scenic routes . . . Planes that cost $10,000 extra to provide perfect comfort for you. 17 seats in space licensed for 25 . . . air conditioned . . . sound proofed . . . and complimentary, full course, meals served enroute.

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For All Airline Informatio
Call Your Nearest TWA Office . . . or Any Hotel, Travel Bureau Postal Telegraph or Western Union Office.

SHORTEST, FASTEST—OVERNIGHT COAST TO COAST

Selznick to M-G-M; Two To Go at UA

(*Continued from page* 1)

discussing a Metro deal under an arrangement which, it is understood, will provide him with the finances up to $2,000,000 to make the Margaret Mitchell novel. He is expected to operate under a flat distributing charge of 20 per cent, plus a 50-50 split on profits and a first call on M-G-M talent.

The deal marks a significant change in basic M-G-M policy. That organization persistently has sought to make its production activities self-contained with the sole exception of the perennially renewed contract with Hal Roach for a limited number of features, in addition to his accompanying series of shorts.

Whitney Sailing to Sign 3 for Selznick

John Hay Whitney, chairman of Selznick International, who is en route to Europe on the *Rex*, will sign three new European representatives for the company during his two-week stay abroad, it was stated at the company's offices here yesterday.

Whitney will appoint a European production representative to work under the direction of David O. Selznick; a distribution representative to work under the direction of Lowell V. Calvert, Selznick general sales manager, and a European publicity representative to work under the direction of Russell Birdwell, publicity manager. The appointees are not known as yet, it was stated.

Whitney is due back here Dec. 1 on the *Normandie*. His plans call for a trip to the Selznick studio at Culver City on Jan. 1. He will remain on the coast for three months in connection with the company's new plans and activities.

Kleckner Leaves for Chicago After Talks

J. B. Kleckner, president of Motiograph-Mirrophonic, yesterday left for Chicago, his headquarters, after conferences here with Joe Hornstein, local distributor.

Tom Drew, formerly general manager of General Register, has been named district representative for the company, Kleckner said. Lester Abbott, vice-president in charge of sales, will remain in New York several days arranging circuit deals with Hornstein before returning to Chicago. William Murphy yesterday joined Hornstein's company to handle Motiograph-Mirrophonic sales.

New Pact to Benchley

HOLLYWOOD, Nov. 15. — Robert Benchley has been signed to a new contract with M-G-M. By the terms of the pact he will both write and act. He has left for the east.

Fined for Sunday Films

DANVILLE, VA., Nov. 15.—Sunday films suffered another setback here when Charles L. Abercrombie was fined $100 for operating three houses on Sunday.

Capone Name Comes Up in IATSE Probe

(*Continued from page* 1)

head and Capone. Newman, responding to the question by Assemblyman Paul Richie, replied in the negative.

Newman was then asked if Bioff was ever questioned in Chicago about the slaying six years ago of Tom Malloy, head of the I. A. projectionists' local there. Newman replied that Bioff came from Chicago but he did not know of any questioning. Newman then told of the importation by Browne of Harry Beattie and a man named Duval from Chicago and George Sinco from Cleveland to act as "checkers" on the local union situation.

Clayton Adams and Williams Silliman, investigators for the committee, turned in a report over the weekend after looking at I. A. T. S. E. financial records and books in which they recommended the dropping of the investigation. Richie, head of the committee, declared today that they had exceeded their authority in asking that the investigation be dropped.

Hentschel Recalled

Assemblyman Frank Dawson today created a sensation when he recalled to the stand Irwin P. Hentschel, one of the instigators of the probe and confronted him with a copy of the Hentschel letter to Harry Bridges, C.I.O. chief on the west coast, asking his support in the overthrowing of I.A.T.S.E. leaders. Also presented by Dawson was the Bridges' reply to Hentschel indicating that the I.A.T.S.E. should be harrased by suits. Hentschel is one of the organizers of "I.A.T.S.E. Progressives," the secret group which called the committee's attention to the alliance.

Harland Holmden, third vice-president of the International, took the stand late today to explain upon questioning that autonomy was taken away from the local unions because of dissension in their ranks and that too many factional leaders wanted to hold office. Autonomy would be restored when this trouble ends, he said.

Holmden also said that the two per cent assessment levied by International officers was to finance organization work among such employes as workers in front of theatres. Holmden was booed and jeered spasmodically by the crowd.

Claims Impartiality

Hentschel, confronted with his letters, said that he did not lean either to A.F.L. or C.I.O., but was interested in good unionism only.

Holmden denied that any outside strikebreakers were brought to Hollywood by the I.A.T.S.E. and said that the present rule benefited members of the locals.

C. P. Cregan, Certified Public Accountant, who audits the union books, was the last witness of the afternoon but before testifying he was asked to bring breakdowns of vast sums of money collected from I.A.T.S.E. members in dues and assessments.

Raise Canada Ad Rates

TORONTO, Nov. 15. — The latest worry for exhibitors in different sections of Canada has been brought about by the raising of advertising rates for theatres by newspapers, the advance in some instances being 25 per cent.

Silent Selling

Mexico City, Nov. 15.—Painless peddling of candy and other refreshments in local theatres is demanded by a law the Municipal Government has enacted. Yelling wares is strictly forbidden. "Candy butchers" can only function in the first class theatres during intermissions. Peddling is permitted during exhibitions in the other houses but the hawkers must keep moving and silent.

See Foreign Control From New Film Bill

LONDON, Nov. 15.—Charges that the 10 years of legislation involved in the films bill now under consideration by Commons would result in the cementing of foreign control were voiced by Basil Dean, spokesman of the Film Group of the Federation of British Industries which conferred here today seeking amplification of the proposals contained in the measure, particularly with respect to the suggested separate quota provisions.

Present at the session, in addition to Dean, were Richard Norton, Basil Black, Henry George and Sam Smith. Representatives of Gaumont and Capitol did not attend.

Spokesmen for the producers claimed that adoption of the separate quota provisions would ensure a steady but modest production program attracting adequate investment. Whether the quotas were based upon the cost of the film or were established by means of the viewing test was held to be a subsidiary issue.

Criticise Public

The meeting criticised the lack of support from the British public for British films and stated that adoption of the quota proposals would keeep millions of pounds of revenue in England. Secretary Elvin of the Technicians' Union stated that adoption would result in a 66 per cent increase in employment and in the hiring of 10,000 additional workmen.

Booking and rental figures were introduced to illustrate the extent to which American films are shown in the leading British houses.

Dean, Smith, Norton and Black produced no absolute proof during the course of the meeting that the new proposals would result in the establishment of a higher quality for British films.

Members will lobby in Commons during discussion on the bill.

May Head Va. Censors

RICHMOND, Nov. 15.—Col. Peter Saunders, private secretary to Gov. George C. Peery and also Secretary of the Commonwealth, who was appointed by Attorney-General Abram P. Staples to succeed Edwin C. Reid as a member of the state censors, is expected to become director of the body.

RKO Plan Is Advanced by Alger Action

(*Continued from page* 1)

before Judge Bondy on the completion of Alger's final report.

The unscheduled change in procedure was not explained by Alger and attorneys who appeared for yesterday's hearing prepared to argue their objections to the special master's tentative report were caught completely unawares. Another unorthodox procedure resorted to by the special master yesterday was the barring of representatives of the press from the session, which was over in less than 15 minutes and consisted only of Alger's announcement that he would receive the attorneys' objections to his report in writing and would begin the preparation of his final report at once. Those present at the hearing were uniformly agreed that nothing occurred which warranted the exclusion of the press.

Barring Protested

Upon being barred from the hearing MOTION PICTURE DAILY protested immediately to Judge Bondy, Alger's superior, who expressed concern over the unprecedented action but intimated that inasmuch as the hearing had been adjourned nothing beyond a protest could be accomplished.

Observers at the hearing suggested that there was some connection between both Alger's unscheduled change in procedure, his barring of the press from the hearing and MOTION PICTURE DAILY's exclusive publication last week of the substance of his tentative report of Nov. 6. The report, as disclosed earlier, approved the RKO reorganization plan in principle but proposed a reduction in the $9,150,628 Rockefeller Center claim against RKO, which, in Alger's opinion, would give it a maximum value of $5,532,000. He also proposed that no dividends be paid on the RKO common stock, following reorganization, until the three-year sinking fund for the retirement of the company's new debentures had been fully taken care of.

RKO in Springer Houses

RKO will acquire a 37½ per cent interest in the six theatres George Skouras recently took over from the estate of the late Jack W. Springer, it was stated yesterday. The actual deal is being held up until RKO's reorganization plans are approved by the court.

Tests Admission Raise

CLEVELAND, Nov. 15.—Dave Schumann is raising admissions five cents at the Marvel for showing of "Broadway Melody," to determine the attitude of his patrons. If there are no complaints, he will maintain the new scale as the established price.

Sound Tests This Week

HOLLYWOOD, Nov. 15.—The committee to investigate set equipment noise conditions of the Research Council of the Academy of M. P. Arts and Sciences has arranged a series of tests for this week.

Air Publicity Eliminated by Canada Papers

TORONTO, Nov. 15.—The program publicity department of the Canadian Broadcasting Corp., with a string of 34 stations across the Dominion, has encountered a formidable snag at the hands of the newspaper publishers who are members of the Canadian Daily Newspapers Ass'n, the latter being a 100 per cent organization.

Radio Gets Two Inches

After many months of more or less lenient attitude toward the policy of publishing free program publicity, the association members have reached an agreement to drop all news and comment regarding current and future programs from their published radio departments with the exception of an approximately two-inch introduction to the listed program schedules from day to day. The introductory paragraphs briefly mention the outstanding highlights of the day's schedule while the latter has been reduced to the smallest possible wordage.

While no general announcement has been or will be made regarding the new policy, it is known privately that the lack of advertising support from the Canadian Broadcasting Corp., operating under the auspices of the Dominion Government, has been a strong factor leading to the present decision.

Advertising Big Factor

The first evidence of lack of co-operative enthusiasm on the part of daily newspapers was noted when radio publicity features, including illustrations, disappeared from many radio pages on the occasion of the extension of Canadian Broadcasting Corp. schedules from six to 12 hours daily with a minimum of commercially-sponsored programs which might have brought advertising business to the daily papers. This new operating setup has been brought about by Major Gladstone Murray, who was brought from the British Broadcasting Co. in England to become general manager of the Canadian system one year ago. The general adoption of the British broadcasting policy has evidently had its repercussion in the present hands-off agreement of the Canadian daily newspapers. The latter saw the expenditure of large sums of money for the erection of new stations and other facilities by the Canadian Broadcasting Corp. but no appropriation by the latter for newspaper advertising or support.

Profitable Wishes

Utica, N. Y., Nov. 15.—WIBX now invites women listeners to make Christmas wishes, at a profit. Ned Lynch writes the daily shot for a local appliance house. Listeners hear wishes for products crystalized in air dialogue, write letters describing their wishes for sponsor's appliances, receive prizes for the best letters.

FCC Probe Seen Possible As Congress Session Commences

By CLARENCE LINZ

Washington, Nov. 15—With the convening today of the special five-week session of Congress, lack of major matters on which to center legislative attention was seen as giving opportunity for the discussion of measures already pending. Indications that a new and possibly successful drive to secure approval for the proposed investigation of the F. C. C., therefore, were rampant.

Members interested in the probe today pointed out that Frank R. McNinch, the new chairman of the commission, has made little headway in cleaning up the situation. The belief was expressed that a Congressional inquiry should be instituted.

Hearst Radio Names Fay in New England

Hearst Radio, Inc., has appointed James H. Fay as New England representative for all Hearst radio stations. Fay is now located in the Statler Bldg., Boston, where he operates as an independent station representative.

He has previously been with the *Boston American.* He entered radio as an independent representative six years ago. In adding the Hearst station to his present list he will represent WINS, New York; WBAL, Baltimore; WCAE, Pittsburgh; WISN, Milwaukee; KOMA, Oklahoma City; WACO, Waco; KNOW, Austin; KTSA, San Antonio; KYA, San Francisco; and KEHE, Los Angeles.

All States Respond In Philco Contest

A total of 1,003 cities and towns from every state were represented in the entries received from the first "Phyl Coe Radio Mysteries" contest, according to the Philco Radio & Television Corp., which is making a statistical study of the pulling power of the promotion. The report is preliminary to a study of the complete air and merchandising results which Philco will make at the completion of the contest next month.

Warner Program Titled

HOLLYWOOD, Nov. 15.—The title of the Warners-Lucky Strike radio program has been definitely set as "Your Hollywood Parade," following a competition in which thousands of names were suggested by studio personnel, Lord and Thomas, the agency, and the Lucky Strike workers. The first program will air from here Dec. 1.

To Speak on Social Disease

Dr. Morris Fishbein, editor of *The Journal of the American Medical Ass'n,* has accepted an invitation to speak on the subject of social diseases over the Blue network tonight at 10:30 P.M. Major Lenox R. Lohr, president of NBC, who last week refused to permit Gen. Hugh S. Johnson to speak on the same subject, extended the invitation to Dr. Fishbein.

Opticians Sponsor "Final"

"Five Star Final," on WMCA, will be sponsored experimentally throughout the remainder of this week by the Community Opticians, through the Commonwealth Advertising Agency of Boston. A long-term deal may result if the sponsor is satisfied with the results this week.

Mixup Keeps Smith Speech From WMCA

What apparently was a muddled contract situation kept Rev. Gerald L. K. Smith's speech from being heard over WMCA Sunday when the crusading minister began his series for the Committee of One Million.

Conflicting reports from all parties involved in the deal made it practically impossible to clarify the situation yesterday when an attempt was made to do so.

The contract for 75 stations, including WMCA, was originally handled through the Albert M. Ross agency, but yesterday Transamerican Broadcasting Corp. claimed to hold the contract and that WHN and the stations of the WLW Line were signed to carry the program. At the Ross agency it was stated that Ross would not state anything publicly at the moment, although a statement was promised later. At WMCA, it was stated the station had a contract for the broadcast, but at Transamerican it was said that this was in error.

However it is, this much is certain: Rev. Smith did make a speech Sunday from Washington and it was carried over 49 stations, including a transcribed version of the speech over WHN.

WRNL, Richmond Station, Dedicated

RICHMOND, Nov. 15.—WRNL, Richmond's newest radio station, was dedicated yesterday afternoon, with John Stewart Bryan, publisher of the *News-Leader* and principal stockholder in the new station, presiding at the exercises.

The new station, successor to WPHR in Petersburg, is located in the Richmond *News-Leader* Arcade, which has been modernized to house the studios. The station operates on an assigned frequency of 880 kilocycles. It is a daytime station, signing off at 5 P.M. Authority is being sought from the F. C. C., however, to operate on full time.

Report CBS-Foods Deal

A report which could not be verified yesterday has it that a contract for a new General Foods Corp. show has been signed for presentation over CBS, beginning after the first of the year. Benton & Bowles handles the brunt of the General Foods business.

Styles to Be Televised

A fashion demonstration of RCA television for stylists attending a convention at the Waldorf-Astoria will be presented Thursday. Featured will be apparel, accessories, coiffure and makeup.

Radio Personals

GERTRUDE LAWRENCE will receive a gold medal award from a group of fashion experts who have selected her as the stage's best dressed woman. The presentation will be made tomorrow over the NBC-Red, with Princess Kropotkin of *Liberty Magazine,* Barbara Blake of the *New Yorker* and Bernice Peck of *Mademoiselle* . . . Lester Gottlieb of Mutual will return from his swing around the Mutual station circuit this week . . . Sundra Love has been assigned the lead role in Irna Phillip's serial "Today's Children." Bess Johnson formerly played the part . . . Jim Sauter, producer of the bank-sponsored Philadelphia Orchestra series, took a group of New York newspapermen to Philadelphia with him last night to witness the concert . . . "In Old Chicago," 20th Century-Fox's production, was plugged in an interview between Doris Smith of WNEW and Norm Corwin, 20th Century-Fox radio man, over WNEW yesterday afternoon. . .

Anthony Named New KFI Program Chief

HOLLYWOOD, Nov. 15.—Harrison Holloway, general manager of KFI—KECA, has appointed Kelly Anthony, son of the owner of the twin NBC outlets here, as program director, succeeding Don Clark, resigned, and John "Bud" Edwards as production manager succeeding Glen Heish, also resigned. Young Anthony had been in the traffic department of NBC in New York and had been assistant manager of the stations here before resigning to take a European trip.

Edwards had been in the production department. His place will be filled by Bob Heistand.

WOR Adds 3 to Music Dept.

Three new arrangers and a copyist have been added to WOR's music department. The arrangers are Ralph Barnhardt, who has been working for Rubinoff; Philip Lang, formerly arranger for Morton Gould, and Louis Savarese, formerly an arranger for Kate Smith. The copyist is George Glass.

NBC Sets Women's Program

A new cooperative service program for women will be inaugurated by NBC Nov. 20 over WJZ, with Alice Maslin, writer and merchandise consultant, conducting the feature. The series, based on a recent survey, will be presented Saturdays from 11 to 11:30 A. M.

Page Mr. Farley

WOR yesterday stated it had passed the 1,000,000 mark in pieces of mail received this year in reply to broadcasted programs. In passing that total, a new daily record was broken Oct. 1, when 23,751 pieces of mail were received in conjunction with an offer which was made on the "Lone Ranger" program.

DON'T SPOIL A MILLION DOLLAR PICTURE TO SAVE A FEW CENTS



When you book an expensive, nationally famous feature, you are planning to cash-in on people's expectations. You are planning to impress them — not to disappoint them.

You can't afford to be penny wise with big features, and especially with color.

The only way to deliver the goods is the same way 5000 theaters are now doing it — with high intensity projection.

Almost any house can now afford modern projection. New SIMPLIFIED HIGH INTENSITY lamps and "Suprex" Carbons make it possible to double or triple screen brightness at so little more cost that one extra admission per show will cover it.

SIMPLIFIED —

1-SIMPLIFIED LAMP MECHANISM 2-FEWER LAMP PARTS
3-LOWER ARC CURRENT

Don't wait for competition to force you into high intensity projection. Get it first and make money with it.

Write for the new, free, illustrated book—"The Eternal Triangle In Picture Projection."

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High Intensity
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WITH "NATIONAL" "SUPREX" CARBONS

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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 118 NEW YORK, WEDNESDAY, NOVEMBER 17, 1937 TEN CENTS

Key Grosses Drop Off to $1,510,291

Compares to $1,555,682 For Week of Oct. 29-30

Key city first run grosses during the first week of November showed a slight decline from the previous week, 147 theatres in 24 cities for the week ending Nov. 4-5 grossing an aggregate of $1,510,291, which compares with $1,555,682 from 146 theatres in 24 key cities during the week ending Oct. 29-30, a drop of $45,391.

The aggregate gross was the lowest since the week of Oct. 8-9, when the total for 147 theatres was $1,500,826. A number of cities showed slight gains over the previous week, including Buffalo, Chicago, Houston, Minneapolis, Oklahoma City, Philadelphia, Pittsburgh and St. Paul.

(*Comparative Grosses on Page 7*)

Commission Seen as Film Bill Amendment

LONDON, Nov. 16.—It is understood that Oliver Stanley, president of the Board of Trade, has proposed, as an amendment to the Film Bill, either a film commission or film council, with the term unspecified, but the powers of such a body clearly defined. The bill is now in committee of the House of Commons.

It is believed that Stanley is actuated by a desire to meet the united demand of the trade for a wide sectional voice in the matter. A commission constitution has already been decided, embodying its duties and wide privileges. Its powers, which would be great, would include the imposition of penalties for offenders. Stanley is known to have discussed a typical personnel of such a body with the trade deputation which recently discussed the situation with him.

An advisory committee, subsidiary body to the commission, would be re-

(*Continued on page 6*)

N. Y. Executives to Attend Blank Dinner

The New York delegation to A. H. Blank's 25th anniversary dinner in Des Moines Dec. 9 is shaping up as a notable aggregation of industry top-line executives. Aside from a large group representing Paramount, ranking officials from all of the major

(*Continued on page 11*)

Radio—Pp. 10-11

Wanger Says He Is Unaware Of U.A. Financing for Him

Walter Wanger yesterday stated he was not familiar with the financing arrangements made for his future production activity as a United Artists producer and that, pending information about them, he had nothing to say about his impending plans. In reply to a question, Alexander Korda had informed MOTION PICTURE DAILY at the Newark Airport Monday evening that financing for Wanger had been "provided for in the arrangement" whereby control of U. A. is to change hands.

When Wanger left Paramount to join United Artists, his deal was announced as a 10-year arrangement. Reports have been recurrent from time to time and largely since Samuel Goldwyn and Korda were given their option to purchase control of U. A. from Charles Chaplin, Mary Pickford and Douglas Fairbanks, that Wanger might seek distribution elsewhere.

Majors Request Gary Complaint Dismissal

INDIANAPOLIS, Nov. 16.—Columbia, M-G-M, Paramount, RKO Radio, 20th-Fox and United Artists, in a brief filed in U. S. District Court here, ask dismissal of a bill of complaint filed by the Gary Theatre Co., that seeks to enjoin clearances imposed by major producers on behalf of Balaban & Katz of Chicago.

"Balaban & Katz, although a defendant, has not been served with a process," the brief sets forth, and dismissal is asked "for want of jurisdiction over an indispensable party."

Judge Robert C. Baltzell has set a hearing for Nov. 22. He has approved elimination of the M.P.P.D.A., Universal and Warners as defendants and the substitution of RKO Radio

(*Continued on page 3*)

Alleged Coast Plot Revealed by Police

LOS ANGELES, Nov. 16.—An alleged anti-Semitic plot, said to have been aimed at several important film personalities in Hollywood, including Louis B. Mayer and Eddie Cantor, was revealed here today by Chief Investigator Eugene Williams of the district attorney's office.

Leaders of the plot, according to Williams, have been kept under surveillance for the past six weeks, since the plot was uncovered, but no evidence warranting arrests has been discovered. He said he believed the matter never advanced beyond the conversation stage.

At Culver City

The deal whereby David O. Selznick will take Selznick International to M-G-M will be signed in Hollywood. There, at the present time, is Nicholas M. Schenck, president of Loew's, Inc., whose signature is necessary to the contract.

Selznick refused to comment on his new association last night. He was prominently present at the cocktail party given at "21" for George Cukor, who will direct "Gone with the Wind" with which Selznick is expected to launch his releasing arrangement with M-G-M.

Production Slumps To Lowest of Year

HOLLYWOOD, Nov. 16.—Production slumped to its lowest level of the year this week when only 31 were before the cameras—a total even lower than during the lull created by the April-May strike. Ten were finished, and only four were started. Fifteen pictures are in final stages of preparation, six studios dividing the total, while 10 studios reported none being prepared for immediate work. Sixty-nine are being edited.

Those starting are: "Lone Rider," Columbia; "Her Jungle Love," Paramount; "Hawaiian Buckaroo," Principal and "The Mystery of Hunting's End," Warners.

The tally by studios:

Columbia finished two, shooting four, preparing zero, editing nine; Goldwyn, zero, one, zero, one; Grand National, zero, zero, zero, one; M-G-M, two, four, zero, eight; Monogram zero, zero, one, two; Para-

(*Continued on page 3*)

Admit Black Ouster Was Ordered by I.A.

LOS ANGELES, Nov. 16.—Joe Gilpin, Warner studio manager, today told the State Legislature committee investigating the I. A. T. S. E. racketeering charges that he dismissed Francis H. Black, studio electrician, on orders from an unnamed I. A. T. S. E. official. This bears out previous testimony of Black who now has a $90,000 damages suit filed against Alliance officers.

Other major developments in the probe today were the testimony of

(*Continued on page 6*)

Denies That Silverstone Will Head UA

Goldwyn Says the Report Is Unfounded

CHICAGO, Nov. 16.—As he passed through Chicago today en route to Hollywood, Samuel Goldwyn told a MOTION PICTURE DAILY reporter that reports linking Maurice Silverstone's name to the presidency of United Artists were completely unfounded.

Commenting upon this newspaper's story outlining financing plans set up under the lifting of the U. A. option by Goldwyn and Alexander Korda, the former said, "Just hooey and tell 'em I said so."

He added the Bank of America, N. A. of San Francisco and Los Angeles had no interest in the company's financing and would have none. At the same time, he refused further comment along these lines, saying the statement issued in New York on Saturday told everything the principals wanted to announce.

Between trains, the producer took occasion to tell the local press double features, in his opinion, were ruinous to the industry. He urged newspaper men to start a campaign here to oust duals. Maurice Silverstone is accompanying Goldwyn west, but refused to talk on any angles of the U. A. deal. He referred all questions and questioners to Goldwyn.

Kent's Transfer of Stock Is Disclosed

By CLARENCE LINZ

WASHINGTON, Nov. 16.—Transfer to the direct ownership of Sidney R. Kent, New York, of 3,355 shares of 20th Century-Fox common stock previously held by his holding company, the Berkshire Finance Co., was reported today by the S.E.C. in a report of the September transactions of officers and directors in the stocks of their corporations.

The commission also disclosed a re-

(*Continued on page 6*)

Canada Exhibitors Attack Arbitration

TORONTO, Nov. 16.—The trend of arbitration settlements on contract disputes between exhibitors and distributors has caused a rift between N. A. Taylor of Toronto, representing the Independent Theatres Ass'n. and Col. John A. Cooper, president of the M. P. Distributors of Canada, the claim being put forth that only

(*Continued on page 6*)

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All Warner Tests Go To Studio on Coast

All talent and screen tests for Warner feature pictures will be conducted at the company's studios in Burbank, Cal., on and after Dec. 1, it was stated yesterday by Jacob Wilk, New York studio contact and head of the Warner story department.

Robert Ross, who has been in charge of the company's tests here, has resigned as of Nov. 26 and will devote his time to the direction of Broadway stage productions.

Loop Theatre Robbed

CHICAGO, Nov. 16.—The Garrick here was held up during the rush hour last night by a bandit who took $30 and escaped. The picture being shown was "Alcatraz Island."

Coming Attractions Theatre Trailer Corporation Just Like That Title

A TRAILER ON EVERY PICTURE

Produced by Experienced Showmen

HOME OFFICE: 630 9th Ave., N. Y. C.
ADOLPH POLLAK General Mgr.

Insiders' Outlook

By RED KANN

TO travel almost nine hundred miles for a dinner might sound like a great deal of foolishness. It must always be remembered, too, New York still boasts of its quota of restaurants. But Sunday night in Pittsburgh was different. That was the occasion of Variety Club's annual banquet, a standard highlight of each amusement year. From various cities almost one thousand men descended upon John H. Harris and his co-barkers, certainly not induced to make their journeyings by anything the festive board might have groaned under. They went to make obeisance to the spirit behind this unique organization, launched first in Pittsburgh and now encompassing tents in Columbus, Cincinnati, St. Louis, Detroit, Cleveland, Buffalo, Kansas City, Indianapolis, Minneapolis, Washington, Philadelphia, Milwaukee, Des Moines, Omaha, Dallas and Dayton. . . .

▼

Since that day, nine years ago, when a homeless waif abandoned in the lobby of the Sheridan Square Theatre was taken in tender care by a small group of theatremen there, Variety Club sprang into purposeful being. Since then two other children have been adopted. That's in Pittsburgh. Dallas has given medical and surgical attention to four thousand children at no cost to their parents; now a fund is under way to build a $20,000 addition to a local hospital. Philadelphia has salvaged four children from the ravages of infantile paralysis; the work there is continuing. Washington is providing a summer camp for underprivileged minors. Columbus has been paying the rent, furnishing clothing and extending a friendly hand to the needy in show business. Some tents are providing poor school kids with glasses. Others are furnishing "seeing eye" dogs for the blind. Pittsburgh last year raised a $25,000 milk fund for children in institutions; race, creed and color had nothing to do with it. This year, in association with the *Pittsburgh Press* and Station KDKA, the objective is $56,000. It means at least one-half pint of milk for every child in every Pittsburgh home at every meal for every day of the year. . . .

▼

The work has been voluntarily pursued. It took form as an expression of the undeniably great heart of show business, beating in sympathy for the lowly and the unfortunate. Variety Club could have been strictly a social organization and, on such a premise, no doubt could have been completely successful. Its humanitarian enterprise gives it a far more valid reason for being and the unerring pursuit of that enterprise reflects continuedly enormous credit on an industry frequently misjudged and misunderstood. . . .

▼ ▼

Samuel Cummins continues to gild the lustre of his disrepute with a new cycle of off-color attractions, steeped in sensationalism. "The Love Life of a Gorilla" is one in his current lineup, its title conveying all that need be known about the dubious merits of its celluloid. Another is "Children of Loneliness," dealing with Lesbianism and getting quite an unholy play at Tally's Criterion in Los Angeles, where the term "3rd Sex" is flung about the marquee for all and sundry passing eyes to catch. Falsely attuned to an announced intent of spreading information to help those who are not aware of the facts of life, a lecture, a lecturer and three girls are part of the performance. One of them is described as abnormally oversexed, the second is normal and the other appears to make little difference. Thus you have a new, low estate upon which the theatre has fallen. Cummins persistently endeavors to maintain he has the public weal well up front in his calculations. He is fooling no one, except possibly himself, if you are inclined to credit the possibility, which we do not. You see, this department has watched Cummins and his activities for many years. . . .

▼ ▼

The agents are taking over again, provided coast reports are accurate. The story goes the indifferent success of Hollywood personalities, braving a try on the New York stage, is hurting their picture values. The agents do not like it and, not liking it, say they are going to take action. This is not quite so remote an eventuality as might be indicated by surface markings. The ten per cent boys, always wielding a vast power, are becoming more powerful and overpowerfully arrogant. They reflect how they feel in the yarn about a recent gala premiere on the coast. The stars were leaving the theatre. Said one agent to another, "There goes the crowd that's getting ninety per cent of our earnings." . . .

▼ ▼

Last night at "21." A party for George Cukor, the director. In the assemblage was David O. Selznick and, while officially and probably he had no business there, was also Si Seadler, Leo's most ardent admirer.

"Goodbye, Dave," said Si, as the evening had fairly well progressed, "I'll be seeing you."

"And how!" Selznick shot back—and meant it.

You know the one about big oaks and little acorns.

"No Changes"—Balaban

CHICAGO, Nov. 16.—Barney Balaban, leaving here tonight for a three-week trip to Hollywood, stated that his visit to the coast is a routine matter and that no changes in personnel are contemplated by Paramount.

Directors of B. & K. will meet in New York next month, Balaban said.

38 DAYS TO



"ROSALIE"

and

CHRISTMAS!

Santa Claus and
Leo have something there!

Production Slumps To Lowest of Year

(*Continued from page* 1)

mount, two, five, four, eight; Principal, zero, two, zero, one; Republic, zero, one, one, four; RKO, zero, five, two, four; Roach, zero, one, zero, zero; Selznick International, zero, zero, zero, two; 20th Century-Fox, two, three, five, two; Universal, zero, one, zero, one; Wanger, zero, zero, zero, one; Warners two, four, two, 25.

In the short subject field, Columbia started one, which is still shooting. The same studio finished one. One each is shooting at M-G-M and Roach. Three are being prepared at Columbia and three at RKO. A total of 10 are being edited.

Majors Request Gary Complaint Dismissal

(*Continued from page* 1)

as a defendant for the RKO Distributing Corp.

The Gary Theatre Co., Gary, Ind., is also plaintiff in an action pending in Federal court there to compel Paramount to deliver to it 10 pictures allegedly sold on last season's contracts which either have not been produced or are included in the company's lineup for the current season.

Select Sues Oscar Straus

A $20,000 damage action was filed in N. Y. Supreme Court here yesterday by Select Theatres Corp. and Jacob J. Shubert against Oscar Straus, Viennese composer. The action charges that the plaintiffs contracted with Straus for exclusive American dramatic rights to "The Queen" and that Straus did not possess the licensing rights at the time the deal was made. The plaintiffs allege that the play was subsequently produced by others who held valid licenses, which resulted in the plaintiff being damaged to the extent of $10,000.

A second cause of action, also for $10,000 damages, is cited in the suit, which charges that Straus agreed to supply five incidental musical compositions for the production and that when these were found unsuitable the composer refused to prepare others.

Schwartz & Frohlich, attorneys for Straus, said that an answer incorporating denials of the charges would be filed in the near future.

Orders Quiz Before Trial

An examination before trial of Phillip Hodes, and Robert Wolf, sales managers for the RKO Distributing Corp., was ordered by Justice Ferdinand Pecora in the N. Y. Supreme Court yesterday in connection with the "conspiracy" suit brought by Rock Beach, Inc. against the Columbia Pictures Corp., Paramount Pictures Distributing Corp., Big-U Film Exchange, Inc., United Artists Corp., Century Circuit, Inc. and the RKO Distributing Corp. The examination was set for Nov. 19 in the Supreme Court. Rock Beach which operates the Gem in Far Rockaway, charged that the major distributors "conspired" with Century, which operates the Central in Cedarhurst, to give pictures exhibited at the Central one week's clearance before exhibition at the Gem.

Seattle Orpheum Bankrupt

The Seattle Orpheum Co. filed a voluntary petition in bankruptcy in the U. S. District Court here yesterday. No schedules of assets and liabilities was presented with the petition. Twenty-two creditors were listed. The only asset is $3,643 deposited with the Central Hanover Bank & Trust Co. of New York. Among the creditors were Stadium Theatres Corp., RCA Victor Co., National Theatre Supply Co., Electrical Products Corp. and the bank of California, N. A.

Deny Infringement Charge

Columbia Pictures Corp. and Screen Classics, Inc., filed a general denial in the U. S. District Court yesterday in answer to the infringement suit brought against them by Plain Talk Magazine, Inc. The defendant denied that their short, "Norton I, Emperor of U. S.," was an infringement of David Ryder's story, "American Emperor," which was published in the magazine. A dismissal of the suit with costs is asked.

Sale of Kromocolor Laboratory Delayed

PATERSON, Nov. 16.—Sale of the Kromocolor Laboratory, Paramus, N. J., was adjourned to-day by Vice-Chancellor Lewis until next Tuesday in Chancery Court here. Several prospective bidders appeared today who have not had an opportunity to inspect the plant. In view of this an additional week was asked and allowed.

Decision on the $21,000 deposit made by Joseph O'Donnell, who made a bid of $105,000, reputedly for William Fox, continues in abeyance. William Krimsky, Newark attorney and co-receiver, is still open to bids for laboratory and offers also may be made in court next Tuesday, it was pointed out.

Hartley Joins GTE As Sales Executive

E. M. Hartley, who resigned late last week as Photophone sales manager for RCA, has joined General Theatres Equipment Corp., in full charge of the sales of sound equipment of General's subsidiary, National Theatre Supply Co.

As manager of that division, he will make his headquarters at the company's general offices in New York.

Delay Warner Meeting

Due to the presence of Harry M. and Albert Warner on the coast, the regular Warner board meeting scheduled for yesterday was called off.

Freedman Reelected Ontario Group Head

TORONTO, Nov. 16.—H. Freedman, owner of the Circle here, has been reelected for a second term as president of the Independent Theatres Ass'n. of Ontario while N. A. Taylor has been reelected vice-president.

The following independents, all of Toronto, were elected to other offices: treasurer, A. Polakoff; secretaries, Meyer Axler and Harold Kay; board of directors, Sam Ulster, S. Lent, H. Yudin, B. Ulster and Harry Firestone.

The organized Ontario theatre owners are working closely with the Quebec Allied Theatrical Industries, which has its headquarters in Montreal, the latter having recently interviewed the Quebec Government with a plea for legislative protection against circuits. The Quebec association has also asked for a reduction in the amusements tax which represents a four-cent levy on a 25-cent admission. The Ontario tax was completely abolished last June.

Asher Sailing Today

LONDON, Nov. 16.—Irving Asher, head of Warner production in England, will leave England for the United States on the *Normandie* tomorrow. He is bound for conferences on the expansion of British Warner production. He will be accompanied by his wife, Laura LaPlante. Also on the ship will be Bruce Lister, James Stevenson, Asher's discovery, and Richard de Rochemont, foreign head of March of Time.

Korda Reaches Coast

HOLLYWOOD, Nov. 16.—Alexander Korda and Marcel Hellman arrived from New York today, the plane being an hour late due to a delay at Dallas waiting for a connecting mail airship. Both will leave Saturday for New York, according to present plans.

To Honor Fabian Dec. 13

Friends of Si Fabian, local and upstate New York exhibitor, will stage a testimonial banquet, Dec. 13, at the De Witt Clinton Hotel, Albany, in honor of Fabian's 20th anniversary in the film business. Phil Fox, Albany branch manager for Columbia, is chairman of the committee on arrangements.

Purely Personal

WILLIAM C. CHAMBLISS of the 20th Century-Fox publicity department will be admitted to the bar today in the second Judicial Dep't of the N. Y. Supreme Court. CHAMBLISS is a Columbia Law School graduate of the class of '35.

•

WALTER WANGER adds to the week's round of cocktail parties with one today for CLARENCE BUDINGTON KELLAND, author of "Stand In" which opens Thursday morning at the Music Hall. The Stork Club is the place.

•

WILLIAM CAGNEY, who will produce JAMES CAGNEY's films for G. N., left for the coast yesterday. He completed final arrangements here with ROLAND BROWN, author, on his brother's next picture.

•

JACOBO GLUCKSMAN, G.N. South American distributor, arrives today on the *Champlain*. LILLIAN HELLMANN is also on the same ship.

•

T. A. CONNOR and A. G. BIBSON, M-G-M foreign branch managers, were tendered a luncheon by ARTHUR LOEW yesterday at the Astor.

•

JAMES A. FITZPATRICK is scheduled to sail from England today on the *Normandie* which is due here next Monday.

S. R. KENT, who has delayed his Hollywood trip, SPYROS SKOURAS, SAM DEMBOW, WALTER J. HUTCHINSON and LOTHAR MENDES among those lunching at the comfortable men's grill at the Plaza yesterday.

•

VIRGINIA ADAIR, said to have been the first "stand in" in the film business, for ANITA STEWART in a film released in 1919, will attend the opening of "Stand In" at the Music Hall today.

•

EDGAR B. HATRICK has again deferred his departure to Hollywood and may not get away until after Christmas. He says that the next Marion Davies picture has not been set yet.

•

RUSSELL BIRDWELL and MARY MCBRIDE of Selznick International, will leave by plane for the coast today.

•

CHARLES SKOURAS and MIKE ROSENBERG have delayed their departure for the coast until today.

•

CHARLES DE GRANDCOURT, author of "Victoria the Great," flew to the coast yesterday.

•

CRESSON E. SMITH will return from Chicago in a few days.

•

JULES LEVY is due from the coast the end of the week.



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ALCA

Is Warner Bros.' 1937 Example



DED TIME

'Alcatraz Island'
A First National Picture
A Cosmopolitan Production

nd exploiting itself to bigger grosses than 'Galahad'
eld, Worcester and every other early engagement!

TRAZ

)f What Showmanship Can Do!

"Wild, Woolly" $16,200 Real Chicago Smash

CHICAGO, Nov. 16. — "Wild and Woolly" at the State-Lake led the Loop theatres for big business last week, the Jane Withers picture grossing $16,200 which is sensational for this house.

The Roosevelt with "Ali Baba" was well on the profit side with $14,000 as the take. That is $3,000 above average. "Dr. Syn" at the Apollo was also above average, getting $6,800.

"Angel" at the Oriental was very disappointing.

The second week of "Alcatraz Island" was good at the Garrick and the picture stays for a third week, unusual for this house.

The weather was fair and clear but record-breaking attendance at the Auto Show cut into grosses heavily at night.

Total first run business was $110,700. Average is $118,000.

Estimated takings:

Week Ending Nov. 10:

"LIFE OF EMILE ZOLA" (W. B.)
CHICAGO—(4,000), 35c-55c-75c, 6 days, 2nd week. Stage: Evans Ballet and Revue. **Gross:** $24,000. (Average, $32,000)

"ALCATRAZ ISLAND" (W. B.)
GARRICK—(900), 35c-55c-75c, 7 days, 2nd week. **Gross:** $6,700. (Average, $6,500)

"ANGEL" (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 6 days. Stage: Vaudeville Revue. **Gross:** $15,000. (Average, $18,000)

"VICTORIA THE GREAT" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Morton Downey and Revue. **Gross:** $16,000. (Average, $19,000)

"WILD AND WOOLLY" (20th-Fox)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $16,200. (Average, $13,000)

Week Ending Nov. 12:

"DR. SYN" (G. B.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,800. (Average, $6,500)

"ALI BABA GOES TO TOWN" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 2nd week. **Gross:** $14,000. (Average, $11,000)

"THE BRIDE WORE RED" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $15,000)

Admit Black Ouster Was Ordered by I.A.

(*Continued from page* 1)

Herbert Sorrell, business agent of the Studio Painters' Union, which was the main participant in the April studio strike, that William Bioff, coast I. A. T. S. E. head, had offered him a proposition to end the strike and get back lost pay for the strikers if they accepted only a 10 per cent wage increase instead of the 20 per cent they demanded, and the charge of J. W. Buzzell, secretary of the Central Labor Council of the A. F. L., which recently appointed a committee to investigate the purposes behind the probe, that at least three of the probers are influenced by the C. I. O.

Wheeler Ampa Guest

Elmer Wheeler will be guest of honor at the Ampa luncheon at the International Casino tomorrow.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"A Damsel in Distress"

(RKO)

HOLLYWOOD, Nov. 16.—Gracie Allen tells the jokes, and George Burns is her prophet. But in "A Damsel in Distress" Fred Astaire, in his first solo starring vehicle, shares prophet honors with Burns, and in turn, Gracie and George both share the dancing with the ever nimble-footed Astaire. George falters a little at times, trying to hold the Astaire pace and Gracie does surprisingly well as an Astaire dancing partner.

All this is by way of declaring that Ginger Rogers is conspicuously lacking, as charming and romantic as well as dancing partner to the incomparable Fred. The picture, however, is fine entertainment, replete with comedy, in story and situation, dance routines which are not routine and top performances. The Burns-Allen gags are not all gems, but on the whole they are funny, and the public will like them, and laugh at them. Joan Fontaine, who plays the romantic role opposite Astaire, is pretty enough, and certainly winsome, but she still has a way to go to be a finished actress.

The music is a high spot, tuneful and engaging, and several of the dance numbers are new, different and highly entertaining, especially those set at the carnival. The Burns-Allen-Astaire number in front of distortion mirrors is novel and hilarious, their antics on the turntables and treacherous stairs are good, while Astaire's tap dancing number in the midst of the trap drums sets a new high in speed, precision and entertainment of its kind.

Comedy was the highlight Director George Stevens sought to emphasize and he succeeded admirably, aided roundly by Ray Noble and Reginald Gardner, as the not too smart son with a passion for swing, and the too smart secretary with a passion for opera, respectively. P. G. Wodehouse, who wrote the story and collaborated on the screenplay, has endowed the film with amusing situations and dialogue.

The story is told in the title. Set in an old English castle, it recounts the virtual imprisonment of Miss Fontaine by her severe aunt, her accidental meeting with Astaire, dance sensation whose publicity agent is Burns, and whose chief annoyance is Gracie. Astaire goes to the rescue, aided, then hindered, in turn, by a page boy and Gardner, who are holders of possible winning names in the lottery of the household staff for the successful suitor. Mistakes and misunderstandings complicate the story amusingly, the while the whole is embellished by song and dance in the Astaire manner.

Running time, 98 minutes. "G."

Looking 'Em Over

"Springtime in the Rockies"

(Republic)

In all its entertainment divisions, "Springtime in the Rockies" makes the grade as a good Gene Autry western. His fans will be pleased. The story and action have been cleverly composed by Joe Kane, the director, and the photography is good. The outdoor locations are beautiful, cloud-strewn settings for the story.

Autry is foreman on Polly Rowles' ranch. There is trouble in the vicinity between cattlemen and sheep ranchers. Miss Rowles arrives from college with three girl companions to spend the summer. They are animal-husbandry graduates. Miss Rowles naively buys a flock of sheep that have been outlawed in the community. Autry meets her and takes the girls and animals to a run-down ranch that he owns instead of to Miss Rowles' place. But the information that he has sheep on his land gets around and there are all sorts of complications. Eventually, the tangled situations are straightened out but not, however, until after Miss Rowles sells her own fine property to a slicker. The well-known chase occurs at that point. Autry, aided by Smiley Burnette, breaks jail and pursues the culprits right up to the county seat where he lassoes them on the steps of the building. In a few more scenes he is cleared of a shooting and of attempting to introduce the sheep. The fadeout has Miss Rowles and Autry pursuing their rather sketchy romance.

Autry sings a few pleasant numbers in his familiar style. Burnette and his vocal tricks inject humorous relief. Miss Rowles acts well. Ula Love, Ruth Bacon, Jane Hunt, George Chesebro, Alan Bridge and Tom London offer capable support. Ernest Miller is responsible for the fine camera work.

Running time, 60 minutes. "G."

Dickinson Addresses Carriers on Safety

LOUISVILLE, Nov. 16.—An address by Arthur Dickinson, technical adviser of the M.P.P.D.A. and representative of the major distributors, on the subject, "Safety Regulations and the Correct Handling of Film," was one of the features of the joint convention of the National Film Carriers, Inc., and National Trucking Ass'n now in progress here. James Clark presided.

Other speakers included Harold Shertz, John L. Rogers, H. H. Kelly and Benjamin Blanning. The final session will be held tomorrow.

James P. Clark, Philadelphia, was reelected president and treasurer of the carriers' organization and Clint Weyer, New York, was renamed to the post of secretary. Thomas W. Gilborg, San Francisco, was elected vice-president. E. E. Jameson, Kansas City, was appointed to the executive board and A. C. Amsler was elected to the board of managers.

Canada Exhibitors Attack Arbitration

(*Continued from page* 1)

one case out of many in recent months before the Arbitration Committee of the Toronto Film Board of Trade has been decided in favor of the exhibitor. The independents are pressing for a revision of the standard rental agreement.

Cooper has countered with statistics showing that the number of arbitration cases has dropped appreciably since 1930 and has suggested that the independents present definite proposals for revision of rental contracts which would be considered at Film Board meetings scheduled to be held next February.

N. J. Allied Claims Membership Up 30%

Since the membership drive started six weeks ago under the supervision of E. Thornton Kelly, Allied of New Jersey has increased its active roster by 30 per cent for northern and southern New Jersey, it was stated yesterday at the unit's headquarters.

The next meeting of the membership will be held next Tuesday at the Cochrane House, Newton, N. J. This is the operating center and home of Sidney E. Samuelson, ex-president.

Commission Seen As Film Bill Amendment

(*Continued from page* 1)

sponsible to it. It is considered unlikely that the suggestions for separate quotas will be accepted, the objection being that it would necessitate the scrapping of a great part of the present draft of the bill. The utmost secrecy is being maintained relative to the plans of Stanley in all trade quarters.

Kent's Transfer of Stock Is Disclosed

(*Continued from page* 1)

port from Monogram Pictures, showing that on Sept. 10, when its registration became effective, Pathe International Corp., was beneficial holder of more than 10 per cent of its common stock and of options for common, holding 66,667 shares of common and 6,017 options.

Seek to Arbitrate Canada Union Fight

Toronto, Nov. 16.—The three-cornered strike threat in Winnipeg, resulting from the signing of an agreement with projectionists of the One Big Union by a large majority of the theatres in that city, has been boiled down somewhat by the placing of an application for arbitration before the Manitoba Provincial Government by Famous Players Canadian Corp. and Winnipeg's One Big Union. A few days ago W. P. Covert of Toronto, vice-president of the I.A.T.S.E., wired to his local in Winnipeg that a general strike order would be called against the 200 Famous Players houses across the Dominion unless the O.B.U. were tossed out.

A highly interesting development, meantime, has been the absorption of the Winnipeg projectionists' local of the All-Canadian Congress of Labor by the I.A. there. In other cities of Canada the I.A. and All-Canadian locals are deadly rivals and are entirely aloof—but in Winnipeg they have joined against the common foe, the One Big Union.

No further direct action has taken place in the Manitoba capital since the calling of a two-hour strike by the I.A. in 17 theatres there operated by Famous Players and its subsidiary, Western Theatres, Ltd.

Exchange Union Deal In Chicago Expected

Chicago, Nov. 16.—A meeting of local union officials with film exchange representatives on the contracts for film inspectors, shippers, etc., is scheduled for next week, according to John Smith, business manager of the Chicago M. P. Operators' Union here. Smith stated that all differences had been settled in conferences and that final negotiations would be completed at the meeting.

As soon as this meeting is over Smith stated that the unionization of ushers, doormen and cashiers would be continued. Already many of these employes have been approached. In speaking of the situation Smith stated that it would be a difficult job to get the ushers and doormen organized.

Consolidation of 7 Union Cases Denied

N. Y. Supreme Court Justice Aaron Steuer yesterday refused to consolidate the Supreme Court suit brought by Gotham Amusement Corp., H. M. Amusement Corp., La Salle Amusement Corp., the Hancock Theatre Corp., B. B. C. Amusement Corp., Har-Mar Amusement Corp. and the Marvin Amusement Corp. against Local 306 of the M. P. Operators' Union, Allied M. P. Operators' Union and the I. T. O. A. with six suits brought in the Municipal Court by I. T. O. A. against the theatre owners.

The Supreme Court suit asked that the Jan. 29 contract between the I. T. O. A. and the union be set aside. In the Municipal Court the I. T. O. A. is suing for allegedly unpaid dues. Justice Steuer ruled that the suits would have to be tried separately.

"Angel" in Stockholm

Word has been received at the Paramount offices that the premiere of "Angel" in Stockholm last Saturday night was something of a local event. The film was warmly greeted.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mr. Boggs Steps Out"

(Grand National)

Hollywood, Nov. 16.—Familiar though the theme and development thereof may be, this comedy, which Ben Pivar produced and which Gordon Wiles directed, is still amusing. "Mr. Boggs Steps Out" is not for the supercritical, those who find it a pleasure to pick out flaws and point discrepancies. Its market is those who prefer to be amused and who, some way or other, although they occasionally find fault, are usually satisfied with an ordinary attraction.

No claims to pretentiousness are made for this story of a country hick who, with his fate in the hands of some unknown destiny, blunders through to romantic happiness and business success. Naturally he pursues and is pursued by romance and as all the cards are stacked against him as he endeavors a business career, the situations in which he finds himself provoke a degree of laughter for those who follow his experiences. But, and there is suggestion for some smart showmanship in the idea, when he becomes mixed up in a business deal that involves the marketing of a collapsible barrel, there is a vivid novelty running through a lot of similar familiarity that gives the story a different interest.

Stuart Irwin is the sometimes bashful, sometimes resourceful yokel hero. He is 100 per cent the focal point of the yarn and as he carries it, he is helped by Helen Chandler, Toby Wing, Tully Marshall, Spencer Charters, Walter Byron and Otis Harlan. Clarence Budington Kelland wrote the original, Richard English did the screenplay and Gordon Wiles directed. It is evident that they aimed at providing bucolic entertainment for the bucolic masses.

Running time, 65 minutes. "G."

Key City Grosses Slightly Off, Totaling $1,510,291

Estimated takings for the latest available periods:

	Week Ending Nov. 5-6		Week Ending Oct. 29-30	
	No. Theatres	Gross	No. Theatres	Gross
Boston	8	$108,200	7	$110,000
Buffalo	5	55,800	5	54,400
Chicago	8	143,000	8	122,300
Cincinnati	8	52,300	8	58,500
Cleveland	6	66,000	6	66,000
Denver	7	36,000	6	42,000
Detroit	6	79,400	6	85,400
Houston	4	29,800	4	26,850
Indianapolis	5	34,000	5	34,000
Kansas City	5	33,000	5	34,600
Los Angeles	9	106,091	10	107,242
Milwaukee	5	28,900	5	34,100
Minneapolis	5	38,500	5	33,500
Montreal	5	39,000	5	43,000
New Haven	4	21,000	4	26,200
New York	9	256,350	10	294,740
Oklahoma City	5	22,100	4	10,700
Omaha	3	22,600	3	23,900
Philadelphia	9	88,400	9	86,500
Pittsburgh	5	55,600	5	53,200
San Francisco	9	82,600	8	83,900
St. Paul	4	15,400	4	14,800
Seattle	7	36,650	7	38,450
Washington	6	59,600	7	71,400
	147	$1,510,291	146	$1,555,682

Key city grosses up to the week ending Nov. 5-6:

Week Ending	No. Theatres	Gross
Sept. 3- 4	143	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291

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Gillmore Asks Stage Drop Reserved Seats

A proposal to abondon the legitimate theatre's traditional reserved seat ticket selling policy and open the box-offices to a "first come, first served" sale at one price for any seat is advocated by Frank Gillmore, president of the Associated Actors & Artistes of America and of Actors' Equity Ass'n, in the current issue of *Equity,* official publication of the latter organization, out today.

Gillmore suggests that the policy might be of incalculable aid to 85 per cent of the plays produced on Broadway in any season, inasmuch as, according to the Equity president, only 15 per cent of a season's plays are "hits." He urges that the proposal be tried initially by Broadway managers on one night a week only, that it feature reduced prices of 25 cents, 50 cents or a dollar, "but not more," and that the trial be "a good, honest one, with advertising and over a long enough period to give it a chance to work out."

He asserts that, in addition to providing a stimulus for weak plays, the policy would win new patrons and extend the theatre-going habit for the benefit of the entire stage field. Gilmore refers in the article to the success with which the policy has been met in film theatres.

Indications are that the plan will be taken up by the Equity council for further action and, perhaps, presented to the League of N. Y. Theatres.

Horace Mortimer Dies

It was learned here yesterday that G. Horace Mortimer, theatrical writer and former press agent at the Hollywood office of the M.P.P.D.A. died in Hollywood recently. Mortimer worked at Universal for a time and was on the radio frequently over KHJ.

Miller Dead of Wounds

Hollywood, Nov. 16.—Hymie Miller, 31, actor, who was to have reported to the Warner studio tomorrow for a role in "A Slight Case of Murder," died last night of bullet wounds inflicted by an unknown assailant who, he said before he died, invaded his home.

Wall Street

Declines General on Board

	Open	High	Low	Close	Net Change
Col.	16⅜	17	16⅜	16⅞	— ⅛
Cons.	2	2	2	2	.....
E. K.	162	162	160	160	—2¾
G. T. E.	14	14	14	14	— ¾
Loew	57⅝	58½	56	58	— ½
Para.	13⅝	14	13¼	13¾	— ⅜
Para. 1.	104¾	104¾	100¾	100¾	—4¼
Para. 2.	12⅝	12¾	12⅜	12¾	+ ⅛
Pathe	6½	6⅝	6½	6½	— ⅛
RKO	5⅛	5⅜	5⅛	5⅜	.....
20th Fox	23⅛	24	23	23½	— ⅝
W. B.	8	8¼	7¾	8¼	.....
W. B., pfd.	42½	42½	42½	42½	+3½

Light Curb Change

	Open	High	Low	Close	Net Change
G. N.	1⅜	1⅜	1¼	1¼	— ¼
Monogram	1¾	1¾	1¾	1¾	.....
Sonotone	1⅞	1⅞	1⅞	1⅞	.....
Tech.	19¼	19½	19¼	19½	— ½
Trans-Lux	2⅞	3	2⅞	3	.....

Bond Losses Continue

	High	Low	Close	Net Change
Loew 3½s '46	99⅛	99	99	— ⅛
Para. Pict. 6s '55	97	95	95	—1
Para. Pict. '47	79¼	79	79	— ⅝

(Quotations at close of Nov. 16)

IF I OWNED

● If I owned any theater, or any chain of theaters, I would sign up the Universal Newsreel for the rest of my life. I would not want any other theater to scoop me on the Bombing of Shanghai (as the Universal Newsreel scooped my competitors) nor would I want any other theater to scoop me on the final Capture of Shanghai (as the Universal Newsreel scooped my competitors this very week.)

ANY THEATER

● I shall never forget that the Universal Newsreel was the first to solve the problem of newsreels with sound; that it signed up Graham McNamee as its screen voice and that practically every other newsreel copied the idea by signing up lesser luminaries. There is only one Universal Newsreel and only one Graham McNamee. I want nothing but the best. I know I can get the first and best in the Universal Newsreel and nowhere else on earth.

Transamerican Now Committee's Agency

Transamerican Broadcasting Corp. became the radio selling agency for the Committee of One Million, instead of Albert M. Ross, Inc., when the former was able to deliver a majority of the stations which had been signed to carry the Rev. Charles E. Coughlin talks, while the latter failed, it was said at the Committee's headquarters yesterday.

Rev. Gerald L. K. Smith, head of the Committee of One Million, was anxious to be heard over the stations set up for the Father Coughlin talks, according to the spokesman at Committee headquarters, and the deal originally was to have been handled through the Ross agency, according to this source. Instead of supplying those stations, Ross allegedly brought in a hookup of Mutual network stations, plus a few independents. This was not satisfactory to the Committee and, when Transamerican offered the desired stations to the organization, the deal was signed through them. Forty-eight stations embrace the hookup, and all carry the "live" talk except three, WBL, Baltimore; WIFL, Philadelphia, and WHN, New York. The latter three carry transcribed versions of the talks and will do so until current contract commitments expire, permitting them to take the speeches as they are made by Rev. Smith.

The foregoing is according to the Committee of One Million. At the Albert M. Ross agency a discussion of the matter was refused.

Station Head Plans Theatre in Augusta

AUGUSTA, Ga., Nov. 16.—Frank J. Miller, secretary and treasurer of the Augusta Broadcasting Co. which operates WRDW, will build a $250,000 theatre on Broad St., to seat 2,000. The house will be constructed for Augusta Amusements, Inc., of which Miller is also the president. That company now operates four other theatres in this city.

WRDW recently affiliated with CBS. J. Ed Reynolds is general manager of the station.

Johnson Answers NBC

WASHINGTON, Nov. 16.—When acquainted with the news that NBC had extended an invitation to Dr. Morris Fishbein to speak on the subject of social diseases, Gen. Hugh S. Johnson made the following statement:

"I intended to talk on the subject of social diseases last Wednesday night on my regular Blue Network broadcast. NBC would not permit me to do so. They thought the highest authority should talk on it and therefore they got Dr. Fishbein. This is satisfactory to me. I don't care who talks about venereal diseases to the radio audience so long as the subject is brought out into the open."

Name Women's Audition Group

CHICAGO, Nov. 16.—Feminine talent applying to WBBM hereafter will be appraised by an all-feminine audition committee. Chairman of the committee is Kaye Brinker, WBBM director of program production research. The other members are Carroll Mountjoy, director of women's activities; Helen Keppler Brooks, music librarian, and Gertrude Dyer of the WBBM publicity staff.

KTSM Will Join NBC On Pacific Network

KTSM, owned by the Tri-State Broadcasting Co., and located in El Paso, Texas, will join NBC as a member of the Pacific supplementary group, available to either the Blue or Red. The affiliation will provide the El Paso area with its first national network service, and it brings the total number of NBC stations to 143.

Lines are now being constructed to KTSM from Albuquerque, N. M., and NBC service will start as soon as these are completed, about April 1, 1938. KTSM has a day power of 250 watts and a night power of 100 watts. Application is now pending before the F. C. C. for a power increase. Karl O. Wyler is station manager.

Beal Supervisor of RCA Television Work

Ralph R. Beal, supervisor of RCA's television field tests for the next year and a half, has been named research director of the company, a newly created position.

In his new position, Beal will supervise the work of more than 550 engineers. Development of RCA television will be part of his duties. RCA research activities in the laboratories of its services, RCA Mfg. Co.; NBC, Radiomarine Corp., and RCA Communications will be expanded under the plan of the unified control. Beal returned Monday from an extended inspection of radio activities in Europe, and has been with RCA in an advisory engineering capacity since 1934.

"Ballroom" Time Filled

With the sale of three 15-minute periods a week to the Davis Baking Powder Co., the last available time in the WNEW "Make Believe Ballroom" has been placed. Many of the current contracts are for a full year in advance, a number of the sponsors having recently renewed for long time periods to avoid the rate increases for this feature.

No Maestro He

Maybe it's an act, but it's a good one. Talking to Leopold Stokowski after the bank-sponsored symphony broadcast of the other night, a reporter addressed him as "maestro."

Stokowski looked genuinely hurt. "Please don't call me maestro," he said. "What ever gave you the idea I am a maestro?"

The reporter fumbled for words, then answered: "I got the idea from seeing your motion picture."

"Ach, that Hollywood!" said Stokowski.

But he's going back to make another picture about Christmas time.

Woodman Joins NBC Relations Division

Harry A. Woodman, who has been associated with NBC since it was organized in 1926, yesterday joined NBC's station relations department after a three-year service in Pittsburgh as general manager of KDKA.

Woodman joined the staff of WEAF in 1925 as sales and station contact man. When NBC was formed a year later he became traffic manager, and held that position until he was sent to Pittsburgh.

Half-Hour Added to Schedule of WCKY

CINCINNATI, Nov. 16.—WCKY, NBC basic Blue, operated by L. B. Wilson, yesterday added 30 minutes to its previous 18-hour broadcasting schedule, and goes on the air at 6:30 A.M., E.S.T. The station signs off at 1 A.M. as heretofore.

Son Born to Robertsons

AKRON, Nov. 16.—A son has been born here to the Merve Robertsons. The father is identified with the commercial department of WADC here.

New Shows on the Air

NBC Symphony Concert

The NBC experiment to mould the first symphony orchestra primarily for broadcasting was shiningly demonstrated Saturday night when, under the baton of Pierre Monteux, the new NBC Symphony of 92 pieces flooded the Red and Blue networks with a concert from 10 to 11:30 P. M.

Lavish, unstemmed spending apparently shows results at times, for the orchestra, despite the haste with which it was recruited, performed brilliantly, a not so remarkable achievement when one considers that practically every top-notch symphony in America was turned to in recruiting its personnel. This is not said to detract from the worth of the orchestra; neither is it intended as a reflection of the manner in which NBC lavished money to build the unit. It is said only because it is our considered opinion that an orchestra numbering among its instrumentalists more than 20 first chair players of other noted organizations and trained by the finest battery of concertmeisters to be found on this side of the Atlantic, could not possibly perform raggedly, even in so short a time after its formation. It is a magnificent unit, which is as it should be. If it were anything else, it would indeed be surprising.

Monteux began the program with Respighi's transcription of the Bach organ "Passacaglia." Followed Mozart's "Haffner" symphony, "Psyche and Eros" reconstructed from Franck's "Psyche," Debussy's "Iberia," and finally "Till Eulenspiegel." The 92 instrumentalists blended throughout in an ensemble of remarkable cohesiveness and it was stimulating to listen to it.

The NBC Symphony will be offered each Saturday for 23 weeks. Following three broadcasts under the direction of Monteux, the baton will be taken up by Artur Rodzinski for three weeks, then by Arturo Toscanini for 10 concerts and concluding with seven return appearances by Rodzinski.

BANNER

Name Revere Officer Of Benton & Bowles

Tom Revere, head of the radio department of Benton & Bowles, Inc., has been elected a vice-president of the agency by the board of directors. He is currently visiting at the agency's Hollywood office, but will return here within 10 days.

A former newspaperman, Revere joined Benton & Bowles late in 1930 from the *New York Post*.

Theatres Sign WHIP Contract

CHICAGO, Nov. 16.—Warners Theatres have signed a contract with WHIP at Hammond, Ind., for a 15-minute broadcast, daily except Sunday, from 1:00 to 1:15 P.M. The contract runs for one year and calls for a program which will include a "man in the street" broadcast twice weekly from one of the Warner theatres, Hollywood news and gossip and a theatre calendar.

Circuit-Station in Tieup

SEATTLE, Nov. 16.—A tieup between Hamrick-Evergreen theatres and KOL of Mutual has been completed here. Under the deal, Hamrick-Evergreen houses present a 15-minute review of the first run films in their five downtown houses three times weekly between 5:30 and 5:45 P. M. In return, KOL receives weekly publicity on the theatres' screens.

Zenith Switch Now Official

The order for the switch of the Zenith Radio Corp. program from NBC to CBS, the report of which has been published here, was officially placed with CBS yesterday. The program, "Zenith Foundation," will begin its stay over CBS Dec. 5, from 10 to 10:30 P. M. It will continue to originate in Chicago, and will be broadcast over 47 stations. J. Walter Thompson now has the account.

WCKY on Either Red or Blue

Effective yesterday, WCKY, NBC station at Covington, Ky., became available to advertisers on either the Blue or Red network of NBC. WSAI in Cincinnati also became available on the same date to advertisers using either network, while WLW continues as optional to either Red or Blue network advertisers, as a substitute for WCKY or WSAI.

Litten Quits KFSD

SAN DIEGO, Nov. 16.—After being with KFSD, local NBC-Blue outlet, for nearly eight years, Glenn Litten has resigned his position as station manager, effective Nov. 30. Although his plans are indefinite he expects to take an extended vacation in the northwest.

New Gulden Series on WJZ

Charles Gulden, Inc., will sponsor a new series over WJZ only beginning Jan. 4, for 13 weeks. The series will be titled "Gulden Melodeers" and will be broadcast Tuesdays and Thursdays from 6:35 to 6:45 P. M. Charles W. Hoyt Co., Inc., is the agency.

Alka Seltzer to Add Four

Alka Seltzer will add four stations to its setup on the NBC-Red for the "Uncle Ezra" program, broadcast Mondays, Wednesdays and Fridays. The stations are: KFBK, KWG, KMJ, and KERN. The agency is Wade Advertising Co.

Radio Personals

STOOPNAGLE & BUDD fly to Hollywood tomorrow . . . Despite the ribbing he has been receiving, G. Braidwood McCoy, of the staff of Publicity Associates, really did a commendable job of interviewing John Montague, the mystery golfer, on the "Newsreel of the Air" program Sunday. McCoy filled in at the last minute when George Hicks was unable to work the assignment . . . The production men at NBC will no longer be known as such. Each has been given the title of "director." NBC has 35 of them, with William S. Rainey in charge . . . Incidentally, speaking of radio production men, or directors, it's a great sight to see them come tearing out of a control room at the end of a broadcast, finger glued to nose, eyes aglow, crying exultantly, "Great show—finished right on the nose!" Finishing on time, it seems, makes a great show, a great production, in radio. Quality apparently counts for nothing . . . Radie Harris will interview Margot Grahame on her Mutual program tonight . . .

✚

Billie Burke will guest appear on Chase & Sanborn Sunday . . . Smile-provoking line is Ed Sullivan's in the *News* that M-G-M is losing $9,000 weekly on the radio show . . . Charlotte Buckwald's woman's program on WNEW is now sponsored by Bulova Watches . . . The movement to revive "Arabesque" is gaining, with the series doing well over WGL in Fort Wayne . . . Connie Bennett and Cary Grant will offer scenes from "Medicine Girl" on the "Silver Theatre" show Nov. 21 . . .

Estimates WNYC Expansion Cost

F. J. H. Kracke, New York City Commissioner of Plants and Structures has reported to Mayor Fiorello H. LaGuardia, that it would cost $40,000 to $200,000 to equip WNYC, municipal station, for world-wide broadcasts, in accordance with the Mayor's plans to make WNYC an international broadcasting station. Kracke said the moneys should be allocated and earmarked before the city applied for the required sanction from the F.C.C. Kracke suggests broadcasts in Spanish to South America.

Star Sells Holiday Series

Star Radio Programs, Inc., has just signed WMMN, Fairmont, Va., for the half-hour women's program, "Good Morning, Neighbor," on a six-day-a-week basis. Latest subscribers to the special holiday series, "The Christmas Tree of 1937" are KDYL, KMO, WBLK and KGU, Honolulu. The Honolulu station is now using four of Star's services to radio stations, including "Good Morning, Neighbor."

Start Chiropractic Series

The Chiropractic Information Bureau has signed a 52-week contract for health talks by Vincent Burns. The series began last night from 9:15 to 9:30 P.M., and hereafter will be heard Wednesdays from 8:30 to 8:45 P.M.

The Newsreel Parade

Movietone News

Vol. 20, No. 19

(20th Century-Fox)

Probably some of the best scenes of the fighting in Shanghai to date are in this issue. They are horrible, with a realism that is readily evident. There is plenty of action, the cameraman seems to have gotten the range of the naval bombardment too, for all the broadsides fired from warships are shown scoring actual hits. The Japanese assault on the "Suicide Battalion" in the warehouse is filmed from a location across the street and bullets can be seen chipping the walls and finding their mark in machine gunners stationed within. The platoon movements of the attackers are clearly seen, and the returned fire from the beseiged forces is caught. The episode closes with the burning of Chapei by retreating forces and the pitiful, bewildered stream of refugees entering the International Settlement. Bonney Powell and Eric Mayell are to be congratulated on their fine camera coverage of the action.

The remaining footage is taken up with shots of the Nine Power conference in Brussels, a short denunciatory talk by Wellington Koo, Chinese representative, and Ed Thorgersen's lively comment on the spectacular plays of the weekend's pigskin scrambles.

Running time, 10 mins. P.

News of the Day

Vol. 9, No. 217

(M-G-M)

Startling, often harrowing, certainly picturing war at its worst, with its dread impact on unfortunate non-combatants, is this issue of News of the Day. Almost the entire footage is devoted to the memorable capture of Shanghai by the Japanese troops, which followed the crucial fall of Chapei.

Clearly seen in all its devastating power is the fall of the city, bombs uprearing buildings in a gush of smoke and scattering wood and stone, fires raging unchecked, set by bombs and by the retreating Chinese, the big guns of the Japanese fleet in action, and the rain of terror from the skies. The most startling of the pictures, which at the same time provide an example of brilliant camera reporting of the news, is the final attack on the doomed battalion of Chinese, the "suicide squad," which imprisoned itself in a Chapei warehouse and defied the enemy. Graphically seen is the final rush, the pelting of bullets, the smashing of windows and the adjoining fire, which forced surrender. Most harrowing are the pictures of the terrified civilians, old women and babies among them, fleeing to the safety of the International Settlement.

The reel devotes a few final minutes to excellent shots of the muddy gridiron battles between Army and Notre Dame and Yale and Princeton.

Running time, 9 mins. A.

Paramount News

No. 30

(Paramount)

Three pigskin tussles, a hockey set-to and the fall of Shanghai highlight the latest Paramount news release. The football games are those of Yale downing Princeton; Pittsburgh continuing its winning streak over Nebraska and Notre Dame defeating Army. The hockey round-up shows the New York Americans besting the Toronto Maroons at Madison Square Garden. The capture of Shanghai by Japan shows the city in flames and the capture of Chinese snipers.

Saved from death, with the sinking of a Greek steamer, by a U. S. Coast Guard cutter, a number of the ship's disabled crew are pictured being rescued. It is the first sea tragedy this winter in which seven perished.

Other clips show Mary Garden, camera shy, upon her return from Europe where she scouted talent for M-G-M, the Damascus River overflowing and leaving in its wake 1,000 homeless and dead in Syria, John D. Rockefeller, Jr., in a talk on unemployment and the opening of Congress with Speaker Bankhead citing four important bills which will occupy the attention of the house.

Running time, 9 mins. O.

RKO Pathe News

Vol. 9, No. 34

(RKO)

The eight topics making up this issue of the reel are average material. There is nothing that stands out particularly. A bit of rare novelty though is the sequence on falconry. The ancient sport, revived by a club in Philadelphia, offers good photographic material as the birds swoop down on small game. The action is capably caught and interesting.

The other items in the reel are: the opening of Congress, the return at Norfolk of the rescued seamen off the Greek ship that went down last week, John Montague's golf match with Babe Ruth and Babe Didrickson, Mrs. Sarah Delano Roosevelt attend the launching of a sailing canoe that will go around the world, Ladies' Day at Pimlico where society women ride for the Alfred Vanderbilt Cup, the signing of the Berlin-Tokio-Rome pact against Communism and a number of exciting plays from last week's football games.

Running time, 9½ mins. P.

Universal Newsreel

Vol. 9, No. 615

(Universal)

A panorama of the warfare in China, so packed with drama as to suggest the presence behind the camera of some guiding production mind, is contributed to this Universal release by Cameramen George Krainukov and Norman Alley. The scenes were photographed in and around Shanghai at the time of the fall of Chapei. The release pictures artillery and bombing planes adding new destruction and desolation to an already desolate city; it shows the pitiful plight of the non-combatants and refugees, many of them too old or too young to remove themselves unaided from cannon and rifle range; it pictures the military toll in dead and injured and reveals personal and group heroism of a sacrificial nature. All this is presented with a seeming dramatic continuity supplied by a theme of destruction, suffering and misery on all sides, in which the participants, reduced to an impersonal status by the horror surrounding them, are too desolate to betray their plight by self-consciousness before the camera, the effect of which is to give the reel its theatrical quality.

The machine-like continuation of the horror and destruction by the Japanese forces robs the film, willingly or unwillingly, of a neutral status. It is not only a moving preachment against war but a telling instrument of anti-Japanese propaganda, as well. It is the most powerful camera document of the Sino-Japanese conflict which this reviewer has seen.

The balance of the reel is devoted to excellent action shots of the scoring plays in three outstanding football games of the past week end. They are the Army-Notre Dame game, the Pittsburgh-Nebraska and Yale-Princeton games.

Running time, 10 1/3 mins. K.

N. Y. Executives to Attend Blank Dinner

(*Continued from page* 1)

companies now plan to attend the function.

Large Group from Omaha

OMAHA, Nov. 16.—Evert R. Cummings, district manager for Tri-States Theatres, has disclosed the list of theatre men, exchange representatives, public officials and other dignitaries who will go from Omaha to attend the A. H. Blank testimonial dinner at Des Moines on Dec. 8.

Expected to represent Omaha and this trade territory are Gov. R. L. Cochran of Nebraska, Mayor Dan B. Butler of Omaha, Henry Doorly, publisher of the *Omaha World-Herald;* W. E. Christenson, *World-Herald* managing editor; Keith Wilson, *World-Herald* film reviewer, and several other public and private interest representatives.

Heads of exchanges in Omaha: Ted Mendenhall, Paramount; Clarence Olson, Warners; Roy Miller, Universal; I. M. Weiner, Columbia; Harry Shumow, M-G-M; D. V. McLucas, United Artists; A. M. Avery, RKO; J. E. Scott, 20th Century-Fox; Joe Rosenberg, Grand National, and M. L. Stern, Capitol.

From Omaha will go Cummings, Ted Emerson, Tri-States exploiteer; Eddie Forrester, Omaha theatre manager; Bill Miskell, Orpheum manager.

From Grand Island, Neb., Harry Schiller, Tri-States city manager; Breck Fagan, Grand manager; Jimmie Pickett, Majestic manager; W. R. Kemp, Capitol manager.

From Hastings, Neb., Orville Rennie, Rivoli manager, and Jack Beachley, Strand manager.

From Sioux City, Ia., L. E. Davidson, city manager for Tri-States, and the following theatre managers: Jimmie Schlatter, Capitol; A. B. Friedman, Iowa; Harold McKenna, Rialto; Bernard Pollock, Hipp; C. W. Peterson, Princess; Ira Crain, Loop.

Cummings pointed out, in announcing the list from Omaha, that Blank, who is celebrating his 25th anniversary in theatre business, pioneered in Omaha with the Rialto and Empress.

Writers Warner Guests

Members of the Ass'n. of Foreign Press Correspondents will be the guests of Warners tomorrow at a party at the Vitaphone studio in Brooklyn. Sam Sax, production chief, will play host to the writers.

PRODUCTION INSURANCE

PRODUCERS need no longer rely upon approximate copies of original negatives. They can have true facsimiles, completely adequate for every purpose. Because the use of Eastman Fine-Grain Duplicating Films readily leads to duplicates that are actually indistinguishable from originals. Every production needs this insurance. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Fine-Grain*

DUPLICATING FILMS

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 119 NEW YORK, THURSDAY, NOVEMBER 18, 1937 TEN CENTS

UA Decision Reported Up To Giannini

Belief Prevails He Will Retain Presidency

HOLLYWOOD, Nov. 17.—Whether or not Dr. A. H. Giannini will continue his present post as president of United Artists is understood to rest completely with him. While no one today would talk, the impression prevailed he is disposed to continue his present post under the impending change in control.

It is known that a condition of the negotiations which commenced with the granting of the original option by Mary Pickford, Charles Chaplin and Douglas Fairbanks assured Giannini complete independence of choice as to whether or not he would continue under whatever company ownership might thereafter ensue.

Alexander Korda, in from New York, is reliably reported disposed to rest on Giannini's independently-arrived-at decision. The U. A. president withdrew as chairman of the

(*Continued on page 5*)

Goldwyn Planning Largest Program

HOLLYWOOD, Nov. 17.—Samuel Goldwyn, who is due from New York tomorrow, is planning his biggest production program for 1938-'39, it was learned today. Tentative plans call for six to eight big pictures among which will be "Kiss in the Sun," one of two Gary Cooper pictures, and two Merle Oberon specials. While no figures were available, it is said Goldwyn will spend more on next season's schedule than ever before.

Will Talk Wanger Deal in Hollywood

HOLLYWOOD, Nov. 17.—Terms for financing Walter Wanger next season will be discussed here at conferences attended by Wanger, Samuel Goldwyn, Alexander Korda and Dr. A. H. Giannini. Wanger has completed his program of six for the current season for which, it is said, $5,000,000 was available.

Under his 10-year deal with U. A.,

(*Continued on page 5*)

Radio—Page 12

To Newcastle

A five-ton truck wended its way through the Wall Street district all of yesterday splashing this banner:

"What do you bankers know about the motion picture industry?

"See 'Stand-In' at the Music Hall."

Justice Dep't Plans Widest Monopoly Quiz

By BERTRAM F. LINZ

WASHINGTON, Nov. 17.—One of the broadest anti-monopoly campaigns ever undertaken by the Government will be initiated by the Dep't of Justice as soon as funds are available, it was indicated today in the disclosure of Attorney General Homer S. Cummings that he has asked that the present appropriation of $472,000 for anti-trust enforcement be increased to $1,000,000.

The Attorney General did not reveal how Budget Bureau officials view his proposal, nor did he make known what industries have been singled out for immediate attack, although it has long

(*Continued on page 9*)

Warners Again Set For "Sears Drive"

Warner salesmen on Dec. 26 will inaugurate the 16-week "Sears Drive" which will extend through Easter Sunday, April 16. The campaign—the second of its kind—is named for Gradwell L. Sears, general sales manager. The drive will get under way with "Tovarich" and "Hollywood Hotel."

The decision to hold the drive was

(*Continued on page 6*)

ERPI'S SERVICING TO BE SOLD DEC. 1

Film Council Proposed for English Bill

By AUBREY FLANAGAN

LONDON, Nov. 17.—The forecast in MOTION PICTURE DAILY yesterday that Oliver Stanley, president of the Board of Trade, would offer an amendment to the Film Bill providing for a film commission, was confirmed today, with the publication of the amendments proposed by Stanley to the House of Commons Films Act Committee.

Another important change as proposed by Stanley, is a clause empowering the Government to reject a quota film passing the cost test after appeal by a trade body. Observers see such a clause as tantamount to the introduction of a quality test, sought by the Cinematograph Exhibitors' Ass'n, and originally disapproved by Government officials.

Stanley asked the formation of a

(*Continued on page 9*)

Picture Jam Forces "Damsel" to Rivoli

Congestion of bookings at the Music Hall places "A Damsel in Distress," the new Fred Astaire musical, in the Rivoli beginning Nov. 24 on a four-week guaranteed run assured by George Skouras. This will be the first Astaire film to play first run outside the Music Hall in New York

The local booking will tie in with ap-

(*Continued on page 9*)

Firm to Cease Operation Jan. 1; Service Dep't To Wall St. Group

The sale of Erpi's theatre equipment service business to a Wall Street group has been completed in all major particulars and is scheduled to become effective Dec. 1, MOTION PICTURE DAILY learned authoritatively yesterday.

The divestment of the service department completes the dissembling of Erpi, under way for the past six months, and that company will cease to operate on Jan. 1. The recording functions of the company will continue after that date, of course, but will be concentrated for the most part in Hollywood and with, possibly, a skeleton executive force remaining in New York. Western Electric's foreign recording, reproducing and servicing activities will be continued.

The principals in the deal for acquisition of Erpi's service business are Roswell C. Tripp and Howard P. Engels, former investment finance officials who are severing their Wall Street connections to devote their entire time to the new venture. Private capital only is involved in the deal

(*Continued on page 6*)

IA Probe Session Breaks Up in Row

LOS ANGELES, Nov. 17.—The state assembly committee probe of alleged I. A. T. S. E. racketeering broke up in a furore at noon today, with bitter arguments as to whether it was ethical to ask William Bioff, personal representative here of George Browne, I. A. president, if Chicago gangsters were imported into Hollywood by the union.

Taking the stand after Robert

(*Continued on page 6*)

Thalberg's Estate Totals $4,469,103

HOLLYWOOD, Nov. 17.—The late Irving Thalberg left a gross estate of $4,469,103, it was revealed by the Bank of America today before filing an inventory in Probate Court. This amount is before deductions for income, inheritance and other levies. The total sum will shrink to $2,244,000. The will makes Norma Shearer, The Bank of America and the Edwin J. Loeb Co. executors.

Three trust funds are to be set up,

(*Continued on page 5*)

RKO Production Post Still Far From Set; Studio Wants Spitz

Hollywood, Nov. 17.—No new studio head for RKO is in immediate prospect. The personnel at the plant appears to favor the continued presence here of Leo Spitz, but there is no reason to believe the RKO president has changed his point of view. As reported, he concedes his limited knowledge of production. Furthermore, he has no desire to abandon New York for headquarters in Hollywood.

Current procedure at the studio is to proceed with commitments on hand without embarking upon new ones, pending the realignment in its final form. In view of rising costs, effort also is being directed toward judicious pruning without any sacrifice of quality.

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(Registered U. S. Patent Office)

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VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Independents Attack Fox Milwaukee Runs

MILWAUKEE, Nov. 17.—With Fox's new Varsity playing two first run pictures on Sundays, complications are seen with independents expected to protest the fact that these films, even though they are sloughs, are not given sufficient exploitation on a one-day showing in a house, which is not strictly a first run theatre.

Further, with 104 more first run features finding their way into the Varsity each year, E. J. Weisfeldt's Riverside, playing a combination film and vaudeville policy, is expected to suffer for lack of product. The Varsity scale is 25 cents to 1 P.M. on Sundays, 35 cents to closing and 25 cents to 6 P.M., 35 cents to closing, Mondays through Saturdays. Shows are continuous from 12:30 P.M.

Names Flanagan

LONDON, Nov. 17.—Hope Williams, London manager for Quigley Publications, has appointed Aubrey Flanagan editorial representative. For the last 10 years, Flanagan has been associated with *The Cinema,* trade daily published here.

Purely Personal

GILBERT KAHN of Kuhn, Loeb & Co.; ZARINA, under contract to SAMUEL GOLDWYN; CHARLES SKOURAS and MIKE ROSENBERG, F. W. C. executives; MRS. SOL WURTZEL, and GEORGE CUKOR, who will direct "Gone With the Wind," yesterday left for the coast on the 20th Century. Cukor told MOTION PICTURE DAILY that the only one signed for a role in "Gone With the Wind" is WALTER CONNOLLY, who will portray Scarlett O'Hara's father. DAVID O. SELZNICK, who was in Philadelphia yesterday, will join CUKOR in Chicago.

•

T. A. CONNOR and A. GIBSON, M-G-M managers in the Britsh Isles, will leave tomorrow for Buffalo where they will visit Niagara Falls. From there they will go west, making several sightseeing stopovers, reaching Hollywood next Tuesday. They are slated to sail for home on the *Lafayette,* Dec. 4.

Quip of the Day

Walter Wanger produced "52nd Street."

Yesterday he gave a cocktail party for Clarence Budington Kelland at the Stork Club.

Address: 3 East 53rd St.

FRANCES LANGFORD, it now is. She gets the third cocktail party of the week—thus far—with Paramount as host and the theatre bearing the company name, the place. The time is this afternoon.

•

RANDOLPH SCOTT will arrive today by plane to spend Thanksgiving with his sister, MRS. CARL ROBBERT, who has come from her home in Sweden to meet her brother for the first time in 14 years.

•

ARTHUR W. KELLY yesterday lunched with FELIPE MIER, prominent Mexican film producer, at the Tavern. WALTER GOULD and TOM MULROONEY also were there.

•

ANATOL LITVAK, director of "Tovarich," is in New York for a brief stay prior to his sailing for a vacation in Europe.

•

FRED S. MEYER, right on top of his schedule, left for Hollywood yesterday.

•

FRED EDWARDS, former chauffeur for S. R. Kent, is now in the vault department of Movietone News.

•

ROBERT W. PERKINS, general counsel for Warners, will return Monday from a week's vacation in the south.

•

HAROLD S. DUNN, general manager for Warners in China, is due from the coast today.

•

ALBERT WARNER and HARRY CHARNAS are due back from the coast tomorrow.

•

GEORGE and MRS. ARLISS will leave for Hollywood Friday.

•

REUBEN MAMOULIAN, MARLENE DIETRICH, JAMES A. FITZPATRICK and HARRY RICHMAN are aboard the *Normandie,* which left England yesterday and is due in New York Monday.

•

OSCAR STRAUS and H. G. WELLS sailed yesterday for England on the *Queen Mary.*

•

IRWIN ZELTNER next Tuesday will celebrate his 11th wedding anniversary.

•

MARY BRIAN is in town from the coast. She is stopping at the Warwick.

•

SOL EDWARDS, Grand National eastern division sales manager, is in Philadelphia talking product deals.

•

HASKELL MASTERS, Canadian division head for U. A., is in town.

•

EDWARD H. GRIFFITH and MRS. GRIFFITH are at the Warwick.

•

HERB CROOKER now plans to leave for Hollywood on Nov. 26.

•

EUGENE PICKER yesterday celebrated his 34th birthday.

•

MRS. JACK OAKIE has returned to the coast.

Seamen Win

The Maritime Union called the Screen Actors' Guild New York office yesterday to inquire whether it was all right for 20 of its seamen members to work for a March of Time sequence at $2 per head. Informed that guild members receive $5.50 for that type of work, the seamen held out for the guild rate and got it.

March of Time's argument that it is a "newsreel" and therefore, should be exempt from the guild's contract governing actors is being studied by guild officials preparatory to a ruling.

Pelton to England On Metro Producing

Fred Pelton, who rejoined M-G-M in an executive capacity after being out of the company for a year, yesterday morning flew in from the coast and in the afternoon sailed for England on the *Queen Mary* to join the company's British production forces.

Pelton said he did not know the specific job he would be assigned to other than "to fill in on problems." Al Lichtman, now in England, will sail for home shortly after Pelton arrives there.

Friedl to International

George Friedl, Jr., has joined International Projector Corp. as director of the company's sound engineering division, it was stated yesterday by Herbert Griffin, vice-president.

Sustains Sunday Ban

ATLANTA, Nov. 17.—The Georgia Supreme Court has affirmed an interlocutory injunction granted by the Thomas County Superior Court restraining the Rose Theatre, Inc., Thomasville, from operating Sunday.

National Reel In 16MM. Is Plan of DeVry

A sixth national newsreel, to make its initial appearance on Jan. 1, is to be on 16mm. film and will be distributed by the Herman A. DeVry Co., Chicago manufacturer of portable and 16mm. projection, both sound and silent, according to *Motion Picture Herald,* out today.

The decision followed the successful growth of 16mm. newsreels produced in various parts of the country by exhibitors, with material pertinent to their communities. The new newsreel will be so made as to combine with local 16mm. reels which theatres are now starting on their own. According to DeVry, more than 100 local newsreels will be used within the next few weeks in various cities.

Small city houses seem to be most interested in the 16mm. reels, the *Herald* will say today. In order to make it possible for exhibitors to make their own reels, the DeVry company has set up a rental system on equipment, which will rent, complete, for $12.50 weekly. Plus the film cost, an exhibitor, it is estimated, can make a local reel for about $15 to $20 per week, running five to eight minutes.

Plan Is Cooperative

The idea behind the national 16mm. newsreel, it is said, is to make available to all theatres with local reels, national scenes of special interest to local audiences, and which are now available from the national 35mm. reels in reduced size. The theatres making their own reels under the DeVry plan are to submit their own negatives to the company for any use it desires. From this combined material would come the national 16mm. newsreel. The company is making arrangements with local laboratories in various parts of the country to handle material on a rush service at minimum cost. Contracts for the equipment are renewable after nine months.

The company also plans to organize a group of 16mm. photographers who will be supplied with identification cards which will permit them to take pictures of local news events. The national newsreel also will be sold through photo supply shops to owners of 16mm. projectors.

It is understood that other manufacturers of 16mm. equipment are studying the plan with a view to starting such projects themselves.

Tugend, Yellen Renew

HOLLYWOOD, Nov. 17.—Twentieth Century-Fox has exercised its option to renew contracts with Harry Tugend and Jack Yellen, writing team responsible for "You Can't Have Everything," "Wake Up and Live," "Love Is News" and "Pigskin Parade," four of the year's Box-Office Champions in *Motion Picture Herald.*

Rogers Coming East

HOLLYWOOD, Nov. 17.—Charles R. Rogers, executive producer for Universal, is going east. He will visit Boston before going to New York where conferences are scheduled with J. Cheever Cowdin and Robert H. Cochrane.

Why

20TH CENTURY-FOX IS YOUR MOST VALUABLE SOURCE OF WEEK-IN, WEEK-OUT PROFITS!

(From an editorial by W. R. Wilkerson in "Hollywood Reporter")

THE other day several of this industry's financial bigwigs were congratulating Darryl Zanuck on the great showing made by 20th Century-Fox. During the conversation, Zanuck made a statement which opened their eyes.

"Don't underestimate the value of the pictures contributed by Sol Wurtzel to our program," he said. "No company has offered a more consistent line-up of 'bread-and-butter' pictures and all exhibitors know it."

Zanuck really said a mouthful. The company that secures the most exhibitor good-will is the company that offers them a program of pictures which is sound from top to bottom. With Wurtzel contributing 26 pictures annually to 20th Century-Fox, this company has been able to maintain a program with no false bottom.

One of the 20th Century-Fox aces developed under Wurtzel is Jane Withers, who has bounced into all the "first ten" lists of boxoffice stars.

Wurtzel has managed to solve one of the boxoffice problems of the lower-bracket pictures by developing several successful "series pictures." The Charlie Chans, the Jones Family films and the more recent Mr. Moto group, gain box-office momentum with each new release. An exhibitor doesn't have to stage an expensive campaign to sell them, for their cumulative value far exceeds that of the usual production in their class.

Zanuck's statement should open a lot of Hollywood eyes to the part producers such as Wurtzel and his aides play in the brighter side of the Hollywood picture.

...and this is the type of picture he's talking about

"SCREAMINGLY FUNNY! HAD THE CUSTOMERS IN STITCHES! WELCOME ENTERTAINMENT FOR ANY BILL!" —*Film Daily*

"SET AS A MONEY-MAKER! EXHIBS WILL HAVE NO TROUBLE SELLING THIS! PLENTY OF LAUGHS!" —*Variety Daily*

"SHOULD PROVE POPULAR AND PROFITABLE IN ANY COMPETITION! SHOULD FULLY SATISFY HER GROWING LEGIONS OF ADMIRERS!" —*Motion Picture Daily*

The lightning growth of Jane's pulling power is one of the biggest box-office stories of the year. Dozens of de luxe theatres have discovered that to their profit. Give this picture—Jane's best—the strong send-off it rates . . . and watch those extra shekels roll in!





JANE WITHERS
in
45 FATHERS
with
THOMAS BECK
LOUISE HENRY
and
The HARTMANS

Directed by James Tinling
Associate Producer John Stone
Screen Play by Frances Hyland and Albert Ray • Based on a story by Mary Bickel

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Report UA Decision As Up to Giannini

(*Continued from page* 1)

board of Bank of America, N. A. in July, 1935, and has several years to go under his present long-term contract.

A meeting of U. A. directors, originally slated for Thursday, goes over one day. The meeting probably will be in the nature of dissolution proceedings of the old company and perhaps an election of a new board of directors. Details of the transfer likewise are slated for attention.

Poll Allied Members On Legislative View

BOSTON, Nov. 17.—Allied States members in this territory are being canvassed by the local organization as part of a national move to determine the organization's legislative stand during the coming session of Congress.

Ballots are provided offering the Allied exhibitor his choice of organizational support for the Hobbs resolution for an investigation of the industry, the Neely-Pettengill bill or a "Guffey Act" for the industry. The same canvass is being made by other Allied units throughout the country, with indications that the national organization will concentrate its efforts to obtain Congressional action on the most popular of the three measures.

The local organization offers the opinion that Congress is ready to enact remedial legislation for this industry.

Ampa to Have Loew Day

Dec. 9 will be M-G-M-Loew Day at the Ampa with many personalities of the organization appearing on the dais. Today, Elmer Wheeler, president of Tested Selling Institute, will be the chief speaker at the International Casino.

Claim "Ebb" Start Big

Paramount yesterday claimed that "Ebb Tide" took in $5,127 up to 5 P. M., the opening day of the picture, and thus exceeded the opening day for the same hours on "Angel," "Souls at Sea" and "High, Wide and Handsome."

Wall Street

Paramount Best Gain on Board

	Open	High	Low	Close	Net Change
Col.	17	17	17	17	+ ⅛
Cons.	1¾	1¾	1¾	1¾	— ¼
Cons., pfd.	8	8	8	8	— ⅛
E. K.	160½	161½	160	160	.....
Loew	58½	59	57⅛	57¼	— ¾
Loew, pfd.	102	102	102	102	—2
Para.	14	14¼	13⅜	13⅜	— ⅜
Para. 1	102	102	102	102	+1¼
Para. 2	12¾	12¾	12⅜	12½	— ¼
Pathe	6½	6¾	6½	6½	.....
RKO	5⅜	5⅜	5¼	5¼	— ⅛
20th Fox	23½	23½	23½	23½	+ ⅜
W. B.	8	8⅜	7¾	7¾	— ½

Sonotone Up Slightly on Curb

	Open	High	Low	Close	Net Change
G. N.	1⅛	1¼	1⅛	1¼	.....
Sonotone	1⅞	2	1⅞	2	+ ¼
Technicolor	19	19¾	19	19¾	— ¼
Trans-Lux	2⅞	3⅛	2⅞	3⅛	+ ⅛

Bond Trading Quiet

	High	Low	Close	Net Change
Loew 3½s '46	99	99	99	.....

(Quotations at close of Nov. 17)

Lever and Rose, Departing, Maintain Careful Silence

By BILL ORNSTEIN

Two interested parties in the U. A. deal left for London and Hollywood yesterday with the departure of Ernest H. Lever, secretary of London Films and spokesman for a British syndicate headed by Kasenove, Akroid & Co., on the *Queen Mary*, and David Rose, vice-president and financial adviser of Samuel Goldwyn, Inc., leaving for Hollywood by train. Both were reticent to discuss terms on the arrangement completed last Friday for purchasing the U. A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford for $6,000,000.

Lever said he was "quite satisfied" with the deal and would not talk about it further than to give his own opinion. He said:

"It is my own opinion that this forms a wonderful opportunity to build up a real cooperation between Great Britain and America in the film industry. I think such cooperation will be of great advantage to both countries. It is in this broad aspect, rather than in dollars and cents, that I look upon the deal. The latent possibilities are further than the immediate advantage to the parties themselves."

When a reporter for MOTION PICTURE DAILY asked for verification of a report that Prudential would not participate in the financing, Lever said: "Have some champagne." The offer was accepted.

Then the reporter said: "Mr. Lever, you are secretary of Prudential. Won't you please tell us about the deal as a bon voyage gesture?"

A Genial Host

"Have a sandwich. They look real good," Lever replied. This offer also was taken up.

"Will any British interests be represented on the new U. A. board?" Lever was then asked.

"I can't answer further than the announcement, which was carefully worded and announced to the press."

The reporter reframed the question.

Lever retorted: "I don't think the public is interested." The reporter reminded Lever that the story was for the trade. Lever replied: "The answer is the same."

"Who are the banking interests involved other than Kasenove, Akroid & Co?" was the next question.

"I can't talk about the constitution of the syndicate at this stage of the game."

"Are there any obstacles which may kick over the deal?"

"There are certain legal aspects which have to be looked into."

"When will the options be picked up?"

"That depends. No date has been fixed. The British interests will first have to investigate the deal and I don't know how long that will take."

"Is the English Government interested?"

"I can't talk about that."

"How about financing American production? Is that provided for in the arrangement?"

"American producers will have to look out for themselves. We are not interested in financing American production."

"How about Korda's financing?"

"That is a local problem for Prudential."

"What are the actual figures involved in the deal?"

"I will not talk about the price."

Seeks to Call Halt

Lever was anxious to end the interview and turning to a personal friend who was in the cabin with Emanuel Silverstone and Morris Helprin, he said: "This is sort of a parlor game It is either animal, vegetable or something else and the more you say the warmer you get."

Another question was put. "Who must sign the papers in England?"

"If I told you that would be more than I have already said. It all depends on who has the power of attorney."

"Who has the power of attorney?"

"I don't know."

"Will there be any British financing for Walter Wanger?"

"No."

Lever ended the interview expressing gratification at the extraordinary hospitality of Americans. He said: "That's more than we do in England." There were two gift packages in his stateroom and Lever seemed to like the idea. He added that he would like to come back again for a vacation, but couldn't guarantee it.

Rose said there was nothing to be added to the stories printed on the deal. He will return in two weeks with the intention of sailing Dec. 1 on the *Normandie* to complete the remaining details.

"College" October Champion in Herald

"Life Begins in College" led the Box-Office Champions for October, as compiled by *Motion Picture Herald* and published therein today. The 20th Century-Fox picture was followed in order by: "The Prisoner of Zenda," United Artists; "Music for Madame," RKO; "Stage Door," RKO, and "The Life of Emile Zola," Warners.

U. A. Firm Dissolved

DOVER, DEL., Nov. 17.—United Artists Continental Corp. has been dissolved here. A certificate of voluntary dissolution has been issued by the Secretary of State.

Thalberg's Estate Totals $4,469,103

(*Continued from page* 1)

one each for the producer's widow and his two children. The children will get an income until they are 35, when the principal will be turned over to them. Another trust fund of $200,000 was created for Thalberg's parents while $166,000 is to be given to other relatives.

Two Leave Republic

Rodney De Sarro, art director, and Paul Radin, assistant advertising and publicity director, have resigned from the publicity department of Republic.

Will Talk Wanger Deal in Hollywood

(*Continued from page* 1)

Wanger is financed 50 per cent by the distributing company and it is likely he will produce six more pictures next season.

Korda, who arrived Tuesday by plane from New York, has been in conference with Dr. Giannini. Wanger is due next week.

Fox Circuit Lowers Scale in Milwaukee

MILWAUKEE, Nov. 17.—Following several months of a 60-cent top at Fox's Wisconsin and Palace, the circuit has dropped the admission to 50 cents in conformity with the Warner.

The houses, formerly on a 35 cent-40 cent-50 cent admission policy, raised the top bracket several months ago, retaining the other two brackets. Under the new policy, the houses are charging 35 cents until 6 P.M., and 50 cents thereafter, and are opening at 11:30 A.M. instead of 11 as before.

Shanghai Theatres Running 50% Normal

Exhibition in Shanghai is operating slightly under half of normal, J. E. Perkins, Paramount manager in China, said yesterday. Perkins left Shanghai early in October. In Tientsin and Peiping theatre business is beginning to function normally, and this also applies to Canton, where theatres are reopening. The shipment of prints by rail out of the office on Museum Road to outlying points is somewhat hazardous due to the military movements, interrupted train schedules and damaged railroad rights of way, Perkins said.

There are approximately eight native production companies in China, Perkins said. Four of these are in Hong Kong. The combined negative output is about 50 features a year. A number of these are silent but sound films are making headway, Perkins revealed. Native features offer keen competition in the interior. Mei Lan Fang, the famous Chinese actor, has not yet appeared on the screen. He is still the leading attraction on the Chinese legitimate stage. Apparently there is an artistic kinship between the Chinese player and our own Katharine Cornell, he said.

Fight Barring of "Road"

NEW ORLEANS, Nov. 17.—Request for an injunction to prevent interference with the performance of "Tobacco Road," at the St. Charles here was filed in Federal Court this afternoon against the City Administration and the Police Dep't by Tobacco Road, Inc., New York owners. It is claimed that the recent barring of the stage production violated both the Federal and Louisiana State Constitution by prohibiting free speech. The play was scheduled for a two-week run, opening on Nov. 22.

Federal Judge Borah has set a hearing for Friday.

To Donate to Charity

In addition to giving a personal contribution to the cause, Dave Apollon in the future will donate all earnings from benefits and charity functions at which he appears to the American Federation of Jewish Charities.

Erpi Service Will Be Sold On December 1

(Continued from page 1)

with Erpi, according to informed sources. The principals are undertaking the deal strictly as a personal business venture.

L. W. Conrow, long associated with Erip's sales force and recently placed in charge of the company's operating division following the combining of installation and servicing departments, will become general operating manager of the new theatre servicing company. The name of the new organization is the only detail not set already.

The Tripp-Engels company will take over more than 7,000 servicing contracts with theatres from Erpi and will also occupy the present Erpi home office in the Fisk Bldg. The bulk of Erpi's existing offices in the field will be taken over, although in the subsequent reorganization of the business several of these will be closed and new ones opened, according to present plans. All of the Erpi servicing and operating forces will be taken over, although only a small number of the company's principal sales executives will be identified with the new company. Erpi's complete stock of sound reproducing equipment parts will also go to the new company.

Erpi Officials to Stay

Among the Erpi officials who will be in executive posts in the new company, in addition to Conrow, are George Carrington, who becomes operating manager; Bert Sanford, Jr., sales director; Stanley W. Hand, executive staff representative in the field, with headquarters at Chicago, and L. J. Hacking, Boston, who will be New England manager.

Eight division offices are to be established with division managers at each, and branch managers will be placed in additional offices to be set up within the eight divisions. Replacement parts will be stocked at centers throughout the country.

The move marks the removal of American Telephone & Telegraph Co. from the field of selling and servicing theatre equipment, the theatre sales end of Erpi's operations having been disposed of during September through the licensing of International Projector Corp. and Motiograph to manufacture Western Electric reproducers. Thus Erpi, which has dominated the sound field since its inception in 1926, will exist in the future only as a holding company for recording license agreements with studios and producers and for the manufacturing licenses.

No Circuit Plan Now To Drop Games Here

Loew's and RKO have no plans to drop games and giveaways from the local circuits Dec. 1, it was learned yesterday. The I. T. O. A. recently sent out pledges to theatre owners and circuit operators in a move to eliminate the practices on the first of next month.

While circuits are in accord with the plan, there is no intention on their part to discontinue Bank Night and Screeno.

They Set Sales Drive for Sears



Cosmo-Sileo Photo

Warner sales executives who met and set the second annual Sears Drive from Dec. 26 to April 16, or 16 weeks. Left to right: Ben Kalmenson, eastern district manager; Leo Blank, midwestern district manager; Wolfe Cohen, Canadian district manager; Gradwell L. Sears; Carl Leserman, assistant general sales manager; Norman H. Moray, Vitaphone sales manager; Robert Smeltzer, central district manager; Herbert J. Ochs, southern and western sales manager; Roy Haines, eastern and Canadian sales manager, and Fred M. Jack, southern district manager.

Warners Again Set For "Sears Drive"

(Continued from page 1)

decided here at a meeting of home office executives who conferred simultaneously with coast officials through a telephone hookup. Participating in the two-way conversations were Jack L., H. M. and Major Albert Warner, Sears, Hal B. Wallis, S. Charles Einfeld, Carl Leserman, Norman H. Moray, Herbert J. Ochs, Roy Haines and Mort Blumenstock.

District managers attending the meeting were Ben Kalmenson, eastern district manager, with headquarters in New York; Robert Smeltzer, central district manager, with headquarters in Washington; Leo Blank, midwestern district manager, with headquarters in Chicago; Fred M. Jack, southern district manager with headquarters in Dallas; W. E. Callaway, west coast district manager, with headquarters in Los Angeles and Wolfe Cohen, Canadian district manager, with headquarters in Toronto.

District by District

Competition in the "Sears Drive" will be conducted by districts rather than by branches. The district managers left for their territories last night to conduct meetings in preparation for the drive.

Jack today will hold a meeting in his Dallas office which will be attended by J. C. Vergesslich, Atlanta; R. L. McCoy, Charlotte; Doak Roberts, Dallas; W. Warner, Kansas City; W. O. Williamson, Jr., Memphis; Luke Connor, New Orleans; and J. O. Rohde, Oklahoma City.

On Monday, Smeltzer will hold a central district meeting in Pittsburgh, with A. Shmitken, Cincinnati; M. A. Mooney, Cleveland; F. E. North, Detroit; W. G. Mansell, Philadelphia; Harry Seed, Pittsburgh and F. Beiersdorf, Washington, attending.

Also on Monday, Callaway will hold a west coast district meeting in Los Angeles with E. A. Bell, Denver; N. H. Brower, Los Angeles; V. Stewart, Portland; Wm. F. Gordon, Salt Lake City; Charles Muehlman, San Francisco; and Al Oxtoby, Seattle, present.

Cohen will call his men in for meetings in Toronto on Monday. They are L. Geller, Calgary; M. J. Isman, Montreal; L. McKenzie, St. John; H. O. Paynter, Toronto; Joseph Plottel, Vancouver and G. A. Simmons, Winnipeg.

Blank will hold his meeting in Chicago on Saturday with the following branch managers; T. R. Gilliam, Chicago; A. W. Anderson, Des Moines; Fred Greenberg, Indianapolis; R. T. Smith, Milwaukee; Rud Lohrenz, Minneapolis; C. K. Olson, Omaha; and Hall Walsh, St. Louis.

Kalmenson will hold his meeting at the New York branch in the Film Center Bldg. the middle of next week with Charles Rich, metropolitan branch manager; Harry Decker, New York and Brooklyn; Harry Hummell, New Jersey; Norman Ayers, Albany; Nat Furst, Boston, and R. S Smith, Buffalo, attending.

Film Men at Meeting

BOSTON, Nov. 17.—Programs for the development of New England's $500,000,000 recreational industry are to be discussed at the meetings of the 13th New England Conference at the Hotel Statler tomorrow and Friday. Film men will hold featured roles in the talks.

"Madame X" Is Passed

TORONTO, Nov. 17.—Banned in Ontario by the censors, "Madame X" has been approved by the Quebec censors. On the other hand, the Ontario reviewers recently approved "The Life of Emile Zola" without question but it was rejected in its entirety in Quebec.

IA Probe Session Breaks Up in Row

(Continued from page 1)

Montgomery, Screen Actors' Guild president, told of his unit's relations with the organization, Bioff was asked by Jack B. Tenney if the unions imported hoodlums from the midwest, explaining that he was requested by an anonymous person to ask. Isaac Pacht, union attorney, shouted that such a question was unethical.

Carey McWilliams, attorney for I. A. members Francis Black, Chester Cohen and Irwin P. Hentschel, who instigated the probe, demanded to be heard. Then the committee adjourned and went into executive session behind closed doors with the attorneys.

Bioff, on the stand, said his salary is $110 weekly, with $12 per day for expenses, and contradicted Montgomery's testimony concerning his presence at Louis B. Mayer's home at the final conference before the guild obtained the pact on working conditions for actors. Montgomery said Bioff's presence was voluntary but Bioff said he was invited. Montgomery said the guild held no animosity against the I. A. and that the guild was grateful for Bioff's "offer of aid" before the producer pact was signed.

Blames Communists

Bioff told the committee that unrest among unions is caused by Communists within the ranks. Asked the definition of Communists by Assemblyman Frank Tenney, Bioff said they were persons who are un-American and then added some choice, unprintable profanity which he thought descriptive of them. Bioff said that only 200 members are out of work at present and that if the locals had autonomy, producers might cancel the closed shop agreement. If the locals are self-governing, he said, jurisdictional disputes would result and intense hatreds would flame.

Pat Casey, producer labor contact man, was the last witness today.

Committee members said a long list of top producers has been subpoenaed for tomorrow but would not disclose names.

Mentone Signs Deal With Actor's Guild

Mentone Pictures yesterday signed a contract with the Screen Actors' Guild, establishing a closed, or guild shop, for the company's eastern production activities.

The signing of the pact leaves only March of Time and Pathe commercial films outside the guild fold in eastern production circles. Guild action on the former is indicated by the end of next week and on Pathe commercial thereafter.

Steinbuch's Son Dies

CLEVELAND, Nov. 17.—Charles Steinbuch, five-year-old son of Everett Steinbuch, manager of Loew's State here, and formerly manager of New York houses for the circuit, is dead here.

Terry Speaks on Films

NEW HAVEN, Nov. 17.—Paul Terry, originator of the Terry-Toons, addressed the class meeting in "Technical and Aesthetic Aspects of the Motion Picture" at Troup Junior High School yesterday.



ALICE FAYE *as she looks in "You're a Sweetheart" according to Esquire Magazine's famous "Petty"*

A New Universal Picture



Film Council Proposed for English Bill

(*Continued from page 1*)

council, to be known as the Cinematograph Films Council, consisting of 21 members to be appointed by the Board of Trade. Eleven would have no financial interest in the industry, there would be two producers, two distributors and four exhibitors, two representatives of labor, a chairman and one woman representative.

Its functions will be to review the progress of the industry, with particular reference to production, and report to the Board of Trade when advisable. It will also be available to the Board of Trade when its advice is sought, whether at the request of persons interested in the trade or others. It will make an annual report to the Board, which in turn will be presented to Parliament. The Board, on the other hand, will supply the council with needed information. Ten members will constitute a council quorum and the council will be empowered to regulate its own procedure. Members will hold office in accordance with the terms of their appointment, will be eligible for reappointment, but will not be eligible to serve more than three years.

Dual Chairman

The powers and function of the advisory committee were defined in another proposal. It will include representative members of the council, and five other members, including one woman. The chairman of the council also will be chairman of the advisory committee.

The commission amendments are almost certain to be accepted, resulting in the discard of other commission proposals. The idea caused general satisfaction among producers and exhibitors, but grave concern among distributors, the latter believing that it sets a dangerous precedent.

Other Stanley amendments propose blind booking restrictions and empowers the advisory committee to alter the quota percentages. Other amendments, already indicated, will be studied by the Commons committee. Action also is expected regarding separate quotas.

Woolf, Ostrer Dissent

Further criticism of the quota act was voiced by Charles M. Woolf, head of General Film Distributors, and Maurice Ostrer of Gaumont-British. Woolf expressed the belief that the legislation would not be satisfactory, and scored the lack of trade unity. It is essential that reciprocity be based on the good will of both sides, he said. The trade is unable to force the public to see pictures, he declared. Ostrer expressed opposition to the separate quota for producers and said reciprocity is the only solution. It is impossible to make a profit without the American market, he said. The Government is studying the Ostrer proposal for reciprocity. On the basis of a 20 per cent quota and 500 films imported annually, Ostrer foresaw British producers getting £800,000 to £1,000,000 from the American market.

Labor union representatives, of the Film Industries Employes Council, embracing all unions, addressed members of the House of Commons today, asking for separate quotas, fair wages clause and other matters and opposed reciprocity.

A distributor group which saw Stanley is engaged in furious lobbying on the bill in the House of Commons.

Canadian Product Rents High

LONDON, Nov. 17.—Central Films, Vancouver, Canada, producing company, whose production finances are supplied by Columbia Pictures, is registered here under the British quota and already has delivered three registered films. The product is being sold at better rentals than is customary for Columbia quota films. Columbia is four features short on its quota for the year and is understood to be accelerating the delivery of films from Central.

Out Hollywood Way

HOLLYWOOD, Nov. 17.—WAYNE MORRIS will be teamed with PRISCILLA LANE in "Everybody Was Very Nice," which STANLEY LOGAN will direct at Warners . . .

TEX RITTER's next picture for Grand National will be "Rollin' Plains," which RAY TAYLOR will direct . . . BEN BLUE gets the top role in Paramount's "Romance in the Rough," which FANCHON will produce . . . Universal has borrowed HERBERT MARSHALL from RKO for the adult lead in DEANNA DURBIN's starring vehicle, "Mad About Music," which starts Nov. 15. . . .

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Casting—FRANCHOT TONE and MICKEY ROONEY in "Love Is a Headache," M-G-M . . . FRANK CRAVEN in "A Family Vacation," M-G-M . . . JANE BRYAN in " A Slight Case of Murder," Warners . . . RALPH BELLAMY in "Food for Scandal," and GEORGIA CAINE in "Jezebel," Warners . . . WALTER CATLETT and FRITZ FELD to "Bringing Up Baby," RKO . . . RKO has borrowed VIRGINIA WEIDLER from Paramount and DONALD CRISP from Warners for "Vivacious Lady," shooting on which will be resumed shortly. The picture was called off in the middle of production last spring when JAMES STEWART became ill. GINGER ROGERS is starring . . .

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Writers and *Story Buys*—Universal has purchased an original, "Skip Tracer," by WILLIAM A. PIERCE, assistant to CHARLES R. ROGERS, and RAY SCHROCK . . . ANDREW MORTHLAND, former M-G-M reader, has been made a staff writer under DR. JOHN GALLISHAW . . . Warner writing assignments: ELAINE RYAN and FRANK CAVETT to "Comet Over Broadway," FAITH BALDWIN story; ANTHONY COLDEWAY, an original screenplay for "Blondes in Trouble"; LAWRENCE KIMBLE to the screenplay of "Three Cheers for the Irish."

"Ecstasy" Action Is Marked Off Calendar

The suit brought by Eureka Prod., Inc., distributors of the censored picture, "Ecstasy," against Herbert H. Lehman, Governor, John H. Bennett, Jr., Attorney General, Frank P. Graves, Commissioner of Education, and Erwin Esmond, Director of the Motion Picture Division of the Dep't of Education of New York State was marked off the calendar when it was called for trial in the U. S. District Court yesterday.

Federal Judge John C. Knox upon consent of both sides sent the case to the Statutory Court. The Statutory Court usually hears cases which involve only constitutional questions. Eureka contends that censorship regulations of New York State interfere with interstate commerce and are, therefore unconstitutional. It is claimed that when "Ecstasy" was passed by the customs authorities, New York lost jurisdiction to censor the film.

Withdraw William Fox Warrant

A warrant for the arrest of William Fox was returned to the U. S. Distict Court here yesterday by U. S. Marshal John J. Kelly at the request of Cravath, de Gersdorff, Swaine and Wood, attorneys for the Capitol Co. of California, a judgment creditor of Fox.

The warrant was issued by Federal Judge William Bondy for a contempt of court allegedly committed by Fox in failing to appear for an examination in supplementary proceedings. A fine of $235,082 together with $10,000 counsel fees was assessed. Attorneys for the judgment creditor in their letter to Marshal Kelly stated that the U. S. District Court for New Jersey, where the Fox bankruptcy is pending, had issued an order staying the execution of the warrant and directing its withdrawal.

Adjourn Lord-Pathe Trial

Trial of the breach of contract suit brought by Phillips Lord, known professionally as Seth Parker, against Pathe Film Corp. started in the U. S. District Court here yesterday before Federal Judge John Clancy and a jury. After the selection of the jury and opening statements by attorneys for both sides, the trial was adjourned until this morning. Lord claims that he prepared his yacht for an extended Pacific voyage for the purpose of producing a picture. He alleges that Pathe agreed to share half the expense and furnish camera men in return for 50 per cent share of the gross receipts, but that Pathe refused to perform its part of the deal.

Orders Quiz in Infringement

An examination before trial in Los Angeles of Robert Montgomery and William Ellfeldt in connection with the copyright infringement suit of Irving Gielow against Warners and M. Witmark & Sons was ordered by Federal Judge Henry W. Goddard in the U. S. District Court here yesterday. No date for the examination was set. Gielow is suing for $1,500,000 for alleged plagiarism of his songs, "Flirtation Walk" and "Mr. and Mrs. is the Name" in the Warner picture, "Flirtation Walk" and two shorts also produced by Warners.

Justice Dep't Plans Widest Monopoly Quiz

(*Continued from page 1*)

been known that the film, oil, steel and cement industries have been under the scrutiny of department agents.

Enforcement of the anti-trust statutes is one of the most important duties of the department, Cummings declared, and additional funds are sought to permit an expansion of the staff and the undertaking of a number of cases in which action is believed necessary.

The Attorney General also disclosed that the department is working on a report on anti-trust statutes to be submitted to Congress for consideration in connection with legislation modernizing those laws, which was listed by President Roosevelt as one of the matters for consideration during the special session.

Picture Jam Forces "Damsel" to Rivoli

(*Continued from page 1*)

proximately 200 day-and-date engagements in first runs throughout the United States and will make the film available for the RKO circuit in Greater New York for Christmas and New Year's bookings.

The unexpected switch traces to the situation at the Music Hall. "Stand-In" opens there today and will be followed Thanksgiving Week by "Nothing Sacred," which is expected to run two weeks. W. G. Van Schmus is understood to have earlier given Columbia an opening date of Dec. 16 on "I'll Take Romance" which has been guaranteed two weeks. The open week between "Nothing Sacred" and the Moore film would have blocked out "A Damsel in Distress" from a second week.

This was not acceptable to RKO and the Rivoli deal followed. It is understood RKO was willing to accept dates trailing "I'll Take Romance," but that this was not satisfactory to the Music Hall because it would have meant the Astaire film then would be playing locally in the wake of the nationwide, simultaneous runs which RKO has lined up.

Australian Papers Merge

SYDNEY, Oct. 25. (*By Air Mail via London*).—The two Australian trade journals, *Everyones* and *The Film Weekly*, have merged. The directorate of the combined organization has been realigned, and a new and larger paper is planned. The other trade publication in the country is the *Exhibitors' Monthly*.

Flash Previews

"True Confession"— . . . Frisky and freshly plotted comedy. . . . Was enthusiastically received by swanky Hollywood preview audience. . . . A fine piece of merchandise.

"Uncivilized"—Australian scenes interesting, which is more than can be said for the dramatic content. . . . Follows "Tarzan" lines.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Rep



MANHATTAN ME

PHIL REGAN

LEO CARRILLO

ANN DVORAK

TAMARA GEVA

JAMES GLEASON

GENE AUTRY

TED LEWIS
AND HIS ORCHESTRA

CAB CALLO
AND HIS COTTON C

Republic
PICTURE

PRINTS NO

5 HIT TUNES: "HAVE YOU EVER BEEN IN HEAVEN","MAMA, I WANI

ublic's



RRY-GO-ROUND

ESTRA
AY THOMPSON
AND HER RADIO CHOIR

JOE DiMAGGIO

HENRY ARMETTA

LUIS ALBERNI

MAX TERHUNE

SMILEY BURNETTE

LOUIS PRIMA
AND HIS BAND

EXCHANGES

KE RHYTHM", "I OWE YOU", "ROUND-UP TIME IN RENO", "ALL OVER NOTHING AT ALL"

Gihon Assigned to NBC Television Job

John Gihon has been assigned to production and television work under John Royal, vice-president of NBC. Gihon comes to New York from Pittsburg, where he was program manager of KDKA.

Gihon came to KDKA from the Chicago studios of NBC in 1933, with a background of six years in radio.

Seeks New Station In North Carolina

WASHINGTON, Nov. 17.—Application for authority to construct a new broadcasting station at New Bern, N. C., was filed with the F.C.C. yesterdey by Jonas Weiland of that city. The station would operate on 1,370 kilocycles with 100 watts power.

Also filed with the commission were applications of WIND, Gary, Ind., for authority to increase night power from 1,000 to 5,000 watts, and WBRC, Birmingham, Ala., for authority to increase day power from 1,000 to 5,000 watts.

WFIL's Transmitter Work to Start Dec. 1

PHILADELPHIA, Nov. 17.—WFIL here will begin work on its new transmitter Dec. 1, according to Donald Witycomb, station general manager. Arrangements have been completed for the acquisition of a 38-acre tract of land, fronting on the Schuylkill River, in the southwestern section of the city.

Building plans call for the erection of a two-story colonial type house to serve as combination technical laboratory and living quarters. Because of the isolated location of the site, it will be necessary to construct a half-mile macadam road. Paul Godley will supervise the technical construction, while Walter Thomas will handle the architectural work. It is estimated that completion will take two months at an approximate cost of $125,000.

Theatre Opening Broadcast

The opening of the West End Theatre in Harlem will be broadcast over WNEW from 8:30 to 9 P. M. tonight. Cab Calloway, W. C. Handy and Ethel Waters will be among the guests appearing before the microphone.

Beginning Nov. 23, WNEW will present an all-colored review and amateur show from the stage of the West End Theatre, from 11 to 12 P. M. each week.

Three More Join World

Three more stations have joined World Broadcasting, making a total of 17 stations which have become affiliated with it during the past four months. The new subscribers to World program service are KRMC, Jamestown, N. D.; WFBG, Altoona, Pa.; and CFAR, Flin Flon, Manitoba, Canada.

"Earaches" Becomes Sustainer

The Harry Conn program, "Earaches of 1938," has been scheduled for sustaining presentation on CBS, beginning Nov. 28, from 8:30 to 9 P. M. The series will feature Conn, Beatrice Kay, Billy Jones, Barry Wood and Mark Warnow's orchestra.

IRNA Deal Evasion Will Bring Boycott

Stations failing to return signed copies of the final IRNA trade agreement to the A. F. of M. by Dec. 1 will be boycotted by union musicians, according to the terms of the document, now in the mails.

Each station will deal with its local union. A general stoppage of union music, tantamount to a general strike, can only be averted if a sufficient number of stations sign the contract, according to the A. F. of M.

Independent stations have been advised to begin active negotiations with the A. F. of M. by the IRNA negotiating committee in a letter issued to them yesterday.

Under the plan of the IRNA settlement, NBC and CBS will reimburse the network affiliated stations with $200,000 annually. Additionally, the networks will increase expenditures for musicians' salaries for the key stations. NBC will spend $300,000 per year, and CBS $180,000.

WSAL Is Dedicated

SALISBURY, MD., Nov. 17.—Salisbury's new station, WSAL, was dedicated today with a program broadcast from the Wicomico Hotel from 10 A.M. until noon. Speakers on the program included Mayor Alfred T. Truitt, I. L. Benjamin, president of the Chamber of Commerce, Dr. J. D. Blackwell president of the State Teachers' College, and Dr. Thomas A. Williams, pastor of Wicomico Presbyterian Church. Work is being rushed on completion of the new studios and the 180-foot antenna tower.

Hayes Quits WHBC Post

CANTON, O., Nov. 17.—Clarence W. Hayes has resigned as general manager of WHBC here. Frederic Freeland, formerly of WTRC, Elkhart, Ind., is a new announcer here, while Tom McClowry, formerly with WADC, Akron, has joined to do continuity and announcing.

Renew Arden Contract

Victor Arden has been renewed for the third term as the director of "Musical Moments," the transcribed series sponsored by Chevrolet and heard over 350 stations.

New Shows On the Air

"Truth Behind the News"

Johannes Steel, formerly foreign editor of the *New York Post,* brought his program, "The Truth Behind the News as I See It," to the WMCA microphone Tuesday. At first hearing we label it as one of the very best programs of its type on the air. Steel is one of the most informed persons in America on foreign affairs. To this virtue add a pungent, forceful delivery and a keen, analytical style, and you have the reason for our summation.

He discussed the economic situation in Japan as a result of Japan's imperialistic policy in China; Germany's designs on Czechoslovakia and their possible repercussions; the American policy at the Nine-Power Conference in Brussels, and the situation in Rome.

The series is unsponsored, and it is presented each Tuesday at 7:45 P. M. over WMCA.

"Hollywod Screenscoops"

To the multiplying list of screen commentators on the air add the name of George McCall, syndicate columnist, who on Tuesday began a new series for Old Gold cigarettes on the CBS network, titled "Hollywood Screenscoops."

McCall, knowing that several of his contemporaries have been spanked for going beyond the pale of good taste, sagely confined his remarks to pleasantly unimportant topics, but his chatter sells well. Between sprinklings of gossip he praised Carole Lombard and Fred MacMurray for insisting that John Barrymore receive equal billing with them for the picture, "True Confessions," boosted Barrymore's performance, rated the picture as the "bull's eye" production of the week. An interesting department is his "10 Years Ago—And Today," in which he mentions players prominent in those days, and makes comparisons with their present status.

"Hollywood Screenscoops" is presented Tuesdays and Thursdays from 7:15 to 7:30 P. M. over CBS, for Old Gold cigarettes. Lennen & Mitchell is the agency. BANNER

Radio Personals

J. R. POPPELE, WOR chief engineer, has returned from the Inter-Americas Radio Conference in Cuba. . . . Dr. Allan Roy Dafoe is in New York and will broadcast from the WABC studios for the next week. . . . Jim Sauter of Airfeatures, Inc., left for Baltimore last night on business. . . . Davis Walsh, syndicate sports editor, will be on Lou Little's football program Friday over WOR. . . . Louis K. Sidney, who was scheduled to be here for last night's "Night of Stars" show, of which he is chairman, wired regrets from Hollywood, where he was detained on business. . . .

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Jimmy Jemail of WHN has recovered from a throat ailment and will resume his broadcasting Monday . . . Jess Sparks, WOR-Mutual announcer, will complete 12 years in radio at the end of the month . . . Gladys Swarthout will appear as soloist on the Ford "Sunday Evening Hour" Nov. 28 . . . Gene Ford of the WHN production staff has written a marching song, "Spirit of Variety," which has been accepted as the official tune of the Variety Clubs of America . . . Peter de Rose will be feted at a party at the Hotel Piccadilly Saturday . . .

Sharp Leaves KSD

ST. LOUIS, Nov. 17.—Dick Sharp, continuity editor of KSD, has resigned to take a position with the W. K. Nash agency of this city. J. M. Todd has been named continuity editor to succeed Sharp, and Clair Callihan has been added to the continuity staff.

Rev. Bateman to Broadcast

A 52-week contract between WHN and the Rev. Elmo Bateman has been signed. Rev. Bateman will deliver a series of talks over the station Sundays from 5 to 6 P.M.

Runyon Starts Tour Of Stations of CBS

WASHINGTON, Nov. 17.—Mefford R. Runyon, CBS vice-president in charge of company-owned-and-operated stations, has arrived in Washington as the first stop in an inspection tour of the eight CBS stations.

Runyon was the guest of officials of WJSV, the local station, at an informal lunch at the Willard Hotel. Among those in attendance were Harry Butcher, vice-president in charge of the local office; Jess Willard, WJSV station manager; Arthur Godfrey, announcer; representatives of the trade and public press, and Frank Russell, vice-president of NBC.

Cuba Meet Approves Wide Police System

HAVANA, Nov. 17.—A proposal for the establishment of an international regional police radio communication system, proposed by the delegates from the United States, has been approved by the technical committee of the radio conference meeting here. Six frequencies are assigned to this service.

The committee also adopted a set of principles, proposed by the U. S., relating to the establishment of air navigation aids, including radio beacons.

To Fight F.C.C. Order

CLEARWATER, Fla., Nov. 17.—H. H. Baskin, president of Florida West Coast Broadcasting Co., which operates WFLA here states that he will carry to the U. S. Supreme Court if necessary his fight for a rehearing before the F.C.C. Over Baskin's protests the Commission granted WIOD, Miami, the right to broadcast on 610 kilocycles. Clearwater, on 620 for a number of years, finds that the proximity of the Miami band causes "cross talk" interference between the stations, the broadcasting official said.

Lowe Starts WNEW Talks

David Lowe, film commentator and critic, will be heard in a new series over WNEW each Thursday and Saturday at 9:15 P.M. The broadcast will be titled "Sound Track." Film gossip and reviews of pictures will be presented.

Fletcher Show to WOR

Tex Fletcher, the radio "cowboy," will begin a new three times a week sponsored series over WOR Nov. 22. Bell & Co. will sponsor, through the Anderson, Davies & Platt agency. The schedule is for Mondays, Wednesdays and Fridays.

Borden Names B. B. D. & O.

The Borden Co. has appointed Batten, Barton, Durstine & Osborn to handle the advertising of its Borden Farm Products Division. The appointment becomes effective Jan. 1.

Lombard, MacMurray on Air

Carole Lombard and Fred MacMurray will appear on "Hollywood Hotel" to preview scenes from their latest picture, "True Confession," Nov. 26 over CBS.

Symphony Back to WOR

The Bamberger Symphony will return to WOR Dec. 3, from 10.15 to 11 P. M., for the ninth consecutive season.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 120 NEW YORK, FRIDAY, NOVEMBER 19, 1937 TEN CENTS

Concession on Films Will Be Asked of U.K.

To Be U. S. Trade Treaty Discussion Factor

By BERTRAM F. LINZ

WASHINGTON, Nov. 18.—Plans for negotiation of a reciprocal trade agreement with the United Kingdom, considered the most important of all the treaties undertaken by the Administration, were announced today by Secretary of State Cordell Hull.

Making public a list of the most important commodities entering into our trade with the United Kingdom, the department gave indications that motion pictures were considered sufficiently noteworthy to comprise one of the items on which this Government will ask better treatment from the British. Exports of films last year totaled 63,247,000 linear feet with a value of $1,496,000, against 61,190,000 feet valued at $2,052,000 in 1929, and in addition shipments of film projectors, sound equipment and other projection apparatus amounted to $924,000 last year compared with $4,495,000 in 1929.

An invitation to suggest commodi-

(*Continued on page* 17)

"Love I'm After" at $37,850 Strand Week

"It's Love I'm After" tallied $37,850 for the first seven days at the Strand. The picture will be succeeded next Wednesday by "The Life of Emile Zola" for the first time on Broadway at popular prices after a three-month two-a-day engagement at the Hollywood.

"The Awful Truth" finished a

(*Continued on page* 30)

CBS Will Take Over Ampa Meeting Dec. 2

Ampa will turn over its Dec. 2 meeting to CBS, which will be attended by six vice-presidents and numerous radio stars in addition to William S. Paley, president, it was said yesterday. There will be no meeting next Thursday, Thanksgiving Day. The Dec. 9 gathering will be M-G-M-Loew Day with Howard Dietz as master of ceremonies.

Elmer Wheeler, expert on selling

(*Continued on page* 28)

Additional developments in radio yesterday on pages 25-28.

U. S. Industry Pins Hopes On English Trade Agreement

The American film industry pins strong hope on provisions being incorporated in an Anglo-American trade treaty to eliminate any onerous features which may remain in the British film quota act in its final form, it was made clear in authoritative trade quarters here yesterday.

Washington discussion of the treaty serves to recall the recent visit of Will H. Hays to President Roosevelt at the latter's Hyde Park residence during which, Hays told newspaper men at the time, the industry's attitude toward both the Anglo-American trade treaty and the proposed British film quota act were submitted to the Chief Executive.

It is also known that the organized industry already has presented its views to the State Dep't on a trade treaty between this country and Britain. Basically, the industry holds, and has informed the State Dep't, that it does not recognize any justification whatever for a British film quota act and that it stands opposed to any quota law at all. The American industry holds that films, as well as other products, should find their natural market on the basis of their own worth, free of any such limitations and barriers as are imposed by quota laws. The industry has pointed

(*Continued on page* 17)

Committee Starting Work on Films Bill

By AUBREY FLANAGAN

LONDON, Nov. 18.—The Films Bill Committee of the House of Commons started work today on a consideration of the new measure, passing the first three clauses. Deploring the tendency of the distributors to acquire an undue proportion of the quota during the last quarter of each year, Oliver Stanley, President of the Board of Trade and

(*Continued on page* 17)

Needed: Brakes

By RED KANN

VERY simple. In New York, it was WEAF. Elsewhere, it was whatever NBC Red station it happened to be. If you started at eight o'clock, Eastern Standard Time, and if you wanted to, as who knows how many millions did, you could have lounged around your receiving set until eleven o'clock without flipping your dial and you would have heard, or did, the Rudy Vallee show for Standard Brands, the third edition of "Good News of 1938," the M-G-M show for General Foods, and "Kraft Music Hall" with Bing Crosby and Bob Burns. By a convenient change-over to WJZ here in New York and the NBC Blue hookup in whatever city you might have been, fifteen additional minutes, or to 11:15 P. M., would have brought you Elza Schallert commenting about this and that in Hollywood. At no cost, except your time . . . .

▼

This was last night. But there are other nights and other days, seven in each week by the calendar we go by. There is opportunity, as well, to fill the eardrums to the bursting point, and far beyond, with programs dealing with and dipping into Hollywood and what transpires there. In one form or another and whether in previews, chatter, scandal,

(*Continued on page* 25)

Drake to Retain Position As the President of Erpi

Whitford Drake, Erpi president, will continue with that company after the first of the year, when the dissembling of the sound equipment company has been completed and its principal functions will have been confined to licensing and collection of royalties for Western Electric, official spokesmen for the latter company said yesterday.

Drake is now in Europe in connection with Erpi's business abroad and is due back here by the end of the month. Reports of his withdrawal from Erpi to become associated with one of the major film companies, which were widely circulated yesterday, met with unequivocal denials from both Western Electric officials and the film company which was mentioned.

C. W. Bunn, general sales manager

(*Continued on page* 17)

Retain Right To Distribute Through U.A.

Pickford, Fairbanks and Chaplin Hold It

Charles Chaplin, Douglas Fairbanks and Mary Pickford retain the right to distribute through U.A. under the deal by Samuel Goldwyn and Alexander Korda for the purchase of the stock options of the three stars, it was learned authoritatively yesterday. However, none of the retiring U.A. partners is committed to a releasing deal, it was pointed out, and the hope is that if, and when, any of them either produces or appears in pictures that U.A. will be the outlet.

Goldwyn arrived in Hollywood yesterday after spending several weeks in New York on the deal. He was preceded by two days by Korda, who was accompanied by Marcel Hellman. Walter Wanger is due to arrive on the coast next Tuesday by plane.

While the principals are in Hollywood, conferences will be held on lining up new producers. Hellman, who has a contract to make four a year for Criterion Films of London,

(*Continued on page* 17)

Unions in General Talk With Circuits

Broadway theatre operators yesterday met with Local 306 representatives for three and a half hours on a general discussion of terms to apply to projectionists for the next two years.

The meeting was the second in two days and was adjourned until next Monday. No action was taken on any of the points talked over. Attending were C. C. Moskowitz, Dinty Moore, Leslie E. Thompson, Bob Weitman, Aly Reid, Irving Lesser and John Wright for theatres and Joseph D. Basson and a committee for the union.

Delay Guild Hearing In Capital to Dec. 1

WASHINGTON, Nov. 18.—The National Labor Relations Board has postponed until Dec. 1 the hearing, scheduled for tomorrow, on the petition of the Screen Writers' Guild for its designation as the bargaining agent for screen writers.

Hearings for the taking of testimony in the case were held some weeks ago in Hollywood, and the meeting before the board in Washington is for the purpose of hearing final argument.

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Disney Has 20 in Work

HOLLYWOOD, Nov. 18.—Walt Disney now has 20 cartoons in various stages of animation. They are divided as follows: Five Donald Ducks, two of which include Donald with his three little nephews; two Mickey Mouse solo starring vehicles; five with his gang; one with Goofy in his first "starring" role; and seven Silly Symphonies, one of which will reunite the three little pigs and the big bad wolf.

To Award Col. Trophies

Trophies won by the Columbia baseball team during the summer will be presented at the victory dinner-dance of the Columbian Club, home office organization, which will be held today at the King Edward Room of the Victoria Hotel. The Quigley Publications Cup is among the awards, and will be presented by James Cunningham.

Col. Signs RCA Deal

Columbia Pictures will add three ultra-violet recording channels and another portable sound truck to its sound recording facilities, following the signing of a contract with RCA Photophone.

Purely Personal

ER. GOURDEAU, managing director of Astra Films, Ltd., London, has arrived here to negotiate English and Continental contracts on product. He will be here indefinitely, and is making his headquarters at the offices of J. H. Hoffberg Co.

•

MOE SIEGEL, president of Republic Prod., joined with BILL POWERS and HERBERT J. YATES at lunch yesterday. They were among the dozens of well-known film personalities who foregathered at JACK and CHARLIE'S.

•

ROY HAINES, eastern and Canadian sales manager for Warners, will leave Sunday for Toronto to attend WOLFE COHEN'S "Sears Drive" conference with his district managers.

•

ANNA MAY WONG was in San Pedro yesterday to meet her sister, YUENG WONG, who was aboard the *President Hoover* en route to San Francisco.

•

FAITH BALDWIN, author of "Portia on Trial," will hold a press reception today at the St. Regis. The author is in town to see the film version of her story.

Quip of the Day

Walter Wanger, producer of "52nd Street," explaining why and how it came about that he gave a cocktail party for Clarence Budington Kelland at the Stork Club on East 53rd St., said yesterday:

"Very simple. Everyone knows that 53rd St. is a 'Stand-In' for 52nd St."

GREER GARSON, Irish actress, is due Monday on the *Normandie* and will go directly to the M-G-M studio, to which she is under contract.

•

GEOFFREY TOYE, conductor of Gilbert and Sullivan comic operas, will leave tomorrow for Hollywood to study production technique.

•

FRANK MILLER, Paramount theatre partner at Augusta, Ba., left for home yesterday after conferences with Y. Frank Freeman.

•

ARTHUR LEE, G. B. vice-president, is in San Francisco. He is touring G. B. offices on the coast and in the midwest.

•

BOB LYNCH, M-G-M district manager with headquarters in Philadelphia, was in town yesterday.

•

WILLARD MCKAY and NED DEPINET will take in the big football game at Cambridge tomorrow.

•

JACK PARTINGTON has returned from a two-week visit to the coast.

•

WALTER WANGER expects to leave for the coast early next week.

•

BOB BENCHLEY did right well by the fruit at "21" yesterday.

•

S. BARRET MCCORMICK is due from the coast Monday.

Infringement Charge Is Denied by Warners

Warners filed a general denial in answer to the $100,000 infringement suit of Richard Carroll and William A. Drake, authors, in the U. S. District Court yesterday. Warners also stated in its denial that the statute of limitations barred the claim. The authors alleged that they submitted a script to Warners called "Conquest" in 1934, based on the life of General Gorgas and the building of the Panama Canal. After rejection of the script, it is claimed Warners filed a notice of intention with the Hays office to produce a film on the same subject and that as a result the plaintiffs have been unable to market their story. Warners admit the rejection of the script. A dismissal of the suit with costs is asked.

Dismiss Phillips Lord Suit

The $50,000 damage suit brought by Phillips Lord, known professionally as Seth Parker, against Pathe Film Corp. was dismissed by Federal Judge John W. Clancy in the U. S. District Court yesterday on the ground that Lord had failed to produce sufficient evidence which would warrant a jury verdict in his favor. Judge Clancy did not require Pathe to prove its defense and discharged the jury.

Select Files New Complaint

Select Theatres Corp. filed an amended complaint in the U. S. District Court here yesterday in its $10,000 "plagiarism" action against Warners. Its original complaint was dismissed by Federal Judge John C. Knox earlier this month. Select alleges that the Warner picture, "Ready, Willing and Able," is a deliberate "piracy" of its play, "The Audition."

Order Sentry to File Details

Sentry Safety Control Corp. was ordered to file a bill of particulars in its $312,500 breach of contract suit against International Projector Corp. by Justice Isidore Wasservogel in the N. Y. Supreme Court yesterday. Sentry alleges that it licensed International to manufacture and sell home sound film projection machines. The defendants allegedly agreed to pay a $5 royalty on each machine with a minimum guarantee of $62,500 and to establish film libraries for home use. Sentry's suit demands the minimum guarantee with $250,000 damages for alleged failure to supply the film library. International denies the minimum guarantee and sets forth in its answer that its liability under the contract was limited to a $5 royalty on 184 machines sold.

Casey Says Pay Was $87,000 for a Year

LOS ANGELES, Nov. 18.—Pat Casey, producers' labor contact man, testifying today in the state legislature investigation of racketeering charges against the I.A.T.S.E., testified that he received $87,000 a year in salaries and fees and that no part of this was given to any labor union leader.

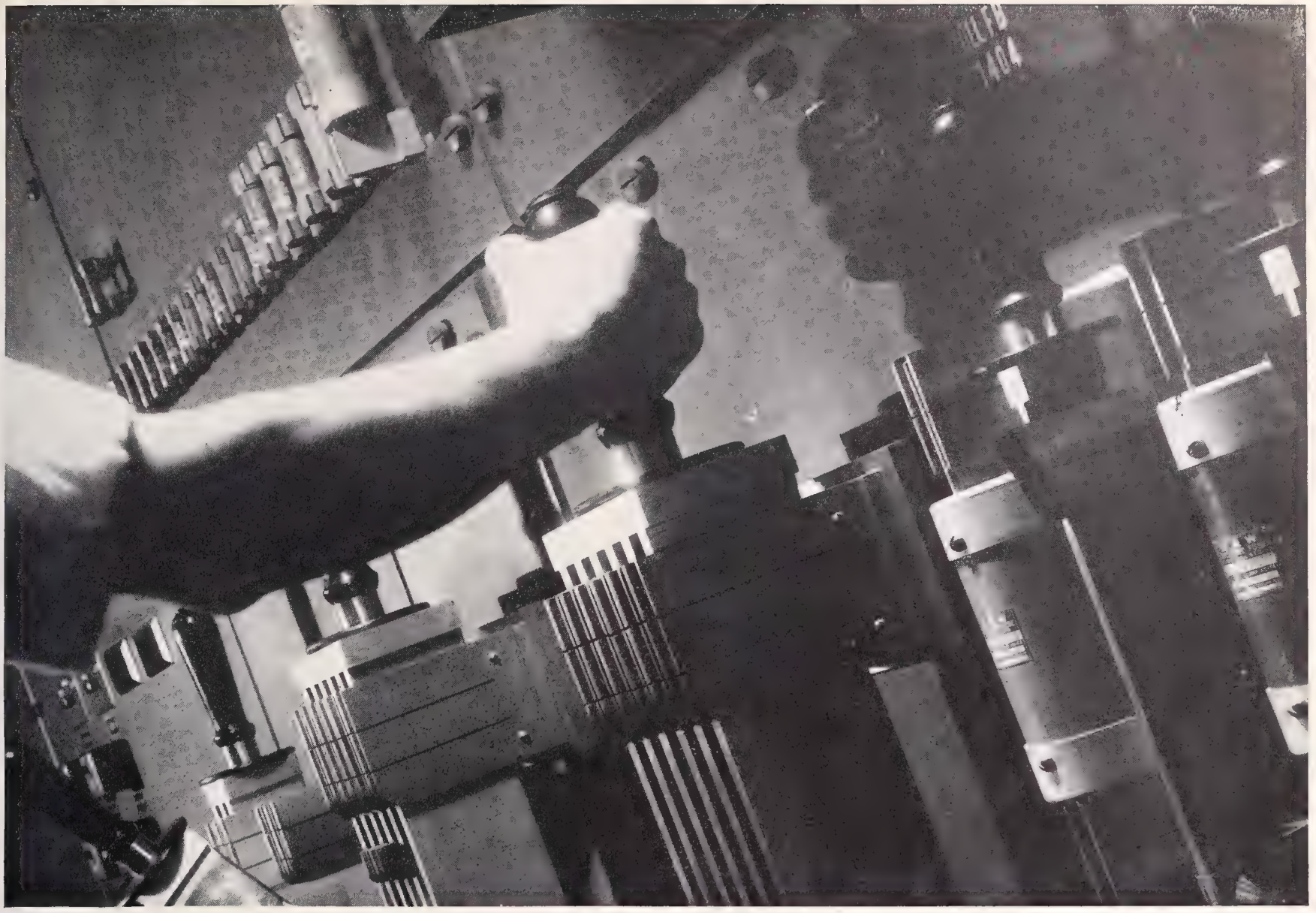
The committee adjourned today until next month after hearing Casey, Harry M. Warner and C. P. Cregan, union auditor, and becoming the center of a bitter fight with Carey McWilliams, attorney for "I.A.T.S.E. Progressives," secret Alliance group, which instigated the probe.

Warner "Satisfied" with I.A.T.S.E.

Warner testified that he knew little of union contacts with studios but was satisfied with the labor situation under the I.A.T.S.E. Cregan testified that four locals of Alliance here disbursed $315,000, of which $133,400 was in salaries between Dec. 1, 1935, and Oct. 31, 1937. Among sundries listed was $5,000 Democratic National Campaign Committee donation in 1936.

McWilliams attempted to introduce in evidence Chicago *Daily News* clippings telling that Bioff, bodyguard for George Browne, I.A.T.S.E. president, was wanted for questioning about Tom Malloy murder. Assemblyman Kennett Dawson refused to admit it, but compromise was effected under which McWilliams agreed to authenticate the clipping.





M-G-M TURNS ON THE POWER!



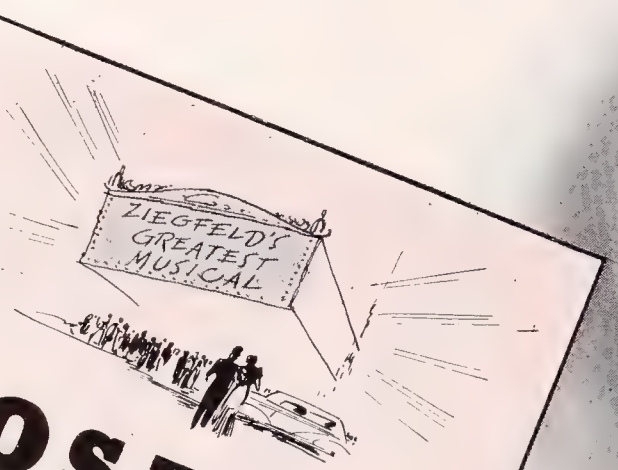
—plug the joyful juice into *your* box-office and electrify the bank book!

[Lead kindly light to next page!]

(Just a moment please before we proceed!)

AND WHAT DO YOU WANT FOR CHRISTMAS?

Get a flock of stockings ready now 'cause you're going to fill 'em all with mazumeh!



"ROSALIE"

The most lavish musical ever on the screen! M-G-M's successor to "THE GREAT ZIEGFELD!"



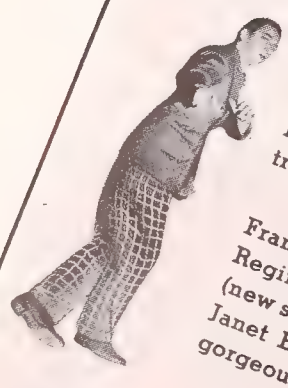
NELSON EDDY

As Army's singing, fighting, loving (*triple-threat*) fullback . . .

ELEANOR POWELL

as the beautiful Princess who loved a West Point cadet.





Plus a Big Cast Including

RAY BOLGER

Direct from his Broadway stage triumph in "On Your Toes."

Also

Frank Morgan, Edna May Oliver, Reginald Owen, Ilona Massey (new screen star!), Virginia Grey, Janet Beecher, and hundreds of gorgeous All-American beauties.

Directed by
W. S. Van Dyke II

NEW TUNES BY COLE PORTER!





There's a man on the next page who just came from California. Listen!





JUST OFF THE TRAIN FROM CALIFORNIA!

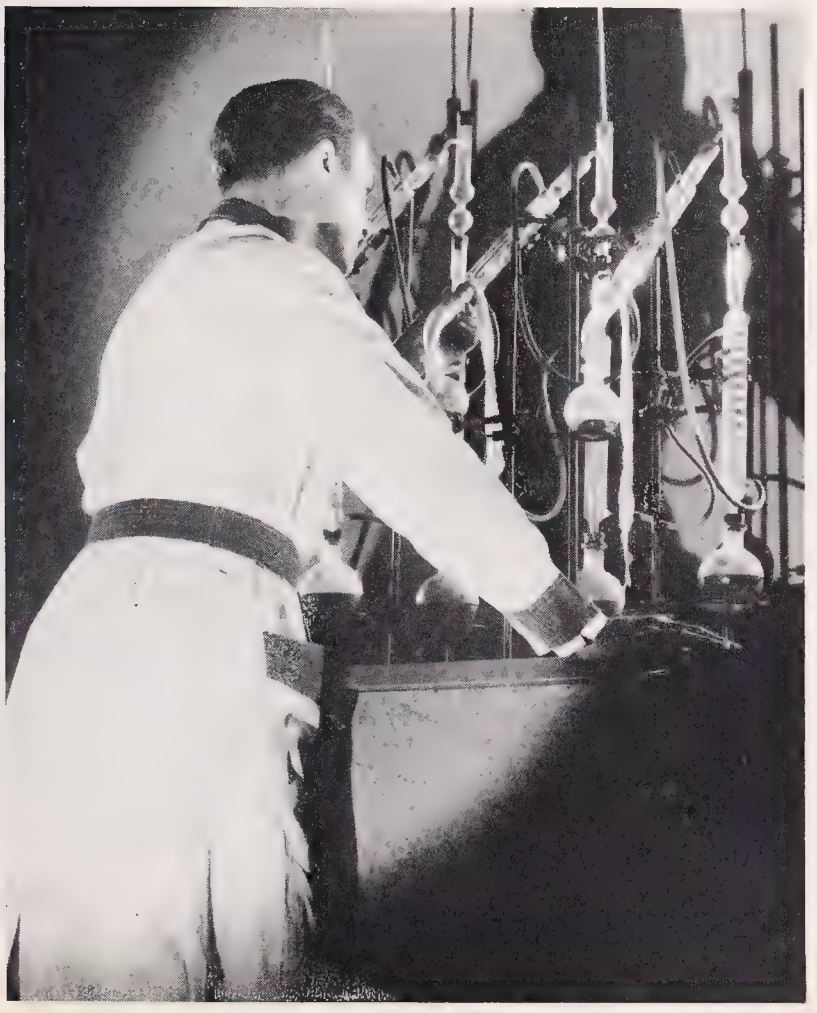
Listen to him!

I'm an M-G-M showman
I visited the M-G-M lot at Culver City
I saw shows completed and in the making
I'm thrilled and you'll be too!
I saw "Rosalie", a box-office sweetheart!
I saw "Mannequin", a clean-up, sure-fire!
I applauded Joan Crawford, Spencer Tracy—
I hail "Mannequin" as Crawford's greatest
I saw "Girl of the Golden West" beginning—
I watched Nelson Eddy, Jeanette MacDonald in it
I predict it will be a Hit of Hits!

(more on next page)

(*continued*)

I saw "Navy Blue and Gold" at a Preview!
I cheered with that enthralled audience
I saw "Four Marys" in a projection room
I salute Myrna Loy, Rosalind Russell, Franchot Tone—
I salute all who helped to make it so great!
I return to my theatre to hear happy news
I find crowds packing in to see "The Firefly"
I enjoyed a big week with "The Last Gangster"
I received my town's acclaim for "Conquest"
I'm proud to be an M-G-M showman
I've made money year after year
I sincerely believe 1937-38 will top 'em all
I saw with my own eyes—
I'm telling *you!*



ANALYZE THE STAR VALUES!

No wonder that M-G-M showman is enthusiastic! He saw just a *small part* of M-G-M's 1937-38 releases and yet what a wealth of names to bring 'em in. Just think of it!

(*And see on next page*)



BOX-OFFICE NAMES ARE PEARLS OF GREAT PRICE!

(And here are only a few of the personalities in the pictures you have just read about!)

"ROSALIE"
Nelson Eddy
Eleanor Powell

"GIRL OF THE GOLDEN WEST"
Jeanette MacDonald
Nelson Eddy

"NAVY BLUE AND GOLD"
Robert Young
James Stewart
Lionel Barrymore

"MANNEQUIN"
Joan Crawford
Spencer Tracy

"CONQUEST"
Greta Garbo
Charles Boyer

"THE LAST GANGSTER"
Edward G. Robinson
James Stewart

"THE FIREFLY"
Jeanette MacDonald
Allan Jones

"FOUR MARYS"
Myrna Loy
Rosalind Russell
Franchot Tone



ROLL UP YOUR SLEEVES and watch the dough roll in. Next page tells how!

HERE'S WHAT IT TOOK TO MAKE THE *Firefly* ROAD SHOWS THE PROMOTION SENSATION OF NEW YORK CHICAGO · BOSTON LOS ANGELES



"and now at POPU-LAR PRICES ... it's a WOW-OW! ,, ...goo-ood-bye MAYTIME here comes 'F-I-R-E-F-L-Y'!"

APPLY THESE SELECTED IDEAS TO

FIREFLY HATS

FIREFLY FASHIONS

FIREFLY JEWELRY

FIREFLY MUSIC

COUNTRY PAPERS

DIRECT BY MAIL

COLOR ROTO

FIREFLY BOARDS

MOTORIZED BALLYHOO

TELEGRAM BLOW-UPS

LUCKY CARDS

MIDGET LETTER

MINIATURE W

15ft. FIGUR



LIVE WIRE!



FIRST POP PRICE
ENGAGEMENTS
SIZZLE!

BEATS MAGIC "MAYTIME"
IN MINNEAPOLIS, ST. PAUL,
OKLAHOMA CITY, DETROIT!

YOUR THEATRE ENGAGEMENT!

METRO-GOLDWYN-MAYER PRESENTS

JEANETTE MacDONALD

THE *Firefly*

TRICK LIGHTING EFFECTS

BIGGEST ... FALL SEAS...

THE FIREFLY BLAZES TONIGHT

JEANETTE MacDONALD FIREFLY GAB-A ASTOR PREMIERE SEPT. 1ST

...NSHIP ADS

"THE FIREFLY" OPENS AT THE ASTOR SEPT. 1st

ASTOR THEATRE THE FIREFLY

ASTOR THEATRE JEANETTE MacDONALD - ALAN JONES WARREN WILLIAM - CAST of THOUSANDS

FIRE FLY

ALLAN JONES

Jeanette MacDonald

VALANCE

TIMELY EVENTS
THE WORLD IN PICTURES
SYLVAN SETTING BRINGS ROMANCE

WINDOW POSTERS

METRO-GOLDWYN-MAYER presents JEANETTE MacDONALD in "The FIREFLY" with ALLAN JONES - WARREN WILLIAM NOW COLONIAL TWICE DAILY ALL SEATS RESERVED

HALF SHEET CARDS

BIG CUT-OUT LETTERS

METRO-GOLDWYN-MAYER presents Jeanette MacDonald in "The Firefly"

Colonial Theatre Boston

MUSIC LOVERS

Sally Promises Thrills to Her Movie Guests

Many Children Ask Invitations to Film Party

Sally Letters Must Go in Mails Today

Kids, It's Fascinating Spy Photoplay Sally Invites You to See

JUVENILE CONTEST

SEE NEXT PAGE FOR COMPLETE DESCRIPTION OF THESE IDEAS

PHILLY GOES SILLY!

THEY'RE GETTING THE MONEY-O IN SAN ANTONIO - Whoops!

ROSIER THAN "ROSE-MARIE" IN MILWAUKEE, BUFFALO, TULSA, CINCINNATI, PORTLAND ABLAZE WITH "FIREFLY" BIZ.

YOU TOO ON NEXT PAGE!



56 STORES

COMPLETE COMPOSITE CAMPAIGN!

Including Description of the Promotion Illustrated in Preceding Double Spread

EXPLOITATION shown inside and above is described in the following items so that you can readily visualize the possibilities of their application to your popular-price engagement. All four Road-Show cities are represented—giving you a composite, cross-section campaign which will directly box-office influence all types of movie-goers.

FIREFLY CANDY. This was a special contest and advertising stunt. 56 full windows and the same number of counter displays appeared in every Dutch Mill Candy Store in Chicago and Cook County. For 3 week-ends that company newspaper-advertised a special Week-End Firefly Mixture at $1.25 for a two-pound package. All tie-up media mentioned the picture. An attractive young lady, in Dutch costume and wooden shoes, handed out "Comment Cards" to each person entering the theatre. Movie-goers were instructed to write their picture opinion in as few words as possible and return the card to the Dutch Mill Hostess stationed in the lobby. For the best comments at each of the two performances daily, the winners received a two-pound box of the special "Firefly" Candy Mixture. This contest was advertised in the newspapers, store windows and theatre lobby.

FIREFLY HATS. An outstanding cooperative arrangement was made with Chicago's Davis Store. Its hat designer created a special model known as "The Firefly", similar to the one worn by MacDonald in the picture. An entire window was given to it with background showing giant cutouts and production scenes. Ads on "The Firefly Hat" ran in the Chicago Tribune and Daily News. Store-wide announcements also called the public's attention to it. The Boston Store followed with a Firefly Hat creation of its own—and exploited it just as strongly.

FIREFLY MUSIC. All leading music stores cooperated with window and counter space. Every one of the popular orchestra and band leaders in each city played one or more numbers on his program. Some of the music went over the air via band radio broadcasts. Special tie-up displays appeared in windows of many musical instrument stores. There are production scenes showing Miss MacDonald at the harpsichord and Allan Jones playing the guitar.

FIREFLY JEWELRY The 7-foot and 3-foot cutouts showing large figure of a dancing MacDonald (see press book exploitation section) are excellent for appearance in jewelry store windows featuring costume jewelry, illuminated dial watches, diamonds or anything else which sparkles, glows or has a lustrous quality or surface.

TRICK LIGHTING EFFECTS. Giant golden-yellow title letters in an Astor Theatre (N. Y.) 3-storied sign glow and flash off and on with "firefly effect". When the sign flashes off, separate dark red bulbs flicker like hundreds of fireflies. Trick lighting stunts add immeasurably to the effectiveness of the picture title and are possible on every type of theatre engagement in some form or other.

SHOWMANSHIP ADS. New York advertised the picture as the First and Biggest Attraction of the New Fall Season in a special series of ads. Singing heads of MacDonald and a glamorous Spanish Senorita illustration were other outstanding pictorial elements. Music, Romance, Spectacle, Glamour and other entertainment angles were stressed in other cities.

COUNTRY NEWSPAPERS. In the preceding double spread you will also see a printed special story with coupon attached, which went out to a special list of newspapers. Personal letters were mailed to another group of editors of country newspapers within a radius of 50 miles. A scene mat and publicity story were enclosed. Letter explained that if they ran the story and mat, and returned tear sheets, they would receive complimentary tickets.

FIREFLY RECORD. Electrical transcription was tied-in with many sustaining and sponsored programs — latter in conjunction with The Firefly Hat, Firefly Jewelry, Firefly Watch, Firefly Music, etc.

JUVENILE CONTEST. The value of continued publicity was realized on the Chicago engagement and the big circulation of the Chicago Tribune was turned into additional box-office profit. Sally Brown, columnist, and also in charge of charitable activities for this newspaper, ran a story on the front page of the second section for 6 days—devoted to picture highlights and asking all Tribune children that desired to attend a picture performance to write her a letter. Children's desire to see "The Firefly" was the keynote of the contest. Children chosen from thousands of replies paraded from the Chicago Tribune to the theatre.

SPECIAL PRESS SCREENINGS. All motion picture, drama and musical critics as well as columnists, managing and city editors were invited to special showings. Resultant reviews were very satisfactory and bore out the advisability of this procedure.

POSTAL TELEGRAPH WINDOWS. Both the Jumbo and regular-size Postal Telegrams appeared in all windows of this company and the latter were house-to-house distributed by their messenger service. See press book exploitation section regarding this tie-up.

MUSIC LOVERS. Members of all singing and musical societies received a special letter concerning the lavish musical presentations in the picture. They were also asked to make comparisons between the MacDonald-Eddy combination and former well-known singing stars who appeared in earlier stage productions of "The Firefly."

WINDOW POSTERS. Timely Events, Inc., issues a weekly poster which is placed in over 8,000 windows in the Chicago territory. Passes secured their cooperation to the extent of placing a production scene in one of the issues.

MIDGET LETTERS. Thousands of miniature envelopes, containing miniature letter inserts, were mailed to the F.O.E. Convention, in Chicago, through cooperation of hotels. This is a good idea even for general distribution—smallness of the envelope makes it stand out from other mail received by residents. Tie it in with something like: "The Smallest Letter in the World Announces the Biggest Musical Attraction on Earth", etc.

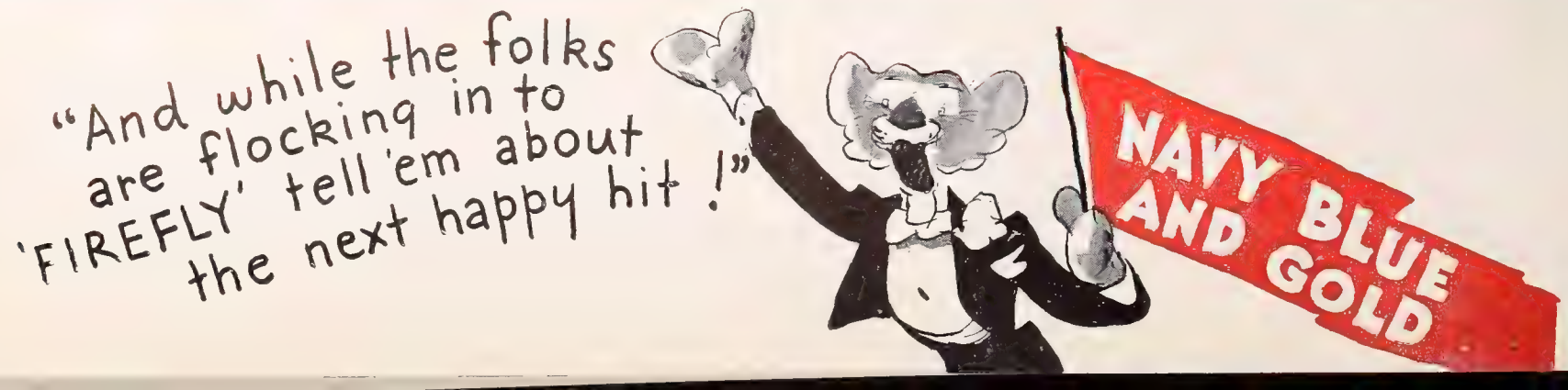
GIANT CUTOUTS. Local enlargements of the guitar-playing figure of Allan Jones and the dancing posture of Jeanette MacDonald—one playing and singing to the other star in a combination display effect—are among the best designs you can use for box-office appeal. Make them up locally.

BIG CUTOUT LETTERS. Appliqued letters of title and star names give the utmost in smash theatre presentation. Title is a natural for this because of its brevity.

VALANCES, FLAGS AND BANNERS. Any important attraction is only as big in the public's mind as you sell it. Therefore use valance, flag and banner material on the front of your theatre.

COLOR ROTO. Those newspapers which specialize in Roto Sections printed in extra colors are excellent contact points for presentation of a "Firefly" scene via Firefly Red color.

Printed in U S A



TO THE PUBLIC!

A rousing entertainment!





NAVY BLUE



**PEP
PULCHRITUDE &
PERSONALITY
IN THE CAST!**

ROBERT YOUNG
JAMES STEWART
LIONEL BARRYMORE
Florence Rice • Billie Burke
Tom Brown • Samuel S. Hinds
Paul Kelly • Barnett Parker • Screen
Play by George Bruce • A Sam
Wood Production • Produced by
Sam Zimbalist • An M-G-M Picture

-and

GOLD

AT THE BOX-OFFICE!

You can't top it for excitement, color, youthful joy!
You can't sit still when the middies march and sing!
You can't resist the romantic love story of Annapolis!
You can't catch your breath at the football thrills!
You can't hide your tears at the inspiring climax!
You can't do without this swell audience show!
"NAVY BLUE AND GOLD" from M-G-M!



NO MONKEY BUSINESS

about these reviews. They're great!

"THREE CHEERS FOR THE NAVY BLUE AND GOLD!"

"THE BEST"

"There always has to be a best of everything. And 'Navy Blue and Gold' is probably the best Annapolis naval academy life story to date with a football sideshow. 'NAVY BLUE AND GOLD' has story punch and character that do not confine or limit its period of exhibition life to the football season. It has the stuff that should enable it to do business any day in the year. It is possessed of elements that naturally appeal to the entire audience. It has many exploitation angles. Let 'em know it is a strong character melodrama more than anything else."

—Motion Picture Daily

"REAL BOX-OFFICE"

"Metro's production of 'NAVY BLUE AND GOLD' combines elements of entertainment in such showman-like manner that it can be nothing else than real box-office. The b. o. tills should tinkle a lively tune wherever it is shown."

—Daily Variety

"HEART-WARMING"

"Ace performances by Jimmy Stewart, Robert Young and Tom Brown! Everything is well woven together in a film that is human, heart-warming and genuinely appealing."

—Los Angeles Times

"SOMETHING TO CHEER ABOUT"

"Top notch entertainment from the opening flashes to the final touchdown of the Army and Navy game is 'NAVY BLUE AND GOLD'. It kept last night's preview audience in enthusiastic response to every move. The three featured players are all so good it is difficult to credit top honors but perhaps James Stewart comes off a shade the best because of his very sympathetic role. Sam Wood's direction is splendid. A picture that is something to cheer about."

—Los Angeles Examiner

"STIRS THE EMOTIONS"

" 'NAVY BLUE AND GOLD' fine. Told so freshly and movingly, the picture should win its way to the heart of every American. With a great deal of genuine patriotic appeal it well and truly stirs the emotions. Gets under the skin in a way that will make it stick in the memory. It is so well made in all departments, thanks to an inspired production job by Sam Zimbalist and the extremely sympathetic direction of Sam Wood, that it should solo successfully in the de luxers and tally handsomely all the way down the line. It will ring plenty of bells."

—Hollywood Reporter

Two Big Words on Last Page! Look!



M-G-M POWER!

Retain Right To Distribute Through U.A.

(Continued from page 1)

is understood seeking to have U.A. handle this product internationally.

David Rose, vice-president and financial adviser for Samuel Goldwyn, Inc., will arrive on the coast by train tomorrow. He has with him a copy of the contract by which the options are to be exercised prior to Dec. 23, the expiration date.

Korda is due back from the coast Sunday, planning to sail next Wednesday on the *Normandie* for home. He may be delayed, however, for additional talks with Dr. A. H. Giannini and Goldwyn. One of the discussions with the latter two will revolve about the financing of Wanger next season, it is said. Interested parties to the U.A. deal are prepared to advance whatever sums are necessary, it is understood.

No Management Changes

There will be no change in the management of the company, according to authoritative sources. Korda and Goldwyn are satisfied with the present administration and sales executives and are hopeful that Dr. Giannini will continue in his posts.

Rose plans to sail for England again in two weeks. He will sit in on the final closing of the deal with British banking groups headed by Kasenove, Akroid & Co. Ernest H. Lever, secretary of Prudential Assurance Co., will arrive in London next Monday on the *Queen Mary* and will present the agreement signed here to the financing interests he represents.

Richard Dwight, attorney for Goldwyn, will not go to London for the final signing, it was stated.

Paramount Signs Lane

HOLLYWOOD, Nov. 18.—Paramount has extended the contract of Burton Lane, song writer.

Wall Street

Universal Only Board Rise

	Open	High	Low	Close	Net Change
Col.	16¾	16¾	16⅝	16⅝	— ⅜
Cons., pfd..	7⅝	7⅝	7⅝	7⅝	— ⅜
E. K.	161½	161½	158½	159½	.....
E. K., pfd..	162	162	162	162	.....
Loew	57⅛	57⅛	55⅝	55⅞	—1⅜
Para.	13½	13¾	12⅞	13⅛	— ¼
Para. 1.....	101¼	101¼	99⅞	99⅞	—2⅛
Para. 2.....	12	12	11⅞	12	— ½
Pathe	6½	6½	6⅛	6⅛	— ⅜
RKO	5⅛	5⅛	5	5⅛	— ⅛
20th Fox ..	23¼	23¼	22⅛	22⅛	—1⅜
20th, pfd...	29½	29½	28½	28½	—1¼
Univ., pfd..	32	32	32	32	+2
W. B.	7⅞	8	7⅝	7¾	.....
W. B., pfd.	40	40	40	40	—2½

Curb Off Lightly

	Open	High	Low	Close	Net Change
G. N.	1¼	1¼	1¼	1¼	.....
Sentry	1⅝	1⅝	1⅝	1⅝	— ⅛
Sonotone ..	1¾	1⅞	1¾	1⅞	— ⅛
Tech.	18⅞	19	18½	19	— ¾

Bonds Decline

	High	Low	Close	Net Change
Keith 6s '46.....	87½	87½	87½	—1
Loew 3½s '46.....	98¾	98	98	— ¾
Para. Pict. 6s '55	96	96	96	.....
Para. Pict. '47....	78¾	78¾	78¾	— ¼

(Quotations at close of Nov. 18)

U. S. Industry Pins Hopes On English Trade Agreement

(Continued from page 1)

to the unhampered importation here of Scotch whiskey, woolens and other major articles of British trade sold in the United States, none of which is restricted as to volume by arbitrary quota limitations, but find a large market here in competition with articles of domestic origin.

The American industry's hopes for relief from any onerous provisions of a British quota will not end with the enactment of the quota law now before Parliament, it is pointed out in responsible quarters here. The provisions of the quota act, which is purely national law in Britain, would be superseded or invalidated by whatever provisions affecting films were included in a trade treaty between the United States and Great Britain, as international treaties take precedence over national law.

Indications are that, although this industry already has made strong representations to the State Dep't as to its viewpoint concerning the British film quota act, an even more determined stand may be expected once the negotiation of a trade treaty between the two nations gets under way.

U. A. to Distribute Mier Mexican Films

Arthur W. Kelly, vice-president of United Artists in charge of foreign distribution, has closed with Felipe Mier, Mexican producer and general manager of Cinematografia Internacional, S. A., for the world releasing rights outside of Mexico and the United States to three Mexican-made, Spanish talking films. They are "Asi Es Mi Tierra," "Aguila O Sol" and "Perjura." Publicity campaigns are being prepared.

Kelly yesterday paid tribute to the quality of Latin-American product and to the wide acceptance accorded it in the republics of Central and South America. He said, "It is no longer a secret that in Spanish-speaking territories good native-made product is outgrossing the Hollywood variety four to one."

U. A. in Routine Meet

HOLLYWOOD, Nov. 18.—Stockholders of United Artists met formally here at 3:00 P. M. and adjourned after fixing Nov. 24 as the date for the next meeting, when details of the Samuel Goldwyn-Alexander Korda purchase will be completed.

Committee Starting Work on Films Bill

(Continued from page 1)

Government spokesman, accepted an amendment, which was carried, providing the acquisition of the quota in half-year periods.

An amendment opposing the provision that films costing double a specified amount be counted for double in quota reckoning was objected to by the Government on the ground that the original provision was a means of encouraging quality in product. The amendment was withdrawn. Proposals that the Board of Trade consult the advisory committee before giving concessions on films rented abroad, was defeated.

The next meeting of the committee is scheduled for next Tuesday. The producer-labor group today attacked the Ostrer reciprocity plan in a statement published in the *Times*.

To Ask British for Concession on Films

(Continued from page 1)

ties on which concessions might be either granted or requested was extended to all interested, to be filed with the Committee for Reciprocity Information by Dec. 16. At a later time, the department will announce dates for public hearings by the committee and issue a list of the commodities which will be considered as the basis for concessions.

Canada Independent To Get U.A. Pictures

VANCOUVER, B. C., Nov. 18.—United Artists will place first run pictures in the Plaza, independent downtown house which formerly showed third and fourth run duals at 15 and 20 cents. The deal followed the failure of U.A. and Famous Players successfully to consummate a Canadian deal.

"Stella Dallas" will be first picture under the new arrangement. Prices will be increased to a 40-cent top.

G.N. In South Africa

Grand National has closed with Phillip S. Pohl for the distribution of G. N. product in the Union of South Africa.

Selznick, the Riddle Man

Chicago, Nov. 18.—David O. Selznick passed through here today en route from New York to Hollywood, refusing to confirm the fact that he will rejoin M-G-M. He did say *Motion Picture Daily* had printed the correct story about his future plans, but then followed it by refusing to say what story it was to which he referred.

He intimated, however, that the M-G-M deal had gone through.

Asked about a published report that Metro had offered him one million dollars to join, Selznick said: "It wasn't a million. It was more."

Official announcement of his plans will be made within two weeks, he added. While here, he interviewed three show girls who have screen possibilities.

Drake to Keep Erpi Position As President

(Continued from page 1)

of Erpi for many years, will wind up his duties with the company between now and Dec. 1, at which time the sale of Erpi's theatre equipment servicing and installation business to Roswell C. Tripp and Howard P. Engels, former investment brokers, becomes effective, as reported exclusively in MOTION PICTURE DAILY yesterday. Bunn has been variously reported as becoming associated with new theatre equipment supply concerns in process of formation or with an already established supply company. There appears to be little basis for the reports and indications are that Bunn's future plans are not definitely set yet.

Provide Small Erpi Force

A skeleton executive force will be maintained by Erpi to administer the company's recording license agreements with studios and producers, its manufacturing licenses for Western Electric reproduction equipment, its foreign business and incidental activities. Presumably, however, Erpi's greatest activity in the future will be centered in Hollywood, stemming from its recording license agreements with studios.

The company will continue to receive orders for reproducing equipment, it was explained, but will not maintain a sales force. Sales of this kind will be on a cash basis and time payment provisions will be abolished.

To all intents and purposes, however, Erpi will have withdrawn from the theatre equipment business by Jan. 1. The divestment of the theatre end of its business is to be concluded to all practical purposes on Dec. 1, when the Tripp-Engel deal becomes effective. This deal, of course, was preceded by the licensing of International Projector and Motiograph to manufacture Western Electric reproducers.

Paramount Had Proposal

The two deals supplant earlier proposals for the taking over from Erpi of the complete theatre end of its business which, for one reason or another, were found to be impracticable. One proposal came from leading Paramount theatre partners and operators throughout the country, who were to acquire the business from Erpi and set up a new company to operate it. Trade rivalries were held to be a bar which made the consummation of this deal impossible. Another proposal involved the taking over of the business by a group of Erpi officials. This plan was vetoed, however, when it failed to make provision for a sufficient number of the company's employes.

In the meantime, a number of Erpi employes became associated with International Projector and Motiograph, following the licensing deals with those companies, and many others were absorbed by the Bell System. The Tripp-Engel deal for the servicing and installation business will care for the bulk of the remaining employes, it is understood. Essential reductions in the sales staff will be effected, however.

"Breakfast," Band a Smash Twin City Hit

MINNEAPOLIS, Nov. 18.—"Breakfast for Two" with Freddie Fischer's "Schnickelfritz" band, was a sensation at the Minneapolis Orpheum to take top honors with an $18,000 gross, triple the usual $6,000. A price rise helped the picture and the local band that has had a meteoric rise from a St. Paul night club helped.

Best single picture was Walter Wanger's "Vogues of 1938" which had a $5,000 take at the Century where average is $4,000. Prices were raised. "Double Wedding" did a bit over the usual $5,500 at the State while "Heidi" at the St. Paul Orpheum led with $5,000, over par by $1,000.

Total first run business in Minneapolis was $38,600. Average is $27,500. Total first run business in St. Paul was $14,500. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Nov. 11:

"ALI BABA GOES TO TOWN" (20th-Fox)

MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $8,000. (Average, $10,000)

"BREAKFAST FOR TWO" (RKO)

ORPHEUM—(2,900), 25c-55c, 7 days. Stage: Schnickelfritzer's Band. **Gross:** $18,000. (Average, $6,000)

"VOGUES OF 1938" (U. A.)

CENTURY—(1,600), 25c-40c 7 days. **Gross:** $5,000. (Average, $4,000)

"DOUBLE WEDDING" (M-G-M)

STATE—(2,400), 25c-35c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,500)

"100 MEN AND A GIRL" (Univ.)

WORLD—(400), 25c-35c, 7 days, 5th week. **Gross:** $1,600. (Average, $2,000)

St. Paul:

Week Ending Nov. 11:

"ALI BABA GOES TO TOWN" (20th-Fox)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $4,500. (Average, $5,500)

"HEIDI" (20th-Fox)

ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

Week Ending Nov. 9:

"COUNSEL FOR CRIME" (Col.)
"THIS WAY PLEASE" (Para.)

RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

Week Ending Nov. 10:

"WOMEN MEN MARRY" (M-G-M)
"ANNAPOLIS SALUTE" (RKO)

TOWER—(1,000), 25c-35c, 7 days. **Gross:** $2,000. (Average, $2,000)

Renew Charlotte Lease

CHARLOTTE, N. C., Nov. 18.—The North Carolina Theatres, Inc., has renewed its lease on the Broadway Theatre building for five years, giving the lease a total of six and one-half years to run. The theatre will be remodeled throughout and redecorated within the near future. The Broadway, managed by Don Nichols, was purchased from Warners by the H. F. Kincey organization several months ago.

Manages Macon House

MACON, Ga., Nov. 18.—Lamar Swift, formerly of Atlanta, has become manager of the Rialto here, which has reopened under a new policy. It will show second run pictures the first three days and first run pictures the last three days of each week, according to Arthur P. Barry, city manager of Lucas & Jenkins.

Philadelphia Grosses Good; 'Navy' and 'Conquest' Lead

PHILADELPHIA, Nov. 18.—Generally good grosses held sway this week. Again the Earle, with its stage and screen bill—"Hold 'Em Navy" is the film—led the way with a profitable $20,000. "Conquest" got $19,000 for its first week at the Boyd. A surprise second run hit was made by "The Awful Truth." It took $7,000 at Keith's and was held for a second week.

"Ali Baba Goes to Town" didn't live up to the Fox expectations, but it got a slightly better than average $19,000 for nine days. "Alcatraz Island" was another surprise at the Stanton, grossing $8,000 and earning a second week.

Total first run business was $99,000; the average is $86,190.

Estimated takings for the week ending Nov. 11:

"52ND STREET" (U. A.)

ALDINE—(1,306), 40c-55c-65c, 7 days. **Gross:** $8,300. (Average, $8,160)

"BRIDE WORE RED" (M-G-M)

ARCADIA—(600), 25c-40c-50c, 9 days, 2nd run. **Gross:** $2,700. (Average, 7 days, $2,800)

"CONQUEST" (M-G-M)

BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $19,000. (Average, $14,000)

"HOLD 'EM NAVY" (Para.)

EARLE—(2,000), 25c-45c-55c, 7 days. Stage: Lucky Millinder and Band; Rita Rio and Band. **Gross:** $20,000. (Average, $14,000)

"ALI BABA GOES TO TOWN" (20th-Fox)

FOX—(3,000), 40c-55c-65c, 9 days. **Gross:** $19,000. (Average, 7 days, $14,000)

"ANGEL" (Para.)

KARLTON—(1,000), 25c-40c-50c, 6 days, 2nd run. **Gross:** $2,000. (Average, 7 days, $4,000)

"THE AWFUL TRUTH" (Col.)

KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $7,000. (Average, $4,000)

"STAGE DOOR" (RKO)

STANLEY—(3,700), 40c-55c-65c, 7 days, 2nd week. **Gross:** $13,000. (Average, $14,000)

"ALCATRAZ ISLAND" (F. N.)

STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"Firefly" Top In Milwaukee With $12,000

MILWAUKEE, Nov. 18.—"The Firefly" and "Bad Guy" took high honors for the week with a $12,000 take at Fox's Wisconsin, $4,000 above average. The bill has been moved to the Fox Garden for a second week.

The only other house to better par was the Riverside, where "A Dangerous Adventure" and Eddie Peabody on the stage collected $5,500, $500 to the good.

Business was hurt by "The Restless Flame," a civic masque in commemoration of the 300th anniversary of the birth of Father Marquette which played before more than 15,000 in three performances at the Auditorium.

Total first run business was $34,000. Average for five houses is $26,500.

Estimated takings:

Week Ending Nov. 10:

"THE PRISONER OF ZENDA" (U. A.)
"LOVE IS IN THE AIR" (F. N.)

WARNER—(2,400), 35c-50c, 6 days. **Gross:** $5,000. (Average, $5,000)

Week Ending Nov. 11:

"ALI BABA GOES TO TOWN" (20th-Fox)
"THE WOMEN MEN MARRY" (M-G-M)

GARDEN—(1,200), 35c-40c-60c, 7 days. **Gross:** $3,000.

"ANGEL" (Para.)
"PARTNERS IN CRIME" (Para.)

PALACE—(2,400), 35c-40c-60c, 7 days. **Gross:** $5,000. (Average, $5,000)

"A DANGEROUS ADVENTURE" (Col.)

RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Eddie Peabody with Collins and Peterson, Dorothy Crooker, Helen & Robert Williams, Chilton & Thomas. **Gross:** $5,500. (Average, $5,000)

"THE AWFUL TRUTH" (Col.)
"WOMEN MEN MARRY" (M-G-M)

STRAND—(1,400), 35c-40c-60c, 7 days. **Gross:** $3,500. (Average, $3,500)

"THE FIREFLY" (M-G-M)
"BAD GUY" (M-G-M)

WISCONSIN—(3,200), 35c-40c-60c, 7 days. **Gross:** $12,000. (Average, $8,000)

Plan Short on "Laws"

HOLLYWOOD, Nov. 18.—Jack Chertok will produce a short entitled "Crazy Laws" for M-G-M.

"Island" and Band $25,500 In Pittsburgh

PITTSBURGH, Nov. 18.—Getting in the Armistice Day holiday on the week, the Stanley led the town by a wide margin last week, taking an exceptionally good $25,500 with "Alcatraz Island" and Don Bestor's band. Shirley Temple's "Heidi" was good for $9,200 but not a holdover at the Alvin. In the past, her pictures have been invariably certain of two weeks.

At the Warner, "Double Wedding," on a holdover from the Penn, was fine at $6,800 but "High, Wide and Handsome" was a disappointment at the Penn, getting barely $10,000. The Fulton picked up a bit with "It Happened Out West" and "The Lady Fights Back," approaching par at $4,200 for the first time in several weeks.

Total grosses in five first-run houses were $55,700. Average is $45,000.

Estimated takings for week ending Nov. 11:

"HEIDI" (20th-Fox)

ALVIN—(2,000), 25c-50c, 8 days. **Gross:** $9,200. (Average, for 7 days, $6,500)

"IT HAPPENED IN HOLLYWOOD" (Col.)
"THE LADY FIGHTS BACK" (Univ.)

FULTON—(1,750), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,500)

"HIGH, WIDE AND HANDSOME" (Para.)

PENN—(3,300), 25c-50c, 6 days. **Gross:** $10,000. (Average, for 7 days, $11,000)

"ALCATRAZ ISLAND" (F.N.)

STANLEY — (3,600), 25c-60c, 7 days. Stage: Don Bestor's band, Fred Sylvester and his Midgets, Harris and Shore, Paul Gerritts. **Gross:** $25,500. (Average, $18,000)

"DOUBLE WEDDING" (M-G-M)

WARNER—(2,000), 25c-50c, 7 days, 2nd week. **Gross:** $6,800. (Average, $5,000)

G. N. Shifts Shartin

CLEVELAND, Nov. 18.—William Shartin, local Grand National branch manager, has been transferred to Minneapolis in charge of sales in the northwest territory. He is succeeded here by Peter Rosian who comes to Cleveland from Washington.

"Truth" High In Poor Week In Washington

WASHINGTON, Nov. 18.—Playing its second downtown week, "The Awful Truth," at the Metropolitan, proved again to be the main attraction, taking $7,900 to exceed average by $3,600.

"High, Wide and Handsome," at Loew's Columbia, playing a return engagement, took $4,100, to top average by $500. In 8 1/3 days, "Victoria the Great" at RKO-Keith's did $10,000, or $600 under the 7-day average. The rest were under average.

Joan Bennett in "Stage Door" at the National, and "Col. Jimmy Lake's 'Own Show'" (burlesque) at the Gayety were the competition.

The weather was generally fair.

Total first run business, the Rialto and Little excepted, was $68,300. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Nov. 10:

"HIGH, WIDE AND HANDSOME" (Para.)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,100. (Average, $3,600)

"ALI BABA GOES TO TOWN" (20th-Fox)

LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $12,000. (Average, $15,900)

Week Ending Nov. 11:

"ANGEL" (Para.)

EARLE—(2,218), 25c-66c, 7 days. Stage: Phil Spitalny's Hour of Charm, with Spitalny, Maxine, Evelyn, Three Little Words, Dale Winthrop, Rochelle & Lola. **Gross:** $17,300 (Average, $18,400)

"LIVE, LOVE AND LEARN" (M-G-M)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Jackie Heller, 16 Broadway Show Girls, Val Setz, Gil Lamb, Selma Marrow, Dolores. **Gross:** $17,000. (Average, $20,900)

"THE AWFUL TRUTH" (Col.)

METROPOLITAN—(1,591), 25c-40c, 7 days, 2nd week. **Gross:** $7,900. (Average, first week, $4,300)

Nine Days Ending Nov. 10:

"VICTORIA THE GREAT" (RKO)

RKO-KEITH'S—(1,836), 25c-55c, 8 1/3 days. **Gross:** $10,000. (Average, 7 days, $10,600)

Week Ending Nov. 13:

"THE DEAD MARCH" (Imperial)

LITTLE—(365), 15c-40c, 7 days. **Gross:** $1,200. (No average available.)

Nine Days Ending Nov. 13:

"DAMAGED LIVES" (Weldon)

RIALTO—(1,678), 25c-40c, 8 days. **Gross:** $1,300. (No average available.)

Shifts Ad Sales Manager

MEMPHIS, Nov. 18.—Robert Bandy, ad sales manager for 20th Century-Fox here, has been transferred to Dallas in a similar capacity, effective Nov. 21. Ed Gibbons, Bandy's assistant, will be promoted to succeed him in Memphis, and Clay Millar has been promoted to the booking department.

Wolfberg Takes House

KANSAS CITY, Nov. 18.—John Wolfberg, son of H. P. Wolfberg, district manager for M-G-M, has taken over the Strand, suburban house here, from W. D. Fulton and Mutual Theatres.

Eastman Kodak to Build

ROCHESTER, Nov. 18.—The Eastman Kodak Co. will build a $500,000 addition to its Plymouth Ave. plant here.



A PARAMOUNT PICTURE · PRODUCED AND DIRECTED BY FRANK LLOYD · ASSOCIATE PRODUCER HOWARD ESTABROOK

SCREEN PLAY BY PAUL SCHOFIELD, GERALD GERAGHTY AND FREDERICK JACKSON. BASED ON A STORY BY STUART N. LAKE



From that never-to-be-forgotten night in 1923 when a heart-thrilled audience first cheered the moving majesty of "The Covered Wagon" to this very year 1937, when the whole nation echoes the praises of "The Texas Rangers" and "The Plainsman," Paramount has topped the entire industry in the production of great thundering outdoor romances of the West. Now Paramount succeeds in adding even grander laurels to its name by presenting the finest of all these great box-office pictures . . . Frank Lloyd's mighty drama of a nation on the march . . . "Wells Fargo."



Characters who will live long in your memory

Joel McCrea, Frances Dee, and Bob Burns reaching heights of acting splendor as Ramsay McKay of Wells Fargo, Justine Pryor of St. Louis, Hank York, of the whole blooming West

"Specimen" Is High in Dull L. A. Stanza

Los Angeles, Nov. 18.—Business as a whole here went under par. Only two theatres grossed better than average and one reached it, while the others all fell below.

"The Perfect Specimen" and "Escape by Night," at the Warner Downtown went over par by $2,900 to gross $14,900, and the same bill at the Warner Hollywood also went $2,900 over par, grossing $16,900.

Total first run business was $103,024. Average is $107,950.

Estimated takings for the week ending Nov. 10:

"HURRICANE" (U. A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 6 days. **Gross:** $14,500. (Average, $17,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
"BORROWING TROUBLE" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $10,878. (Average, $12,500)
"MADAME X" (M-G-M)
4-STAR—(900), 40c-55c, 3 days, 3rd week. **Gross:** $842. (Average, $3,250)
"THE BALTIC DEPUTY"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,500. (Average, $1,200)
"STAGE DOOR" (RKO)
"MURDER IN GREENWICH VILLAGE" (Col.
HILLSTREET—(2,700), 30c-65c, 7 days, 3rd week. **Gross:** $7,200. (Average, $8,000.
"ALI BABA GOES TO TOWN" (20th-Fox)
"BORROWING TROUBLE" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $13,604. (Average, $14,000)
"STAGE DOOR" (RKO)
"MURDER IN GREENWICH VILLAGE" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days, 3rd week. **Gross:** $8,000. (Average, $8,000)
"HIGH, WIDE AND HANDSOME" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, Everett Marshall, Novello Bros., Jay Whidden and orchestra. **Gross:** $15,700. (Average, $18,000)
"THE PERFECT SPECIMEN" (W. B.)
"ESCAPE BY NIGHT" (Republic)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $16,900. (Average, $14,000)
"THE PERFECT SPECIMEN" (W. B.)
"ESCAPE BY NIGHT" (Republic)
WARNER BROS. (DOWNTOWN)—(3400), 30c-65c, 7 days. **Gross:** $14,900. (Average, $12,000)

"Zola" at $8,400 Is Omaha Winner

Omaha, Nov. 18.—"The Life of Emile Zola," on a dual with "Charlie Chan on Broadway" drew $8,400 for seven days, topping the $5,500 par by $2,900 at the Omaha.

"Heidi," coupled with "My Dear Miss Aldrich," drew $9,700 for the Orpheum's best week in some time. Par of $7,200 was topped by $2,500. "Breakfast for Two" and "Over the Goal" did $4,900 at the Brandeis, over average by $900.

Total first run business was $23,000. Average is $16,700.

Week Ending Nov. 10:

"THE LIFE OF EMILE ZOLA" (W. B.)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $8,400. (Average, $5,500)
"BREAKFAST FOR TWO" (RKO)
"OVER THE GOAL" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,900. (Average, $4,000)

Week Ending Nov. 11:

"HEIDI" (20th-Fox)
"MY DEAR MISS ALDRICH" (Para.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $9,700. (Average, $7,200)

"Truth" Holds Cleveland Top In Poor Week

Cleveland, Nov. 18.—"The Awful Truth" led the entertainment procession for the third consecutive week. At the Allen, where it moved after two outstanding weeks at Warners' Hippodrome, the take was $8,500. Average is $6,000. The picture established a precedent by being transferred to the Lake for a fourth consecutive week downtown.

"Ali Baba Goes to Town" went places at Warners' Hippodrome where the gross bettered the average by $4,000, with a take of $16,000. "Something to Sing About" at the RKO Palace with the "Hollywood Hotel Revue" on the stage; "The Bride Wore Red" at Loew's Stillman in a second week, and "High, Wide and Handsome" at Loew's State all were under average.

The weather was good. Business hit a new three-month low.

Total first run business was $56,300. Average is $61,500.

Estimated takings for the week ending Nov. 12:

"THE AWFUL TRUTH" (Col.)
ALLEN—(3,000), 30c-35c-42c-55c, 7 days. 3rd week. **Gross:** $8,500. (Average, $6,000)
"HIGH, WIDE AND HANDSOME" (Para.)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $8,000. (Average, $15,000)
"THE BRIDE WORE RED" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $4,600. (Average, $6,000)
"SOMETHING TO SING ABOUT" (G. N.)
RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: Hollywood Hotel Revue. **Gross:** $17,000. (Average, $20,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c-55c, 7 days. **Gross:** $16,000. (Average, $12,000)
"WEST OF SHANGHAI" (F. N.) 4 days $1,300
"OVER THE GOAL" (F. N.) 3 days $900
WARNERS' LAKE—(800), 25c-35c, 7 days. **Gross:** $2,200. (Average, $2,500)

Close Chicago Burlesque

Chicago, Nov. 18.—The closing of the Rialto when the city revoked the theatre's license was a boon to one Loop theatre. The Rialto, a burlesque theatre which featured "B" pictures plus a lavish burlesque show, is now dark and as a result the State-Lake is getting most of the trade that wants pictures plus stage shows at low admission.

Quits as G. N. Salesman

Kansas City, Nov. 18.—William Kubitzki has resigned as salesman in Kansas for Grand National, and has gone with Imperial Pictures as a salesman in this territory. Imperial distributor here is Homer Blackwell's Independent Film Distributors. William Flynn will cover the Kansas territory for Grand National, succeeding Kubitzki.

M-G-M Players Cast

Hollywood, Nov. 18.—New cast assignments on the M-G-M lot include Henry Armetta in "Everybody Sing" and Cliff Edwards, Victor Potel, Olin Howland, Jonathan Hale, Chester Clute, George Douglas and Leonard Penn for "The Girl of the Golden West."

"Firefly," $13,500 Is Montreal Lead

Montreal, Nov. 18.—"Firefly" was the outstanding attraction among first-runs here, with a gross of $13,500 at the Palace, the feature being held over.

"Lancer Spy," on a dual at the Capitol, rated second, with a take of $10,500, $1,000 above par. "Music for Madame," on a dual brought $8,000 to the Princess while the second week of "Stella Dallas" took $5,000 at the Orpheum, equal to the new average at this house.

Total first run business was $43,500. Average is $40,500.

Estimated takings for the week ending Nov. 13:

"LANCER SPY" (20th-Fox)
"WILD AND WOOLLY" (20th-Fox)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,500. (Average, $9,500)
"THE LIFE OF THE PARTY" (RKO)
"TALK OF THE DEVIL" (G. B.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)
"STELLA DALLAS" (U. A.)
ORPHEUM—(919), 25c-34c-50c, 7 days. **Gross:** $5,000. (Average, $5,000) Second week. Held over.
"FIREFLY" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,500. (Average, $11,000) Held over.
"MUSIC FOR MADAME" (RKO)
"BORNEO" (20th-Fox)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000)

"Truth" at $13,000 Houston Sensation

Houston, Nov. 18.—"The Awful Truth" did splendidly here, almost doubling the average take of $7,000 at the Majestic. The take was $13,000. "Stand In" at the Metropolitan ended the week with $7,700, $700 above par.

"Live, Love and Learn" at Loew's State broke even with $7,000. The Kirby, turning to a three way program for the week, reached par with $5,000. The attractions were "Charlie Chan on Broadway," which made the best showing; "Blonde Trouble" and "Roaring Timber." The weather was too warm for the season.

Total first run business for the week was $32,700. Average is $26,000.

Estimated takings for the week ending Nov. 11:

"CHARLIE CHAN ON BROADWAY" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,250. (Average 7 days, $5,000)
"BLONDE TROUBLE" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,450. (Average 7 days, $5,000)
"ROARING TIMBER" (Col.)
KIRBY—(1,450), 15c-35c, 2 days. **Gross:** $1,300. (Average 7 days, $5,000)
"LIVE, LOVE AND LEARN" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)
"THE AWFUL TRUTH" (Col.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $13,000. (Average, $7,000)
"STAND IN" (U. A.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $7,700. (Average, $7,000)

Abends Go to Boston

Kansas City, Nov. 18. — Sam Abend, vice-president of Exhibitors' Film Delivery, has left with Mrs. Abend for a Boston clinic. Mrs. Abend has been ill for some time.

Schwab in Sweden Deal

Gustave Schwab, European film producer, has signed a contract with Nordisk Films Kompagni of Copenhagen, which gives him North and South American distribution rights to the former's "Laila."

"Truth" Dual Best Gross in San Francisco

San Francisco, Nov. 18.—"The Awful Truth," paired with "Dangerously Yours," at the Orpheum captured top honors here, taking $12,000 against a house average of $8,000, in a fair week in which rainy weather was of no assistance.

"Conquest" at the Paramount was in the money, going over the average by $2,000 to gross $15,000. "Dead End" came within $500 of the $7,000 United Artists average in its fourth week, while "Ali Baba Goes to Town" and "Man Who Cried Wolf" at the St. Francis did $7,500, or $500 over par in the second week.

Total first run business was $90,200. Average is $88,000.

Estimated takings:

Week Ending Nov. 9:

"ANNAPOLIS SALUTE" (RKO)
Maj. Bowes' Amateurs on Stage
GOLDEN GATE—(2,850), 15c-35c-40c-55c-75c, 7 days. Stage: vaudeville. **Gross:** $15,500. (Average, $16,000)
"CONQUEST" (M-G-M)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $13,000)

Week Ending Nov. 10:

"ELEPHANT BOY" (U. A.)
"DARK JOURNEY" (U. A.)
EMBASSY—(1,400), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)
"ZOLA" (W. B.)
"ADVENTUROUS BLONDE" (W. B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,500. (Average, $17,000)
"THE AWFUL TRUTH" (Col.)
"DANGEROUSLY YOURS" (Univ.)
ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days, 3rd week. **Gross:** $12,000. (Average, $8,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
"MAN WHO CRIED WOLF" (Univ.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd d. t. week. **Gross:** $7,500. (Average, $7,000)
"DEAD END" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 4th week. **Gross:** $6,500. (Average, $7,000)
"ANGEL" (Para.)
"NIGHT CLUB SCANDAL" (Para.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $11,000. (Average, $13,000)

Week Ending Nov. 12:

"ORPHAN BOY OF OLD VIENNA" (Vienna Films)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,200. (Average, $1,000)

Lieberman Adding Two

Boston, Nov. 18. — Frederick E. Lieberman is readying to open two additional theatres on his New England circuit, the Repertory in Boston and the Strand in Brockton. The Repertory was formerly operated for legitimate shows. Both theatres are expected to open before the end of the year.

Set Missouri Premiere

Hollywood, Nov. 18.—Warners is planning to hold the world premiere of "Swing Your Lady" at Hannibal, Mo., early in February, following the request for it by a group of Hannibal business men. Locale is in the mountain country Hannibal.

RKO Charters Company

Dover, Del., Nov. 18.—RKO Radio Pictures (Philippines), Inc., has been formed here, listing capital of $10,000, with the incorporators listed as Robert H. Dann, George Michnic and Gordon E. Youngman, of New York.

"Specimen" Leads Cincinnati Week

CINCINNATI, Nov. 18.—"The Perfect Specimen" led the week's parade with $14,300 at the RKO Palace, up $4,300, and moved to the RKO Capitol.

"Wine, Women and Horses," "The Last Train from Madrid" and "Annapolis Salute" got $2,900 collectively on three changes at the RKO Family where average is $2,450, and "Life Begins in College" broke even at $2,750 at the RKO Grand on a repeat engagement.

Total first run business was $46,250. Average is $58,700. Estimated takings:

Week Ending Nov. 10:

"THE PERFECT SPECIMEN" (F.N.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $14,300. (Average, $10,000). Moved to RKO Capitol.

Week Ending Nov. 11:

"CONQUEST" (M-G-M)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $10,500. (Average, $12,000)
"THE LIFE OF EMILE ZOLA" (W.B.)
RKO SHUBERT—(2,150), 35c-42c, 6 days, 3rd week. **Gross:** $3,000. (Average, 7 days, $12,000)
"ALI BABA GOES TO TOWN" (20th-Fox)
RKO CAPITOL—(2,000), 35c-42c, 2nd downtown week. **Gross:** $4,200. (Average, $6,500) Moved to RKO Grand.
"HIGH, WIDE AND HANDSOME" (Para.)
RKO LYRIC—(1,400), 35c-42c, 6 days, 2nd downtown week. **Gross:** $3,800. (Average, 7 days, $6,500)
"LIFE BEGINS IN COLLEGE" (20th-Fox) Repeat
RKO GRAND—(1,200), 25c-40c, 7 days. **Gross:** $2,750. (Average, $2,750)
"WINE, WOMEN AND HORSES" (W.B.) 3 days
"THE LAST TRAIN FROM MADRID" (Para.) 2 days
"ANNAPOLIS SALUTE" (Radio) 3 days
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,900. (Average, $2,450)
"FIT FOR A KING" (Radio)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,800. (Average, $6,500)

"Dallas" Winner In Oklahoma City

OKLAHOMA CITY, Nov. 18.—"Stella Dallas" at the Criterion took the lead among first runs, with $7,000, over average by $2,500, in a generally dull week of poor weather.

"This Way, Please" also topped par at the Tower, with $2,500, going $500 over. The rest were weak.

Total first run business was $16,900. Average is $17,750. Estimated takings for the week ending Nov. 13:

"STELLA DALLAS" (U. A.)
CRITERION—(1,700), 10c-35c-40c, 7 days. **Gross:** $7,000. (Average, $4,500)
"THE BIG SHOT" (RKO) "SHE HAD TO EAT" (20th-Fox)
LIBERTY—(1,500), 10c-20c-25c, 4 days. **Gross:** $1,600. (Average, 7 days, $2,250)
"DAVID HARUM" Reissue (20th-Fox) "NIGHT OF MYSTERY" (Para.)
LIBERTY—(1,500), 10c-20c-25c, 3 days. **Gross:** $1,000. (Average, 7 days, $2,250)
"THE PERFECT SPECIMEN" (F. N.)
MIDWEST—(1,500), 10c-20c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)
"DEAD END" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days, second week. **Gross:** $3,000. (Average, $4,000)
"THIS WAY, PLEASE" (Para.)
TOWER—(1,100), 10c-25c-35c, 7 days. **Gross:** $2,500. (Average, $2,000)

Fischer to Cabinet Corp.

SEATTLE, Nov. 18.—David Fischer has been appointed manager of the local branch of Confection Cabinet Corp. The company provides vending machines for theatres.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"True Confession"

(Paramount)

HOLLYWOOD, Nov. 18.—Carole Lombard and Fred MacMurray have in this, their fourth stellar pairing, a frisky and freshly plotted comedy that is likely to prove immensely amusing to the more lightly attuned adult taste. Although the titular intimation of similarity with the contents of a certain popular periodical is not borne out by the subject matter of "True Confession," murder, chastity, pregnancy and kindred matters are dealt with for comedy purposes in a manner suggesting that the film was not prepared primarily for the child audience. In spite of this, perhaps in a measure because of it, the picture was enthusiastically received by the swanky Hollywood preview audience and no doubt will be as delightedly approved by sophisticated audiences elsewhere.

The screenplay written by Claude Binyon from a play by Louis Verneuil and Georges Berr, has Miss Lombard as a struggling writer married to MacMurray, a struggling and honest attorney, who defends her in court against a murder charge. She lets him believe her guilty because she believes he can save her on a virtuous defense plea, whereas she could be convicted on circumstantial evidence. In reality, she is innocent. On the strength of the publicity gained during the trial both become successful and wealthy. When he learns of her deceit he resolves to leave her, but she tells him she is going to have a baby. When he learns this is also untrue he slings her over his shoulder and takes her indoors declaring he will "teach her a lesson," which may or may not mean he is going to spank her.

John Barrymore is billed on even terms with the pair and plays an ambitious alcoholic superbly. Una Merkel, Edgar Kennedy, Lynne Overman and Porter Hall are others contributing impeccable support. Producer Albert Lewin and Director Wesley Ruggles turned out a fine piece of merchandise, structurally and technically.

Running time, 84 minutes. "A."

Looking 'Em Over

"Uncivilized"

(Box Office Attractions)

More education than entertainment is to be derived from "Uncivilized." The flora, fauna, eating habits and anthropological characteristics of Australia and the aboriginal tribes of the interior are interesting, which is more than can be said for the dramatic content. The production and photography are good and the settings in natural surroundings are novel.

The story follows familiar "Tarzan" lines. A young woman novelist is asked by her publishers to make a trip to a little known part of Australia and there seek a "white king" of a certain tribe. They imagine a good story will result. The girl, after a little argument, takes the assignment. En route she is kidnapped by an Afghan opium smuggler who straightway takes her to her goal. The "white king" immediately takes a fancy to the girl and announces that he will take her for his wife.

The plot goes on, giving insights into the skullduggery of another smuggler who is after a collection of rubies in the "white king's" possession. Eventually, the film comes to a head. There is a battle between opposing native factions. The Afghan is revealed to be an undercover police agent and the girl learns to like the strange white chief and it is made evident that she will remain.

It is pure and simple hokum amateurishly acted. The cast is composed of actors unfamiliar here. Margot Rhys, the feminine lead, is attractive and gives to her role more than it is worth. Dennis Hoey plays the white king. It was produced by Expeditionary Films, Ltd.

Running time, 77 minutes. "G."

(Additional Reviews on Page 29)

"Stand In," yesterday's opener at the Radio City Music Hall, was previewed from the coast on Oct. 4 by wire.

"Live, Love and Learn," reviewed on Oct. 15, opened yesterday at the Capitol.

"Ebb Tide," which made its debut at the Paramount Wednesday, was reviewed from Hollywood by wire on Sept. 24.

"Second Honeymoon" at the Roxy and "It's Love I'm After" at the Strand, are holdovers.

"Fight for Your Lady," opening at the Criterion yesterday, was reviewed on Sept. 25 by wire from Hollywood.

"Live, Love" Top For Indianapolis

INDIANAPOLIS, Nov. 18. — "Live, Love and Learn," on a dual with "It Happened in Hollywood," took $8,000 at Loew's, $1,000 in the black. "Ali Baba Goes to Town" and "Dangerously Yours," in a second week showing at the Apollo after spending their first week at the Indiana, did a good $3,800. Elsewhere business was bad.

Total first run business was $27,400. Average is $30,500.

Estimated takings:

Week Ending Nov. 11:

"FIGHT FOR YOUR LADY" (RKO) "WESTLAND CASE" (Univ.)
CIRCLE—(2,800), 25c-40c, 6 days. **Gross:** $3,000. (Average, $4,500)
"ANGEL" (Para.) "HOLD 'EM NAVY' (Para.)
INDIANA—(3,200), 25c-40c, 6 days. **Gross:** $5,000. (Average, $7,000)
"LIVE, LOVE AND LEARN" (M-G-M) "IT HAPPENED IN HOLLYWOOD" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,000)

Week Ending Nov. 12:

"ALI BABA GOES TO TOWN" (20th-Fox) "DANGEROUSLY YOURS" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $3,800. (Average, $4,000)
"THE GREAT GARRICK" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Senator Murphy; Saul Grauman & Company; Harriett Hutchins; Ross & Bennett; the Shanghai Wing Troupe. **Gross:** $7,600. (Average, $8,000)

Plan Sunday Vaudeville

BRIDGEPORT, Nov. 18. — Sunday vaudeville will be inaugurated in the Loew-Poli Globe on Nov. 21. The regular 20-30-cent admission scale will prevail. The former Monday night vaudeville policy of the Globe has been transferred to the Lyric, which will also institute a Saturday Amateur Night, presenting three of Major Bowes' winners each week, three WHN Amateur winners, and four local amateurs.

Cincy Showmen Meet

CINCINNATI, Nov. 18.—P. J. Wood, secretary of the Ohio I.T.O., held a general business meeting with the Greater Cincinnati Independent Exhibitors League here to discuss various pending issues. Members were urged to attend the regional Allied meeting, and the fifth annual convention of the I.T.O. at Columbus, Dec. 6 to 8, inclusive.

Arlen Loses Tax Plea

WASHINGTON, Nov. 18.—The Bureau of Internal Revenue told the Board of Tax Appeals that the $6,701 which Richard Arlen spent on a trip abroad was not deductible as a business expense, as claimed by the actor. It asked the board to affirm the deficiencies.

Closes Monogram Deal

DES MOINES, Nov. 18.—F. E. Judd, manager of Monogram Film Distributors, Inc., has closed a deal with Frank D. Rubel, of Harold Field's Pioneer Theatre circuit, for Monogram pictures to play in the 15 theatres of the Pioneer circuit in Iowa.

Shift Denver Manager

DENVER, Nov. 18.—Dave Cockrill has appointed Joe Gundy, assistant to Harry Huffman, as manager of the Plaza, to succeed Lloyd Kirby. The latter goes to Cockrill's Alpine.

A DAMSEL IN DISTRESS



New daring dance creations!...
New bluezy song swingsations!...
New knockout laugh sensations!..
with Fred in finest fettle and George and Gracie funnier than ever...in a dizzical, dancical, musical show thrilled to the top with a lavish load of living high!

FRED ASTAIRE

GEORGE **BURNS** and GRACIE **ALLEN**

"A Damsel in Distress"

with

JOAN FONTAINE

REGINALD GARDINER • RAY NOBLE

CONSTANCE COLLIER • MONTAGU LOVE • HARRY WATSON

From the story by **P. G. WODEHOUSE**

A PANDRO S. BERMAN PRODUCTION
DIRECTED BY GEORGE STEVENS
Screen play by P. G. Wodehouse, Ernest Pagano, S. K. Lauren

Music by
GEORGE GERSHWIN
Lyrics by
IRA GERSHWIN

THE *Gershwin* HIT SONGS

"Foggy Day"—"Nice Work If You Can Get It"—"I Can't Be Bothered Now."

RKO RADIO PICTURES

Group to Ask Return Of Coughlin to Air

Despite a vigilant attempt at secrecy, it has been learned that a meeting seeking the return of Father Charles E. Coughlin to the air will be held at the Manhattan Opera House Sunday. The meeting has been called by the Greater New York Union of Social Justice Councils, and invitations to attend have been accepted by more than 100 different units of the organization in New York.

It is understood that councils from as far removed as the New England states also have wired their intention of attending the meeting.

Father Coughlin recently signed a contract to return to the air over a hookup of 75 stations, but the contract was subsequently cancelled. Shortly after the cancellation, the Rev. Gerald L. K. Smith's organization, the "Committee of One Million," bought the time reserved for Father Coughlin.

While the Union of Social Justice has rigidly guarded the secret of Sunday's meeting, it is known that the discussions at the meeting will be aired over a local radio station, presumably WMCA, and that following this initial meeting, a well-planned radio campaign will get under way, with the Union of Social Justice speakers urging the return to the air of Father Coughlin.

Belgium to Honor Marconi

The Belgian Government will award posthumous honors to Senatore Guglielmo Marconi, father of radio, according to information received here yesterday by David Sarnoff, president of RCA. King Leopold had decided several months ago to confer the Grand Cordon of the Order of Leopold on Marconi, it was stated, but his death occurred before this could be done. The insignia will soon be forwarded to his family through the Belgian Embassay in Rome.

Heinz on New Schedule

H. J. Heinz Co., which now has a schedule on CBS, Mondays, Tuesdays and Thursdays from 11:15 to 11:30 P. M., and Wednesdays and Fridays from 11 to 11:30 P. M., after Nov. 26 will adhere to a new schedule, Mondays through Fridays from 11:15 to 11:30 P. M., dropping the half-hour periods, and after Dec. 2 will place a script show in a new afternoon period, Thursdays from 3:30 to 4 P. M. The new script is as yet not selected. Maxon, Inc., is the agency.

Do Not Carry Fishbein Talk

CINCINNATI, Nov. 18.—None of the local NBC stations, which include WLW and WSAI, of the Crosley setup, and WCKY, operated by L. B. Wilson, carried the broadcast of Dr. Morris Fishbein, who spoke from Youngstown, O., Tuesday night on venereal diseases. Station officials said that "commercial broadcasts previously scheduled prevented their stations from carrying the address."

To Start New WOR Series

A new transcribed musical series, with Bill Goodwin and Ken Carpenter as "em cees," will begin on WOR this Monday at 6:45 A. M. The series is titled "Sunshine Melodies," and is sponsored by the California Fruit Growers Exchange. Lord & Thomas is the agency.

Needed: Brakes

(Continued from page 1)

music, personalities or the producer himself in service to national advertisers at a five figure retainer per week, that opportunity is available for almost as long as anyone can stand the gaff. Four shows on Monday, six on Tuesday, as many on Wednesday, again on Thursday, repeat on Friday, trim it to a brace on Saturday and then—hold on to your seat—shoot it up to nineteen on Sunday. It makes one wonder what the picture business is thinking of. As a matter of fact, it makes one wonder if the picture business is thinking . . . .

▼

From time to time, the usual arguments about films and radio have been aired here, there and elsewhere. No one will, or can, deny that, within reasonable bounds applied, the vast drawing power of radio can help films. But, true to its spots and by the usual machinations of Hollywood, its agents and its opportunists, this industry has gone, and continues to go, completely berserk, at a cost which one of these fine days it will rue. These are the times when business is good, despite the box-office decline which has set in since Labor Day. No one likes to be annoyed, apparently, about caution and an eye to tomorrow. But tomorrow will come and the aspirin era will come along with it. Also the yells, the howls and the heads that split and groan . . . .

▼

The point has been reached, if not passed, when radio's terrific onslaught on Hollywood talent, via indulgence of Hollywood, can be viewed as exploitation. Practically anyone on the coast, provided he has the semblance of a name, can get air time at fat prices—fat prices making it difficult for the studio that gave him the prominence resulting in the air contract thereafter to handle him. Hollywood, it is true, acquires an occasional Deanna Durbin or a Nelson Eddy, but what does radio gain and what does the film industry lose? There is the question and about it, the answer no longer can appear to be much clouded in speculation . . .

▼

No longer in doubt, as well, is the pressing necessity for someone or some group, by conference arrived at, to call a halt, not a break, and to endeavor to bring a situation now entirely out of hand back to a level that makes sense. Metro is on the air. Warners start December 8. As the picture business handles itself, who can doubt other studios will refuse to trail? Who, also, can doubt, the peril which increasingly confronts the producer's and the distributor's regular customers—the exhibitor, if you remember him, the man who plays the product at anywhere from twenty-five to forty per cent and expects his audience, when he can find it, to bail him out? . . .

▼

It was a busy afternoon in the general neighborhood of this typewriter. The facts had to be marshalled, for the facts alone make the impress. What follows is the nation-wide lineup of programs definitely committed to Hollywood and its activities, most of them regularly dependant upon the coast for talent and draw, many sporadically dependant upon the bulge in their money-bags to attract Hollywood personalities, all of them in one form or another featuring the Hollywood angle. NBC, CBS and Mutual furnished the information. No guesswork here. This is what goes on, day by day, seven days a week. The mass accumulation, if it is not staggering, proves this column is impressionable and you are not:

Monday

11-11:30 A. M.—"Heinze Magazine of the Air" for H. J. Heinze and Co. Also Wednesday and Friday. CBS.

1-2 P. M.—"Gold Medal Hour" for General Mills. Last 15 minutes, Capt. Bob Baker, commentator, has period called "Hollywood in Person." Also Friday. CBS.

8-8:30 P. M.—Burns and Allen with Ray Noble's Orchestra for Grape Nuts. NBC Red.

9:10 P. M.—"Lux Radio Theatre" for Lux. Cecil B. De Mille, master-of-ceremonies. Film stars heavily used. CBS.

Tuesday

7:15-7:30 P. M.—"Hollywood Screenscoops," George McCall, commentator, for Old Gold. Also Thursday. CBS.

8-8:30 P. M.—"Big Town," serial with Edward G. Robinson and Claire Trevor, for Lever Bros. CBS.

8:30-9 P. M.—Al Jolson, Martha Raye, Parkyakarkus show for Lever Bros. CBS.

9:30-10 P. M.—"Jack Oakie's College" for Camel cigarettes. With Oakie, Stuart Erwin and Raymond Hatton. CBS.

9:30-10:30 P. M.—"Hollywood Mardi Gras" for Packard Motor Cars. With Lanny Ross and Charles Butterworth. NBC Red.

10:30-10:45 P. M.—"Jimmy Fidler in Hollywood Gossip" for

(Continued on page 28)

Minnesota Stations Set Optional Rates

The two new optional stations recently signed by CBS, WMFG, Hibbing, Minn., and WHLB, Virginia, Minn., may be used by advertisers now using KDAL, Duluth, at the rate of $25 per evening hour, in addition to the $125 per evening hour for KDAL. The combined base rate for all three stations is $150 per evening hour. Daytime rates are in proportion. The use of these stations in conjunction with KDAL does not affect station-hour discounts of CBS advertisers.

WMFG and WHLB were added as supplements to KDAL because they are the only stations which provide reliable coverage of their markets because of local peculiarities in the iron range country they serve. WMFG broadcasts with 250 watts day and 100 watts night power; WHLB with 100 watts day and night power.

Squire Establishes Firm for State Web

Burt Squire, who recently resigned as manager of WINS and director of the New York Broadcasting System, Hearst regional network, has formed his own company, the Mohawk Valley Broadcasting Corp., with headquarters on 57th St., it was learned yesterday.

The purpose of Squire's organization is to form a new regional chain will will not go beyond the borders of New York State. If he is successful in forming this chain, he will be in direct opposition with the New York State Broadcasting System, which he formerly headed.

Squire was not available for comment at his office yesterday.

M-G-M Signs Nesbitt

John Nesbitt, rado commentator, has been signed to write and narrate a series of film shorts for M-G-M based on material used in his broadcast. The first release will be "The Man Who Would Not Die." Jacques Tourneur will direct and Jack Chertok will produce. The contract gives M-G-M complete screen rights to about 7,000,000 words of story material used by Nesbitt in more than 500 broadcasts.

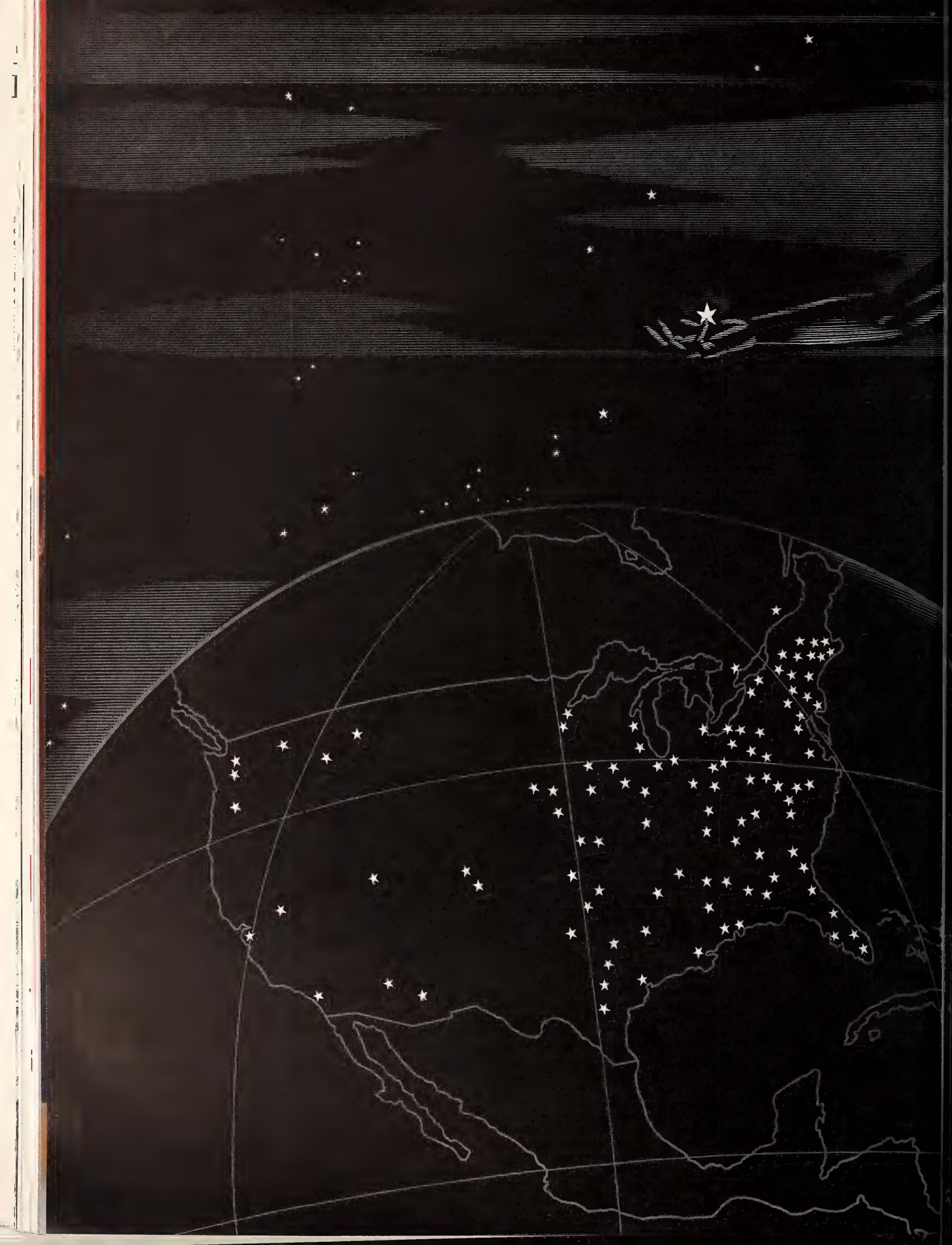
Ellis to Fletcher & Ellis

CHICAGO, Nov. 18.—S. K. Ellis, Jr., formerly with CBS here, has joined the local office of Fletcher & Ellis Inc. in a research capacity.

To Appear on "Hotel"

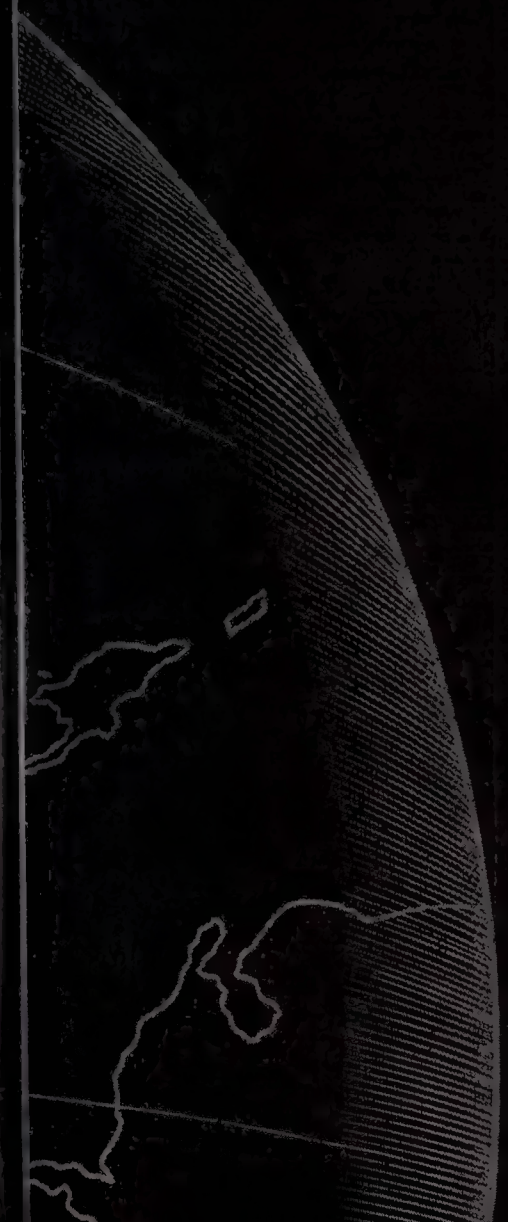
Kay Francis and Verree Teasdale will be presented in "First Lady" on "Hollywood Hotel" Nov. 26.

Imperial Tobacco Co., Ltd.
OF CANADA
presents
KEN SISSON
Director, "Canada, 1937"
With a 30-piece orchestra
16-voice choir and soloists
Over a coast-to-coast network of
Canadian Stations
Fridays, 10 to 10:45 P.M., E.S.T.





108 NORTH STARS



Each is a guide for those who listen—each is a guide *to* those who listen. They are the pole-stars of their communities—magnetic with the world's voice, its drama, music, and wit. Together, they pull irresistibly on the lives within their reach. They are the 108 stations of the Columbia Broadcasting System, the world's largest radio network.

Sterling Plans Big Canadian Air Drive

Sterling Products, Inc., will launch an intensive Canadian sales campaign over 11 Dominion stations on Nov. 22, in the interests of Phillips Milk of Magnesia and Dr. Lyon's Tooth Powder. Contracts calling for a 15-minute, five-day-a-week spot for a one-year period were signed through Weed & Co., American representative. This marks the first time Sterling is using Canadian outlets to advertise these two products. The magnesia will be sold three days a week while the tooth powder will get the commercials on the remaining two days.

The programs will consist of electrically transcribed dramatizations of the "Stella Dallas" series, currently on WEAF only. Stations signed include CKWX, Vancouver; CJAT, Trail; CFAC, Calgary; CKY, Winnipeg; CFCF, Montreal; CJKL, Kirkland Lake; CFCY, Charlottetown; CFRB, Toronto; CHNS, Halifax; CKCO, Ottawa, and CHSJ, St. John. The Sterling account is handled by Blackett-Sample-Hummert.

Two Leading Canada Air Firms in Merger

A merger bringing together two of Canada's leading broadcasting firms, United Broadcasting Sales and All-Canada Broadcasting, has been effected, according to Joseph J. Weed, president of Weed & Co., station representatives. The amalgamation is known as All-Canada Radio Facilities, Ltd., and will represent in Canada leading Dominion stations on an exclusive basis. The main offices are in Toronto, with branches in Calgary, Montreal, Winnipeg and Vancouver.

H. R. Carson is general manager of the new firm. Weed & Co. are its American representatives.

Three NBC Shows to Go from WBZ, WBZA

BOSTON, Nov. 18.—Three additional NBC Blue Network programs are to originate in the studios of WBZ and WBZA. Nine coast-to-coast shows are being produced weekly at the local outlet at the present time.

The three additional spots, combining musicals and varieties, will be added to the WBZ and WBZA present quota of nine during this month and early December, it is stated.

Star Programs Has New Idea

Star Radio Programs, Inc., yesterday released promotion work on a series presenting a new idea in radio programs. The series contains 13 five-minute scripts and requires only one man for production.

Working on the theory that the public has had many programs trying to find out how much it knows and giving it information, "Boners" takes the other side of the fence and hands out misinformation. Each program contains one feature boner and other boners in schools, on the stage and screen and over the radio.

Shift Warner Starting Date

The Warner-American Tobacco Co. program, "Your Hollywood Parade," will begin Dec. 8, instead of Dec. 1, as originally scheduled. The time is 10 to 11 P. M. on the NBC-Red.

Needed: Brakes

(Continued from page 25)

Drene Shampoo. Also Friday. NBC Red.

Wednesday

11-11:30 A. M.—"Heinz Magazine of the Air" for H. J. Heinz and Co. Also Monday, Wednesday and Friday. CBS.

8:30-8:45 P. M.—"Sid Skolsky from Hollywood" for Emerson Drug Co. NBC Blue.

8:30-9 P. M.—Eddie Cantor show for Texaco. With Deanna Durbin and Pinky Tomlin. CBS.

9-10 P. M.—"Town Hall Tonight" for Bristol-Meyers Co. with Fred Allen. NBC Red.

10-11 P. M.—"Your Hollywood Parade" for American Tobacco. This is the forthcoming Warner Bros. show which starts Dec. 8. NBC Red.

10:45-11 P. M.—Alistair Cooke, commentator. NBC Red.

Thursday

7:15-7:30 P. M.—"Hollywood Screenscoops," George McCall, commentator, for Old Gold. Also Tuesday. CBS.

8-9 P. M.—Kate Smith for General Foods. CBS.

8-9 P. M.—Rudy Vallee for Standard Brands. NBC Red.

9-10 P. M.—"Good News of 1938." The M-G-M show which went into its third stanza last night for General Foods. NBC Red.

10-11 P. M.—"Kraft Music Hall" for Kraft-Phenix Cheese. With Bing Crosby and Bob Burns. NBC Red.

11:15-11:30 P. M.—Elza Schallert, commentator. NBC Blue.

Friday

11-11:30 A. M.—"Heinz Magazine of the Air" for H. J. Heinz and Co. Also Monday and Wednesday. CBS.

1-2 P. M.—"Gold Medal Hour" for General Mills. Last 15 minutes, Capt. Bob Baker, commentator, has period called "Hollywood in Person." Also Monday. CBS.

8:30-9 P. M.—Alice Faye in "Music from Hollywood" for Chesterfield. CBS.

9-10 P. M.—"Hollywood Hotel" for Campbell's Soups. With Louella O. Parsons as mistress-of-ceremonies. CBS.

10-10:45 P. M.—Kitty Carlisle in "The Songshop" for Coca Cola. CBS.

10:30-10:45 P. M.—"Jimmy Fidler in Hollywood Gossip" for Drene Shampoo. Also Tuesday. NBC Red.

Saturday

8:30-9 P. M.—"Jack Haley's Log Cabin" for Log Cabin Syrup. NBC Red.

10-10:45 P. M.—"Your Hit Parade" for Lucky Strike cigarettes. CBS.

Sunday

11:30 A. M.-12:30 P. M.—"Major Bowes Capitol Family." CBS sustainer.

1:45-2 P. M.—"Lloyd Pantages Covers Hollywood" for Raymonds, Inc. CBS.

2-3 P. M.—"Magic Key of RCA" for RCA Mfg. Co. NBC Blue.

2:30-3 P. M.—Jean Hersholt in "Dr. Christian," a serial, for Chesebrough Mfg. Co. CBS.

3-4 P. M.—"On a Sunday Afternoon." Mutual sustainer.

5-5:30 P. M.—"Silver Theatre" for Rogers Silverware. With Lee Tracy, Joan Fontaine and Conrad Nagel. CBS.

6-6:30 P. M.—"Thirty Minutes in Hollywood," different sponsors in each city. Mutual.

6-6:30 P. M.—Joe Penner show for Cocomalt. With Julie Gibson. CBS.

6:45-7 P. M.—Radie Harris, commentator. Mutual sustainer.

7-7:30 P. M.—Jack Benny for Jello. NBC Red.

7-7:30 P. M.—"Vick's Open House" for Vick's. With Jeanette MacDonald, who is temporarily off the program but who returns in about two weeks. CBS.

7:30-8 P. M.—"Bakers' Broadcast" for Fleischmann's Yeast. With Ozzie Nelson and Feg Murray. NBC Blue.

7:30-8 P. M.—Phil Baker for Good Gulf. With Lucille Boyle. CBS.

8-9 P. M.—General Motors concert. NBC Blue.

8:30-9 P. M.—"Milestones." New program which plans to present guests from show business in general who have birthdays on each succeeding program. CBS sustainer.

9-9:30 P. M.—"Hollywood Playhouse" for Woodbury Soap. With Tyrone Power. NBC Blue.

9-10 P. M.—Ford Sunday Evening Hour. CBS.

9:30-9:45 P. M.—Walter Winchell, commentator, for Jergens Lotion. NBC Blue.

9:45-10 P. M.—"Welch Presents Irene Rich" for Welch Grape Juice. NBC Blue.

New Shows on the Air

"Town Hall Tonight"

Fred Allen, after an absence of several months, staged a hilarious return to "Town Hall Tonight" Wednesday. If proof ever was needed that the solemn-visaged Ipana troubadour is the funniest man in radio, that proof was provided upon his return. To our satisfaction, at least.

Not only are Allen's jokes original, it's the way he tells them. He also commits the unpardonable sin of laughing at his own cracks, but in his instance one doesn't mind, he is that good.

Fred took Hollywood for a grand, but thoroughly good natured, ride. He kidded every Hollywood foible in sight, holding nothing sacred. The producers got theirs, so did the actors and actresses. The humor was razor-edged, but entirely free from rancor or bad taste. That's a test of any comedian's mettle. Many of them in poking fun at Hollywood have been funny, but only at the expense of the feelings or reputations of those who live and work in the film capital.

Practically the whole of the "Town Hall" troupe was present for the show, having traveled to Hollywood to welcome Fred back to his old stand. Several of the "mighty" Allen art players were on hand, plus Peter Van Steeden and Harry Von Zell. Portland Hoffa, of course, was present. The guest stars were Lionel Stander, who got his start on the program some years ago and GoGo DeLys, vocalist.

"Town Hall Tonight" is sponsored by the Bristol-Myers Co., and broadcast Wednesdays from 8 to 9 P.M. on the NBC Red. Young & Rubicam is the agency. BANNER

CBS Sells Strip for New Morning Period

CBS has sold the first strip of early morning time recently opened to permit transcribed programs over its New York outlet, WABC. The initial order, however, is not for a transcribed program. It is for a "live" show which will be piped to it from Washington.

Through a deal worked out by Erwin, Wasey, the advertising agency; WJSV, Washington, and WABC, key station of CBS, Arthur Godfrey's "Sun Dial" program will be piped here over WABC from Washington beginning Nov. 30. Four products will share sponsorship.

The program will be offered three times weekly, Tuesdays, Wednesdays and Thursdays, from 8 to 8:15 A. M., with Godfrey as "em cee" and John Salb at the organ. The programs will be typical of "Sun Dial" series, popular in Washington for many years. Godfrey was formerly heard on the networks as announcer and "em cee" on the "Prof. Quiz" series over CBS.

The broadcasts will be sponsored by Barbasol, Kreml, Musterole and Zemo. The accounts are all handled by Erwin, Wasey & Co.

CBS Will Take Over Ampa Meeting Dec. 2

(Continued from page 1)

problems, was the guest of honor yesterday. He said that "the bottleneck in business today is the salesman, the words they use and personality to prospects." He added that his institute has collected 105 tested selling sentences.

Ruth Schein and John Englen, shag dance winners in the recent *Daily News* Harvest Moon contest, were introduced. They are appearing in a short, "Phoney Boy," at the Criterion.

McClatchy Plan Test Of Facsimile Papers

SAN FRANCISCO, Nov. 18.—Mc Clatchy Broadcasting Co.'s practical test of radio facsimile newspapers will be tried shortly after the first of the year, according to word here.

The plan is to install 100 sets in Sacramento and Fresno homes for the broadcasts, which will be put on between midnight and 6 A. M.

A merchants' committee in each city will select the families to get the experimental sets.

"Barrier" at $9,250 Tops Seattle Week

SEATTLE, Nov. 18.—"The Barrier," in its world premiere here, with Jean Parker and Robert Ellison making personal appearances, plus "Hold 'Em Navy," led the Seattle parade at the Paramount, with $9,250, over average by $3,250.

"Double Wedding" topped par by only $450 at the Fifth Avenue, and "Vogues of 1938" by only $100 at the Liberty. The others were below par. The weather was bad.

Total first run business was $37,950. Average is $36,500.

Estimated takings for the week ending Nov. 12:

"MAKE A WISH" (RKO)
"WOMEN MEN MARRY" (M-G-M)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,000. (Average, $4,000)

"DOUBLE WEDDING" (M-G-M)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,450. (Average, $7,000)

"VOGUES OF 1938" (U. A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $5,100. (Average, $5,000)

"STAGE DOOR" (RKO)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,350. (Average, $4,000)

"BACK IN CIRCULATION" (F. N.)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,600. (Average, $6,000)

"THE GIRL SAID NO" (G. N.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Gresham & Blake. **Gross:** $4,100. (Average, $4,500)

"THE BARRIER" (Para.)
"HOLD 'EM NAVY" (Univ.)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $9,250. (Average, $6,000)

"Specimen" and "Double" N.H. Hit

NEW HAVEN, Nov. 18.—"The Perfect Specimen" and "The Lady Fights Back" at the Roger Sherman tied in the lead for downtown grosses with "Double Wedding" and "Counsel for Crime" at the Loew's-Poli. The former dual took $6,600, over par by $2,000, while the latter grossed $10,000, over the line by the same amount. The Loew bill will be held for a second week at the College, where this week's holdover, "Life Begins in College" and "Borneo" went over the $2,800 line at lower prices by $600. The return engagement of "Lives of a Bengal Lancer" at the Paramount, co-featured with "Carnival Queen," played to $3,400 in six days.

Total first run business was $23,300. Average is $20,200.

Estimated takings for the week ending Nov. 12:

"LIFE BEGINS IN COLLEGE" (20th-Fox)
"BORNEO" (20th-Fox)
COLLEGE—(1,499), 35c-50c, 7 days (2nd week). **Gross:** $3,400. (Average, $2,800)

"DOUBLE WEDDING" (M-G-M)
"COUNSEL FOR CRIME" (Col.)
LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

"LIVES OF A BENGAL LANCER" (Para.)
"CARNIVAL QUEEN" (Univ.)
PARAMOUNT—(2,348), 35c-50c, 6 days. **Gross:** $3,400. (Average, $4,800)

"THE PERFECT SPECIMEN" (F.N.)
"THE LADY FIGHTS BACK" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $6,600. (Average, $4,600)

Looking 'Em Over

"Thoroughbreds Don't Cry"

(M-G-M)

"Thoroughbreds Don't Cry" superimposes upon a background of horse racing a beautifully executed, pre-adolescent companionship theme of three youngsters whose cinematic ages permit them to portray existences untrammeled by what has been presumed in many quarters to be the necessary elements of adult romance. To Mickey Rooney, Judy Garland and Ronald Sinclair, the last the new screen name for Ra Hould, go laurels for restraint in performance, finesse in portrayal the like of which few screens have seen.

Sharing in credit for the Harry Rapf production, which has the requisites for universal appeal, are Alfred E. Green, who, in addition to bringing into play his own first hand knowledge of the technical details of horse racing, held the reins closely over the entire cast to guide them all into well-rounded performances, and Lawrence Hazard, who laid out the screenplay track for the original story of Eleanore Griffin and J. Walter Ruben. In addition to the three youngsters who have the principal roles, are Sophie Tucker, in her first role that does not call upon her to sing; C. Aubrey Smith, Forrester Harvey, Charles H. Brown, Frankie Darro and Henry Kolker, all of whom acquit themselves well.

Ronald, an English boy, comes to America with his grandfather, Smith, to race "The Pookah," their horse, in the annual classic. They meet Mickey, a conceited jockey, who ranks as the best rider in the business, and he consents to ride for them. But he is forced, by his plotting, estranged father, to throw the first race he rides for them. Smith dies from shock, and Ronald, impoverished, is about to sell the horse when Mickey discovers that he had been tricked by his father. Mickey and Ronald enter the horse, but Mickey's father has him disqualified by baring the "throwing" of the first race. But Ronald, after encouragement by Miss Tucker and her niece, Miss Garland, rides the horse to victory. The final fadeout has Judy, Mickey and Ronald going ahead to other races together.

Miss Garland's sole song in the film is "Gotta Pair of New Shoes," a catching tune by Nacio Herb Brown and Arthur Freed.

Running time, 80 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"County Fair"

(Crescent-Monogram)

HOLLYWOOD, Nov. 18.—A fast-moving, homespun yarn of horse racing, "County Fair," a Crescent production for Monogram, will be released possibly about the time that Santa Anita resumes operations. What the film lacks in marquee names is made up in timeliness, a good story which keeps away from triteness although embodying a familiar plot, crisp direction and an adequate production frame.

Mary Lou Lender, a personable young girl, makes her film debut in "County Fair," and gives promise of going far in sweet young girl roles. Topping the cast is John Arledge as the masculine lead. Among the supporting players are J. Farrell MacDonald, Fuzzy Knight and Jimmy Butler.

Great restraint was exercised by John T. Neville, who wrote the screenplay, and Director Howard Bretherton in presenting the story of a farmer father, embittered by the loss of his wife, and his coercion of his son and daughter, with his final rehabilitation following his burst of pride at his son's winning an important horse race.

Arledge, a jockey, is barred from a big track after being framed for the "doping" of a horse. With his pal, Knight, he wanders off and they find Miss Lender and Jimmy Butler, children of MacDonald, the farmer, training a race horse secretly. Signed on as farm hands, Arledge and Knight aid in the plan, succeed in foiling the father in his desire to stop the horse from racing, and also outwit a gang of racetrack gamblers.

Running time, 73 minutes. "G."

"Tovarich" to Music Hall

"Tovarich," originally slated for a two-a-day run at the Hollywood, has been booked into the Music Hall for an indefinite run starting Dec. 30.

Sachson Joins Segal

NEW HAVEN, Nov. 18. — Milton Sachson of New York has been appointed New Haven manager for Harry Segal, Boston distributor.

"Victoria" on Double Leads Boston Takes

BOSTON, Nov. 18. — Bad weather prevailing, "Victoria the Great" and "Girl with Ideas" led the field in Boston this week at the RKO Memorial with a $3,500 gain above a $12,000 house average.

"Alcatraz Island," dualed with "Danger, Love at Work," at the Fenway went $500 above the line with $5,000. The same program playing at the Paramont drew $7,000, or average business. The RKO Boston playing "Living on Love" and Chick Webb on the stage grossed $22,000 or average for the week.

Total first run business was $100,000. Average is $95,500.

Estimated takings for week ending Nov. 11:

"ALCATRAZ ISLAND" (W. B.)
"DANGER, LOVE AT WORK" (20th-Fox)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"VICTORIA THE GREAT" (RKO)
"GIRL WITH IDEAS" (Univ.) ....
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $15,500. (Average, $12,000)

"PRISONER OF ZENDA" (U. A.)
"LEAGUE OF FRIGHTENED MEN" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $12,000)

"PRISONER OF ZENDA" (U. A.)
"LEAGUE OF FRIGHTENED MEN" (Col.)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $11,000)

"PERFECT SPECIMEN" (W. B.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Dave Appalon and Mary Brian. **Gross:** $21,500. (Average, $22,000)

"ALCATRAZ ISLAND" (W. B.)
"DANGER, LOVE AT WORK" (20th-Fox)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"LIVING ON LOVE" (RKO)
RKO BOSTON—(3,246), 35c-55c-75c, 7 days. Stage: Chick Webb. **Gross:** $22,000. (Average, $22,000)

"ATLANTIC FLIGHT" (Mono.)
"HIDEAWAY" (RKO)
HUB—(950), 20c-30c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"Truth" Is Smash $16,700, Buffalo

BUFFALO, Nov. 18.—Business was fair here in bad weather. The Lafayette's "The Awful Truth" and "A Fight to the Finish" helped that house celebrate its seventh anniversary with a sensational take of $16,700. Average is $6,500. "Over the Goal" and "This Way, Please" at the Century had an $8,500 week, better than par by $2,200. The Hipp's "Heidi" pulled $9,900 to top average by $2,400.

Total first run business was $56,800. Average is $42,500.

Estimated takings for the week ending Nov. 13:

"THE PERFECT SPECIMEN" (W. B.)
BUFFALO—(3,000), 40c-60c, 7 days. **Gross:** $13,500. (Average, $14,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
GREAT LAKES—(3,000), 35c-40c, 3 days. **Gross:** $7,600. (Average, $8,000)

"HEIDI" (20th-Fox)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $9,900. (Average, $7,500)

"OVER THE GOAL" (W. B.)
"THIS WAY, PLEASE" (Para.)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $8,500. (Average, $6,300)

"THE AWFUL TRUTH" (Col.)
"A FIGHT TO THE FINISH" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $16,700. (Average, $6,500)

Conn Will File in Bankruptcy in Week

Maurice Conn, president of Ambassador Pictures, parent company for Conn Prod. and Television Pictures, will file a petition in bankruptcy for Ambassador next week in California, he said yesterday at a press conference. Conn plans to leave tomorrow with Ted Richmond, publicity representative, for the coast by automobile.

Conn stated that there have been many reports circulated about him and his company which he wanted to clarify for the benefit of his creditors.

Pressure by creditors who hold notes amounting to $25,000 is forcing him to file under 77 B, Conn declared. He listed assets of more than $450,000 and liabilities of approximately $230,000. The assets, he said, comprise about $215,000 on unamortized negatives; from $35,000 to $40,000 on prepared expenses for future production; about $25,000 invested in studio equipment, automobiles and leaseholds; about $20,000 in stories and continuities; about $15,000 in accounts and notes receivable, and about $25,000 in actual expenditures in a film library.

Liabilities, according to Conn, include $50,000 to Marks and Malcolm Trading Corp., local laboratory; $25,00 to Lewis Korson, Philadelphia and Washington franchise holder; about $25,000 to Lewis De Brantes, a personal friend; $15,000 to Production Finance Corp., finance company associated with International Cinema, Inc., in Hollywood, which also has a $7,500 bill due for work done; and a note of $2,500 to Thom Films, Inc., which is pressing for payment.

Fitelson Suggested Bankruptcy

Conn asserted that in the analysis made for the S.E.C., the unamortized negatives would take in $115,000, which represents additional income from foreign sales, overages and reissues. He said the bankruptcy was suggested by William Fitelson, attorney, and will stay immediate payments and also eliminate preferences on obligations due.

A deal is expected to be closed by Conn tomorrow with interests outside the business to finance 16 pictures. He said $315,000 was involved in the deal and the men who will put up the money will join his company in Hollywood.

His arrangement with Monogram to produce eight to nine westerns will be financed by Monogram, Conn stated. Withdrawal of registration papers from the S.E.C. was due to a drop in the market, according to Conn, and not because of any particular trouble with S.E.C. Several members of his family have been working for no salary, or very little, and studio members four weeks ago agreed to go along without salary, Conn said.

He started with $30 back in October, 1934, and now hasn't that much to his name, Conn said.

Oklahoma Show Strong

OKLAHOMA CITY, Nov. 18.—That vaudeville has not lost its pulling power for local patrons was demonstrated when the Warners, getting 25 cents on the main floor and 15 cents in the balcony at night, grossed $3,000 in four days. The Cushman unit playing on the stage with "Hold 'Em Navy" was the attraction.

The Newsreel Parade

Movietone News
Vol. 20, No. 20
(20th Century-Fox)

Movietone News opens the season for picking 1937 All-America football teams with this issue. The reel's selections are presented by the camera and the backfield stars are shown in some of the spectacular action plays which won them the reel's vote for a place on the mythical eleven. The subject holds wide sectional interest in that schools in all sections of the country are represented.

Additional shots of the Sino-Japanese conflict are included in this issue but are confined to the further advance of Japanese troops following the fall of Shanghai. They are not spectacular, as were the shots of the capture of Chapei, but are significant in pointing to a possible siege of Nanking and the extent of Japan's aims in China.

Clips of Army stunt fliers, distinguished personalities arriving from Europe and Pimlico races featuring debutante jockeys complete the news section. Lew Lehr contributes an amusing commentary of the use of devices for exercising dogs.

Running time, 10½ mins. K.

News of the Day
Vol. 9, No. 218
(M-G-M)

The livest piece of news in this issue is the clip relating to the capture of two of the three kidnapers who broke jail early this week. The sequence is built up with shots of J. Edgar Hoover setting the manhunt wheels in action, the location of the hideout and finally portraits of the convicts soon after their capture. They grimace most un-beautifully.

Another good item is a collection of scenes showing the famous Chinese cameraman, "Newsreel" Wong in action with his camera. This sequence also shows many of his important shots that have been reproduced everywhere. Audiences will like this presentation of one of the men behind the camera.

The Snapshots division shows J. C. Mackley of Miami stunting in an airplane while trailing smoke. It is well photographed. The Lord Mayor of London is inducted, and there are photographic studies of scenes in Washington with the new night-penetrating film, a diving exhibition at a pool in Palm Springs and girls in Ramona, Cal., dressed in garments made from turkey feathers. Sports are covered with scenes of Pacific coast Golden Glovers pushing leather and the opening game of the hockey season with the Rangers and Americans playing.

It is good newsreel.

Running time, 8½ mins. P.

Paramount News
No. 31
(Paramount)

Nothing particularly outstanding in the midweek issue of this reel. It was rather a dull week for pictorial news. The makeup, however, is diversified.

The reel leads off with scenes of the destruction of bootleg liquor in New York. Ten thousand gallons of the illicit spirits are done away with as "Auld Lang Syne" vibrates on the sound track. Professor Jean Broadhurst follows. She is the Columbia bacteriologist who isolated the measles virus, making possible a vaccine for the children's disease. In Beaumont, Tex., and Lansing, Mich., boy and girl quadruplets are filmed. They are mildly interesting. In Brussels Anthony Eden, British Foreign Secretary, speaks at the Nine-Power Conference. The Rome-Berlin-Tokyo anti-Communism pact signing is also shown. The signatories talk briefly. In Shanghai the wounded and refugees are shown. This is a bit late. There are a number of good airplane bombing scenes in this sequence. The reel closes with the humorous and spectacular diving activities of a number of professional springboard artists in Palm Springs, Cal.

Running time, 9 mins. P.

RKO Pathe News
Vol. 9, No. 35
(RKO)

News susceptible of transplantation to the screen was not too plentiful during the past few days, but the RKO Pathe reel managed to overcome the handicap with general interest in a diversified form, and one novel clip which the reel promises to duplicate in type when the occasion warrants. The camera and sound men went behind the scenes of "I'd Rather Be Right," the George M. Cohan play which bounced into the nation's headlines with complete abandon, caught the first night audience arriving, interviewed the inimitable Cohan, and pictured him in one of his best and more serious bits from the Presidential reproduction. It need hardly be said that therein Cohan waves the "good old flag" in his own fashion, but the entire clip presents an interesting and novel offering of the "feature news" type.

Otherwise the reel is good, but not extraordinary. Senator Bob LaFollette, in an exclusive clip, rousingly and convincingly demands a constitutional amendment under which a national referendum would decide America's entrance into any war. The destruction of old freight cars for future military use, the making of those grotesque balloons at Akron which will tickle the kids of New York on Thanksgiving Day, a diving exhibition in California, the smashing of illicit liquor made in New York, which would be a small boy's field day, and the snappy opening of New York's hockey season at Madison Square Garden, with spills and a fist-fight to liven matters, conclude the reel. The new RKO Pathe reel commentators are continuing their clean-cut work.

Running time, 9 mins. A.

Universal News
Vol. 9, No. 616
(Universal)

Universal claims three exclusives in its latest issue and there are several other interesting news items which are timely. The exclusives include latest styles in women's bathing suits, Welch of Cornell capturing the cross country run and an outboard motor race at Long Beach, Cal.

Hot off the griddle is the capture of two of three escaped convicts at Syracuse, N. Y. General Pershing in his 77th year is shown on his return from abroad, President Roosevelt conferring with President Vargas at Rio de Janeiro, the inauguration ceremonies of London's Lord Mayor, the mysterious poisoning of fishing waters at Buffalo and scores of dead fish washed up on the shores, the National Guard being paid off in silver dollar pieces at Sacramento, the launching of a new freighter at Lorain, O., and a skating exhibition at the ice carnival at Madison Sq. Garden make up the balance of the subject.

Running time, 9 mins. O.

"Love I'm After" at $37,850 Strand Week

(*Continued from page* 1)

second week at the Music Hall with $84,000. The Roxy took in $43,000 on the first week of "Second Honeymoon." The second week of "Conquest" at the Capitol garnered about $30,000. United Artists claimed that "Stand-In" on the opening day yesterday at the Music Hall, did $12,000 for the day, with a reported $6,000 to 6 P.M. and the same amount from then to closing.

Hummel to Sail Soon On Australia Survey

Joseph Hummel, foreign manager for Warners, will leave for the coast Dec. 1 and sail on the *Mariposa* a week later to look over the film situation in Australia. He intends to be gone four or five months. Hummel yesterday stated there is no intention on the part of the company to acquire or build theatres in the Antipodes, but his trip was to survey conditions in the seven branches Warners have in the country.

Harold S. Dunn, general manager in China, arrived yesterday from the coast. The Warner exchanges in Shanghai and Hong Kong are functioning although operation of theatres has been reduced about 50 per cent. Dunn will make a report on conditions in China and remain two to three weeks before returning home.

Flash Previews

"Danger Patrol" . . . Stark horror pervades the story. . . . Treats of "soup handling," meaning the use and transportation of nitro-glycerine.

"Under Suspicion." . . . Concentrating on melodrama . . . measures up as average attraction. . . . Murders inserted to intensify dramatic content.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Armstrong to Goldwyn

Ned Armstrong, former theatrical press agent, has been signed by Samuel Goldwyn to arrange all exploitation and tieups on Goldwyn pictures. He is working now on "The Adventures of Marco Polo" and "The Goldwyn Follies."

To Philippines for RKO

HOLLYWOOD, Nov. 18.—Daniel F. Greenhouse left this week for the Philippines to set up a new RKO direct distribution contact.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 121 NEW YORK, SATURDAY, NOVEMBER 20, 1937 TEN CENTS

Stations Get Instructions On AFM Deals

Attorneys of IRNA Make Seven Suggestions

Sol A. Rosenblatt and William B. Jaffe, attorneys for IRNA, on Saturday mailed to station owners throughout the country a letter of instruction intended to guide them in their dealings with the local A. F. of M. units regarding the terms of Schedule A, which has already been sent to them. The suggestions are as follows:

1.—The contract is to be left undated, state the attorneys, explaining that the Plan of Settlement contem-

Additional developments in radio yesterday on page 4.

plates a final deadline, at which time the IRNA committee and the Federation will exchange contracts, a uniform date to be inserted in all contracts then.

2.—Station owners are advised to identify their station both by call letter and location.

3.—The amount of money to be allocated, for staff musicians is to be set forth clearly in the contract, and the contract should contain a statement that the expenditure is for the year, since Schedule A provides that the expenditure to be made is annual, and shall be made for each of the two years of the contract. If the amount

(*Continued on page 4*)

RKO in Decision to Produce in France

By PIERRE AUTRE

PARIS, Nov. 10.—RKO has decided to produce their own films here for the French market. The company's intention to do so has been expected for some time, and the confirmation of the plan follows a long period of negotiations. RKO distribution office here of American films, headed by C. E. Hilgers, will remain unaltered.

The first film to be made under the

(*Continued on page 3*)

New Agfa Fast Film Set for Studio Use

HOLLYWOOD, Nov. 19.—C. King Charney, Inc., American distributors of Agfa film, has disclosed that a high speed negative under the name of Agfa Supreme for production use will be introduced commercially the latter part of December. The Binghampton fac-

(*Continued on page 3*)

Nebraska Asks Court to End Ascap's Writ

Seeks Denial of Motion to Dismiss, Also

LINCOLN, Nov. 19.—The Nebraska State Attorney General today filed with a Federal Statutory Court a plea for the cancellation of the temporary injunction granted to Ascap last Saturday, restraining Nebraska officials from bringing legal action to enforce the state legislation against Ascap.

The Attorney General's plea listed objections and exceptions to the Ascap injunction plea and asked denial of the latter's motion for dismissal of the Ascap case against state and county officials. The petition denied that the legislation would cut off the rights of copyright owners or that music writers

(*Continued on page 2*)

Racine Bill Would Prohibit All Games

RACINE, Wis., Nov. 19.—An ordinance to ban lotteries, gift nights, corn and Bingo games and similar promotions has been introduced in the Common Council here and referred to the Committee of the Whole.

A hearing on the measure will be held at an early date and theatre managers have circulated petitions opposing the measure, which would also outlaw Bank Night. Violators, including operators of the games, persons furnishing the material for their operation and owners of buildings in which they are held, would be subject to fines ranging from $5 to $100 or 60 days in jail.

The Kenosha, Wis., Common Council has instructed its City Attorney to draft a similar measure.

Board Reelected at Educational Meeting

The entire board of directors was reelected yesterday at a brief annual meeting of the stockholders of Educational Pictures, Inc. The meeting also approved the actions of the directorate during the past year. The first meeting of the reelected board will be held next Monday, when it is expected the present officers of the company will be reelected.

The board of directors, as reelected, includes the following: E. A. Hammons, Bruno Weyers, Hugh M. Kahler, John R. Munn, Norman C. Nicholson and T. R. Williams.

25 Years Today

Twenty-five years ago today, George J. Schaefer spent his honeymoon in Atlantic City. Today, he is at the Ambassador Hotel, same city, celebrating his silver wedding anniversary.

Col. 13-Week Net Seen at $147,000

Net earnings of Columbia for the 13 weeks ending Sept. 30 are estimated at $147,000 after taxes. With the deduction of preferred dividend requirements this figure will be equal to about 27 cents per share on 349,468 shares of common stock now outstanding.

Earnings in the corresponding quarter last year were $129,000 after taxes. This, after preferred dividend deductions, amounted to 36 cents each on the 296,649 common shares.

Hearing Adjourned On Roxy Plan Fees

Federal Judge Francis G. Caffey yesterday adjourned until Dec. 3 the hearing on 33 applications for fees totaling $612,000 for services in connection with the Roxy reorganization. Following a lengthy hearing on the applications, Judge Caffey set Nov. 26 for the determination of several questions raised in connection with the eligibility of several applicants for allowances. The date may be changed, however, early next week.

Joseph M. Hartfield, attorney for the Roxy bondholders' protective committee, proponent of the plan, advised the court that the applications for fees aggregated more than twice the amount available for such payments. Hartfield objected to any allowance whatever being made to counsel for the Roxy stockholders' committee, on

(*Continued on page 2*)

Urges English Sales Through U. S. Firms

LONDON, Nov. 19.—John Maxwell, head of Associated British Pictures, declared that producers in England should not embarrass themselves with the heavy cost of establishing their own distribution branches in the United States, but should use the American distribution channels which now exist.

In a statement issued today he cited the lead of the Ostrers, as operating heads of Gaumont British, in the establishment of their own distribution organization covering the entire United States.

To Maintain Erpi Staffs In New Setup

Conrow to Be Head with Eight Sales Districts

The home office and field executive staff of the new theatre sound equipment servicing organization being set up under the direction of L. W. Conrow was completed yesterday and maintains to a large extent the present executive staff of the Erpi operating department.

Conrow will head the new company, with George L. Carrington as operating manager; Bert Sanford, Jr., sales director; Stanley W. Hand, executive staff representative for the field, and E. Z. Walters and H. M. Bessey, completing the home office executive staff.

In the field, eight sales districts will be set up with the following in charge: W. W. Simons, New York; L. J. Hacking, Boston; E. O. Wilschke, Philadelphia; A. Fiore, Atlanta; R. Hilton, Chicago; F. C. Dickley, Detroit; O. Hunt, Kansas City, and H. W. Dodge, Los Angeles. Branch offices will also be set up within these divisions.

At the same time, Western Electric officials declared that most of the top executives of Erpi would remain with that company following its withdrawal from the theatre field on Jan. 1. The Erpi officials who will remain with the company are, in addition to Whitford Drake, president, H. G. Knox, vice-president; Fred Foster, treasurer; D.

(*Continued on page 3*)

Erpi Demonstrates Stereophonic Sound

Erpi held another demonstration yesterday of third dimensional or "stereophonic" sound at the General Service Studios in Astoria, L. I. The first demonstration of the new development was held during the fall convention of the Society of M. P. Engineers here last October. The chief object of the "stereophonic" sound is

(*Continued on page 3*)

Quality Test Meets Opposition of U. S.

By AUBREY FLANAGAN

LONDON, Nov. 19.—American interests here are reported seriously concerned over the amendment to the Films Bill offered by Oliver Stanley, president of the Board of Trade, which would virtually institute a quality test for quota films.

It is understood the American

(*Continued on page 3*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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Flash Preview

"Nothing Sacred"—. . . The gist of which is that nothing is sacred to a circulation-minded newspaper . . . Comedy funny enough to engender laughter in volume . . . Elicited applause from a mixed preview audence . . . Wellman's direction practically flawless.

This film will be reviewed in full in Monday's issue of MOTION PICTURE DAILY.

"Submarine" Book Out

Warners' press book for "Submarine D-1," which has just been issued, is a 24-page, four-color volume 15½ by 11 inches in which publicity and exploitation pages alternate. Material available for exhibitors ranges from small thumbnail pictures of the stars to 24-sheet posters. The company has set an advertising budget of $125,000 on the film. It will open at the Fox, San Diego, Nov. 24.

Scout Younger Dies

TULSA, Nov. 19.—Scout Younger, western character player in silent films, is dead here at the age of 64. He died from a brain ailment.

Purely Personal

A. W. SMITH, JR., HARRY GOLD, HARRY D. BUCKLEY, JAMES MULVEY, ARTHUR W. KELLY, HASKELL MASTERS, CHARLES STERN, MOE STREIMER, CHARLES ROSENZWEIG and MONROE GREENTHAL held an informal get together at the Tavern yesterday during the lunch hour. MASTERS will return to Toronto today.

•

WILL H. HAYS plans to leave the coast for New York some time next week. MAURICE MCKENZIE, his executive assistant, who accompanied Hays west, may remain on the coast longer.

•

WILLIAM PERLBERG, Columbia executive producer, will arrive in New York Monday from the coast, and will remain here a few days before sailing for a European vacation.

•

FELIPE MIER, who has just concluded a production deal with U. A., yesterday flew to Brownsville, Tex., and from there will head for Mexico City by another plane.

•

FRED ASTAIRE, blessed with a nostalgia for Broadway, is here on a sudden and unpublicized visit. He will attend the Rivoli opening of "A Damsel in Distress."

•

KARL MACDONALD, Warner district manager for Latin America, will return from Puerto Rico by plane today.

•

CHARLES STERN got back from Buffalo yesterday and left a snow storm behind him.

•

RITA JOHNSON, cast in M-G-M's "Man-Proof," arrived here yesterday by plane.

•

ALBERT WARNER and HARRY CHARNAS returned yesterday from Hollywood.

•

JULES LEVY is due from the coast tomorrow.

ANNA NEAGLE has been summoned to England for a command performance before KING GEORGE VI and QUEEN ELIZABETH. She will sail Wednesday on the *Normandie*. HERBERT WILCOX will also be aboard the ship.

•

City Judge JONAH B. GOLDSTEIN addressed about 200 employees of the Vitaphone studios yesterday in behalf of the American Federation of Jewish Charities. Officials in charge of the Warner pledge, promised to increase their donation by 50 per cent.

•

JOE WEIL, director of exploitation for Universal, flew to the coast Thursday night to see "You're a Sweetheart." He plans to return here Tuesday.

•

JOE PINCUS went to his tailor's yesterday, instead of his doctor's. And that's a more significant piece of news than might be generally recognized.

•

NAT FURST, Warner Boston manager, was here yesterday conferring with ROY HAINES, eastern and Canadian sales manager.

•

SAM DEMBOW and LOTHAR MENDES, also JOE SEIDER and HARRY BUXBAUM at the men's bar at the Waldorf last night.

•

ARTHUR GREENBLATT, G. B. eastern division manager, is in Detroit today in the course of a trip through his territory.

•

BEVERLY JONES, associate producer of the March of Time, returned yesterday from a three-week Bermuda vacation.

•

ROBERT MONTGOMERY is in town. He arrived yesterday.

•

MARY SIMMONS joins her MIKE on Monday.

Nebraska Asks Court To End Ascap Writ

(Continued from page 1)

would not have due protection of the law. It was held also that the legislation is not in violation of the national or state constitutions, as alleged in Ascap's plea for the injunction.

In granting the injunction late last week, the three-judge court here held that "there is grave doubt of the constitutionality of the (state's) act and plaintiffs have shown that it would inflict serious injury." The injunction, in addition to preventing state officials from bringing legal action for enforcement, also enjoins them from requiring Ascap or its members to file copies of their copyrighted works with the Secretary of State of Nebraska, and from interfering with existing Ascap contracts in the state.

Foresees Trial on Injunction

The action of the Nebraska Attorney General was interpreted here yesterday by Schwartz & Frohlich, Ascap counsel, as an indication that the state officials were preparing to go to trial on the issue of making permanent the temporary injunction granted Ascap by the Federal Statutory Court at Lincoln last week.

They declared that the questions raised by the Attorney General would properly involve the question of whether or not the injunction already granted should be made permanent.

Associates Show Tonight

The 18th annual frolic, dinner and dance of the M. P. Associates will be held tonight at the Astor. Jack Ellis has lined up a number of stage, radio and screen stars who will be on hand. Isham Jones will furnish the music.

London House to Metro

LONDON, Nov. 19.—Metro has acquired the 400-seat Ritz in the West End, adjacent to the Empire, which will open next month for the showing of continued runs on successful pictures.

"Fields" to Loew, RKO

Roman Rebush, of New Star Films, Inc., distributors of "Green Fields," has booked the picture for first runs in Loew's, RKO and the Ascot, starting Thanksgiving Day.

Hearing Adjourned On Roxy Plan Fees

(Continued from page 1)

the grounds that stockholders were excluded from participation in the plan. He also objected to allowances for real estate experts retained by the committee, and for bondholders' committees other than the one represented by himself, unless such committees could prove that they had contributed to the plan.

Counsel for the stockholders' committee in replying to Hartfield, declared that their services had been conciliatory among creditor groups and that their statistical services were the only ones acceptable to the special master.

Special applications were made by George W. Garsson and Roemer-Kenny Co., real estate brokers, for $58,692, for services rendered in consummation of deals essential to the reorganization, and by Carl Erikson, who claimed a broker's fee of $50,952 on the grounds that he had been instrumental, through George Reade, in interesting 20th Century-Fox in the reorganization. The subsequent hearing will consider these claims.

Otto Koegle, attorney for 20th Century-Fox, reported to the court that the company's voluntary payments to stockholders of the old Roxy aggregated $20,000.

Refuses to Reverse Verdict

Justice Edgar J. Lauer refused to reverse his decision granting summary judgment to Ufa Films, Inc., against Joseph Briskman and the Lina Pictures Corp. in the N. Y. Supreme Court yesterday. On Oct. 20, Justice Lauer ruled that the defendant must return 54 prints of three pictures, "The White Devil," "The Immortal Vagabond" and "The Last Company" and also account for money allegedly "wrongfully received."

Wins Suit Dismissal

George N. Burns won a dismissal of the $10,000 breach of contract suit brought by Sam H. Grisman against him, Jack Benny, Bert Wheeler, George Jessel, Robert Milford and the Glory For All, Ltd., in the N. Y. Supreme Court yesterday. Justice Salvatore A. Cotillo dismissed the complaint against Burns only, as the other defendants did not request similar release. Grisman asked $10,000 for an alleged breach of a lease on the 48th St. Theatre made by the Glory For All Ltd. on behalf of the individual defendants who were to produce a play at that theatre.

Magazine Files Under 77B

The Cinema Magazine, Inc., filed a voluntary petition for reorganization under Section 77 B in the U. S. District Court yesterday. Assets of $20,670 were listed, $20,000 of which represent accounts receivable and $45 cash on hand. Liabilities of $58,348 were shown but no schedule was annexed.

"Road" Decision Today

NEW ORLEANS, Nov. 19.—Decision is expected tomorrow in the injunction which is being sought by a local priest to prevent the performance of the stage play, "Tobacco Road." It is believed here that if the decision favors the producers representatives of the Police Dep't will attend the opening performance and arrest the entire cast for use of profanity.

To Maintain Erpi Staffs In New Setup

(Continued from page 1)

C. Collins, vice-president; E. S. Gregg, comptroller, and P. L. Palmerton, export manager, who returns to New York from a business trip to Australia, New Zealand and Japan on Dec. 8.

The deal for the purchasing of Erpi's servicing and installation business is scheduled to be closed shortly following the return of Drake from Europe on the *Berengaria* next Tuesday. The deal becomes effective Dec. 1. Financing of the purchase is being undertaken by a Wall Street group of four or five principals who, however, will have only a 49 per cent interest in the company, the control remaining with the management. It is also learned that none of the financing principals will be identified with the operation of the company.

The name of the new servicing organization cannot be announced at this time as its registration has to be approved in each of the various states in which the company does business, and several of these approvals are still being awaited.

New Agfa Fast Film Set for Studio Use

(Continued from page 1)

tory has already started production on the emulsion.

Studio tests made with the negative, according to Charney, show the emulsion to be the highest sensitized ever introduced, and its use will allow reduction of lighting on sets in addition to permitting exterior work under adverse lighting conditions.

Wall Street

All Board Issues Decline

	Open	High	Low	Close	Net Change
Col.	16¼	16¼	15	15	—1⅝
Col., pfd.	31½	31½	31½	31½	.....
Cons.	1¾	1¾	1¾	1¾	.....
Cons., pfd.	7½	7½	7	7	— ⅝
E. K.	158	158	151	151	—8½
G. T. E.	13⅞	13⅞	12½	12½	—1½
Loew	55½	55½	51	51	—4⅞
Para.	13	13	11½	11½	—1⅝
Para. 1	98	98	92½	92½	—7⅜
Para. 2	11¾	11¾	10½	10½	—1½
Pathe	6⅛	6⅛	5¾	6	— ⅛
RKO	5	5	4½	4½	— ⅝
20th Fox	22	22	20⅛	20⅛	—2
20th pfd.	26½	26½	26½	26½	—2
Univ., pfd.	32	32	30¼	30¼	—1¾
W. B.	7¾	7¾	7	7	— ¾
W. B., pfd.	38½	38½	38½	38½	—1½

Recessions General on Curb

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1⅛	1⅛	— ⅛
Sentry	5/16	5/16	5/16	5/16	.....
Sonotone	1⅝	1⅝	1⅝	1⅝	— ¼
Tech.	18¼	18¼	17¼	17¼	—1¼
Trans-Lux	2⅞	2⅞	2⅞	2⅞	— ¼
Univ. Pict.	4	4	4	4	—1

RKO Bonds Gain a Point

	High	Low	Close	Net Change
Keith 6s '46	87½	87½	87½	.....
Loew 3½s '46	97¾	97¾	97¾	— ¼
Para. Pict. 6s '55	95	95	95	—1
Para. Pict. '47	78	77½	77½	—1¼
RKO 6s '41	98	98	98	+1
W. B. 6s '39	84	82	82	—2

(Quotations at close of Nov. 19)

Erpi Demonstrates Stereophonic Sound

(Continued from page 1)

to localize sound on the screen, or, in other words, to cause the sound to come directly from its point of origin on the screen, instead of from the surface of the entire screen indiscriminately.

Yesterday's demonstration gives considerable promise for the new method as eventually a decided adjunct to present sound recording and reproducing technique. Admittedly the "stereophonic" method will reach its greatest potentiality when it can be combined with third dimensional pictures. A symphony orchestra, the play of ping-pong balls, a piano interlude and voices from a darkened screen were used in demonstration. The method is now being subjected to test and observation in Hollywood.

RKO in Decision to Produce in France

(Continued from page 1)

new arrangement will be "Le Prisonnier du Ciel" ("Prisoner of the Skies"), which will be directed by Rene Sti, who may be placed in charge of RKO production here. The company has started distribution here of French films with "Le Marie de la Reine" ("Queen's Husband").

* * *

Under the management of George Canty, the new Universal European headquarters, formerly in Berlin, and now located here, has started encouragingly. Andre Peres has retained his post in French and North African territories. Ernest Koenig, former Warner and 20th Century-Fox French manager, has joined Universal as Latin European manager, Jean Birkhahn is heading Central and Eastern Europe, and new exchanges are to be opened in Oslo, Copenhagen and Zurich.

Quality Test Meets Opposition of U. S.

(Continued from page 1)

interests will address the Government, tactfully exposing what they consider the lack of logic of the move, claiming it an immediate obstacle to the financing of British production.

It is understood also that diplomatic approaches have been made protesting the suggestion for exhibitor grading.

Col. Meeting Today

Los Angeles, Nov. 19.—Columbia will open a two-day regional sales meeting tomorrow at the St. Francis Hotel, San Francisco, with Abe Montague and Rube Jackter from the home office attending. Jerome Safron, western division manager, will conduct the meetings and will discuss liquidation of contracts and forthcoming product.

Guild to Fete Pearl

Jack Pearl will be the guest of honor at the 100th public meeting of the Jewish Theatrical Guild of America, to be held at the Morosco Theatre on Nov. 28.

Drive Honors Schnitzer

Republi'c 11 eastern division exchanges are conducting a sales and play date drive for Edward M. Schnitzer.

"Thank You for a Lovely Evening"

You will be saying

when the final strains of music

will be played at the

ANNUAL DINNER AND DANCE

of

MOTION PICTURE ASSOCIATES, INC.

at

HOTEL ASTOR

SATURDAY EVE. NOVEMBER 20th

An event which promises to be the outstanding affair of the year

Music by Isham Jones & Band

ENTERTAINMENT SCREEN STARS

SURPRISES

TICKETS $10.00 per person

Make Your Reservations With:

IRVING LANDES

GAUMONT BRITISH EXCHANGE

345 WEST 44th STREET, N. Y. CITY

Phone CIrcle 6-6700

RESERVATIONS LIMITED

Stations Get Instructions On AFM Deals

(*Continued from page* 1)

of money to be spent during the year is more than the alloted quota, then that amount spent during such base year is to be substituted for the quota.

4.—The contract should set forth, both as to staff musicians hired on a weekly basis and as to other musicians hired by hour or by job; (a) rate of compensation, (b) number of hours per day and number of days per week, before overtime becomes effective; (c) rate of payment for overtime and precise conditions under which overtime becomes effective; (d) if the overtime rate for rehearsals is less than the regular overtime rate for performances, this should be stated; (e) if different compensation is to be paid for sustaining and commercial programs, this should be set forth; (f) a definite statement should appear in the agreement that during its entire period the local union will have no right to change the scale of wages, hours and other working conditions agreed upon [unless this is done the union will have the right to make such scale of wages, etc.]; (g) with respect to hiring musicians through a contractor or leader the terms relating to the hiring should be set forth clearly, so that if the leader or contractor is expected to serve as a musician that should be set out. The salary payable to the leader should also be defined; (h) include any working condition which is applicable to the local situation.

Must Define Non-Members

5.—Since Article 6 of Schedule A provides that all musicians hired shall be employed upon terms and conditions agreed upon between the station and the local, the attorneys advise that if the station owner is already privileged or wishes to be privileged to hire musicians who are not members of the local for any type of service, the classes of musicians so exempted should be clearly defined and the conditions under which such exempt classes may perform should be set forth clearly. Examples are virtuosi, amateurs, novelty acts, etc.

6.—Article 8 of Schedule A contemplates that the contract between the station and the local provides that the station, upon reasonable notice, shall have the right to terminate the employment of any staff musician. The attorneys advise that the period of such notice is open to negotiation and should be defined in the contract.

Ask Agreement Inviolate

7.—Stating that it is desirable for the protection of the station that definite provision be made with the local relating to the service of musicians in connection with remote programs, the attorneys advise that the station avoid, if possible, the inclusion, by reference thereto, of any other documents or papers which are not specifically called for by the provisions of Schedule A. If this is not possible, they advise that great care be exercised in not permitting any new papers or documents to become part of the agreement which may be inconsistent with the understanding.

Promote Swallow in Coast NBC Expansion

HOLLYWOOD, Nov. 19.—The increase in the importance of Hollywood as a radio center has prompted Don E. Gilman, vice-president in charge of the western division of NBC, to plan increased executive staffs here. First move was the appointment today of John W. Swallow, NBC studio manager here, as western division program manager, with headquarters here.

Swallow, the first employe of the network in Hollywood, will spend considerable time traveling to key cities of the western division. He joined NBC in 1932 when he handled "Hollywood on the Air," first regular network program to originate in Hollywood.

Lewis Frost, assistant to Gilman, will shift his headquarters to Hollywood permanently, when he leaves for the south next week.

Seal-Tite Sponsors First Air Program

HOLLYWOOD, Nov. 19.—Seal-Tite Products Co. of Los Angeles, is sponsoring Eddie Albright, philosophical commentator, on KNX. The program is released from 8:00 to 8:15 A. M., Mondays through Fridays. This marks the first advertising venture for the firm in any media. The account was placed by I. F. Wallin and Staff, Los Angeles.

Euclid Candy Co. will go on the air starting Nov. 23 over KNX, Los Angeles and KSFO, San Francisco, the CBS California network. The manufacturer will sponsor Knox Manning, commentator, each Tuesday from 5:30 to 5:45 P. M. Sidney Garfinkel Advertising Agency, San Francisco, handles the account.

WOR to Audition New Show

A novel script show based on the embarrassing experiences of world-famous people will be auditioned at WOR within the next few days, with Ray Perkins in the em cee role. The series is tentatively titled "Is My Face Red." It is Kermit K. Schaefer's show.

Pretty Polly

The NBC news and special events division has asked all associated stations to conduct a search for talking parrots. A series of elimination auditions will be held in the various communities and the birds with the best vocabularies will compete later in coast-to-coast broadcast tests.

NBC denies that the winning birds will supplant the announcers.

Radio Sales, WBBM Joined under Smith

CHICAGO, Nov. 19.—In an efficiency move H. Leslie Atlass, of CBS, today announced the immediate consolidation of the Chicago staff of Radio Sales, Inc., and the sales force of WBBM. J. Kelly Smith has been placed in charge of the combination.

All salesmen of the new unit will represent the nine CBS stations in the national spot market. The salesmen of WBBM will continue to handle local accounts in addition to the CBS business.

Ford Renews Pearce Program for 1 Year

Al Pearce and his troupe has been renewed for another year of broadcasting under Ford Motor Co. sponsorship, effective Jan. 1, 1938. Pearce's current contract does not expire until next January.

The Pearce program is broadcast Tuesdays over CBS from 9 to 9:30 P. M. N. W. Ayer & Son, Inc., is the agency. Fanchon & Marco handles Pearce.

Renew Mueller Program

Mueller Macaroni Co. has renewed "Kitchen Cavalcade" for 13 weeks on the NBC-Blue, seven stations. The series features Crosby Gaige and is broadcast Mondays through Fridays from 10:45 to 11 P. M. Kenyon & Eckhardt is the agency.

Union Claims Eight Stations Are Signed

OKLAHOMA CITY, Nov. 19.—Technicians of eight southwestern radio stations in Oklahoma and Texas have been signed 100 per cent as members of the American Radio Technicians' Ass'n, according to Joseph Harris, ARTA organizer in Oklahoma City.

Latest station to sign with the union is KBIX, Muskogee, Okla., including all technicians, announcers and continuity men, Harris said. Joel H. Bixby, station manager of KBIX, has informed Harris he is ready to negotiate with him. Union demands call for shorter hours and wage increases.

Harris has gone to Amarillo, Tex., to KGNC, where studio technicians had signed with the union, but where two men have been dismissed from the KGNC staff. Picketing action is to be taken in the KGNC case, Harris told MOTION PICTURE DAILY, and in the event that fails charges will be filed with the N. L. R. B.

The staffs of WBBZ, Ponca City; KVSO, Ardmore; KADA, Ada; KGFF, Shawnee; KOMA, Oklahoma City, and KFXR, Oklahoma City, have been signed, Harris claims.

N. Y. U. Class at Broadcast

Prof. Warren B. Dygert of the N. Y. U. School of Commerce will bring his three radio classes to the WOR-Mutual Playhouse Sunday to witness the "Tim & Irene" broadcast. Following the program, Charles Dallas Reach, head of the agency bearing his name, and Jack Poppele, WOR chief engineer, will address the classes on radio advertising and the technical aspects of radio, respectively.

Andress Quits Ayer Post

Clarence S. Andress has resigned from the staff of N. W. Ayer & Son after nine years of service in the New York office of that agency, effective Dec. 11. He was an account executive. Andress has not announced his plans for the future. He will take a trip around the world or stay in Florida for the winter.

Change Skelly Show Time

The "Skelly Court of Missing Heirs," heard currently under the sponsorship of the Skelly Oil Co. on Mondays over a western hookup of CBS stations, will be heard Sundays from 10:30 to 11 P. M. starting Dec. 5. Blackett-Sample-Hummert controls.

Withdraws SEC Statement

WASHINGTON, Nov. 19.—Universal Television Corp. has been permitted by the SEC to withdraw its registration statement filed under the Securities Act.

Radio Personals

MRS. JESSE LASKY will discuss "A Corner of My Own" in a special pickup from Hollywood during the "Let's Talk It Over" program Nov. 22 at 2:30 P. M. on the NBC-Blue. . . . Harry Conn has been signed under CBS artists' bureau management. . . . Adele Rogers St. John has sold a radio version of her *Cosmopolitan Magazine* story, "A Photograph Finish," to the sponsors of "Silver Theatre." . . . To drum up publicity for its new symphony series, NBC has issued five post cards calling attention to the series to each of its employes. They in turn are to mail the cards to five friends. . . . Jimmy Shields, new tenor, will be presented on Al Pearce's show over CBS Tuesday. . . . Douglas Leigh, the sign expert, and Geoffrey O'Hara, the composer, will be presented on the Hearn Store program over WOR Monday. . . . Frances Langford will be heard on "Hollywood Hotel" during her stay in New York after all. Loretta Lee was to have substituted for her, but won't. . . . Rex Ingram, colored actor, has been signed under the management of CBS artists' bureau. . . .

+

Jane Pickens and others in radio will appear in scenes from several well known plays at the MacDowell Theatre Sunday. Edith Becton, dramatic teacher, is giving the presentations. . . Nick Kenny, radio editor of the *Mirror,* will be the guest of honor at Leon & Eddy's Sunday. . . Dinty Doyle, radio editor of the *Journal-American,* has decided to place all his spare cash in annuities. . . Stephen N. Dick, formerly of the Charles Dallas Reach agency, has been appointed director of advertising and sales promotion of the international division of the Carrier Corp. . . Benay Venuta is back in town after a four-month holiday, most of which was spent in Tahiti and other South Sea islands. . . Grete Stueckgold will appear for Lotte Lehmann on the Kostelanetz program Nov. 24.

HARRY SALTER
AGAIN
Conducting
YOUR LUCKY STRIKE HIT PARADE
EVERY SATURDAY
Over C.B.S.
10 - 10:30 P.M. E.S.T.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 122 NEW YORK, MONDAY, NOVEMBER 22, 1937 TEN CENTS

See Warners' Year's Net at $5,900,000

Figure Is Almost Double Previous Year

Net earnings of Warners and its subsidiaries for the fiscal year ended Aug. 31 will approximate $5,900,000 after deductions for Federal income tax and all other charges including an undistributed profits surtax on the last quarter of the year, it was learned over the weekend. The figure is almost double the company's profits for the preceding year. The annual financial statement will be sent to stockholders Wednesday.

The operating profit for the year just ended is equivalent to about $1.60 on the common, after deducting the shares held in the treasury and after providing for dividends on the preferred stock. Dividends on the preferred stock have been in arrears since March, 1932.

Earnings for the year ended Aug. 29, 1936, totaled $3,177,312.73, which compared with an operating profit of $674,158.96 for the fiscal year ended Aug. 31, 1935.

For the 26 weeks ended Feb. 27, 1937, operating profit was listed at $4,040,388.94, which compared to $1,976,245.42 for the same period the previous year. The earnings increased to $5,561,032.16 for 39 weeks as compared to $2,554,772.45 for the corresponding 1936 period. This did not include Federal surtaxes on undistributed earnings.

The 39-week operating report indicated earnings of $1.42 a share on 3,701,090 outstanding common shares, after preferred dividend requirements and after deducting shares held in the treasury.

On Dec. 13, stockholders will hold an annual meeting in Wilmington at which time six directors, Harry M., Jack L. and Albert Warner, Joseph Bernhard, Robert W. Perkins and Waddill Catchings are scheduled to be reelected. Officers will be elected the following day in New York. No changes in the executive setup are contemplated.

Pathe's Financial Report Ready Soon

Pathe's annual financial statement will be ready about the middle of next month, O. Henry Briggs, president, stated. Auditors are now working on the report.

John D. Wallace, coast head for Pathe Film, will leave this week for Hollywood. He has been here several weeks conferring with Briggs.

Laemmle May Join U.A. As Independent Producer

Hollywood, Nov. 21.—Reports are current again that Carl Laemmle, Jr., may join U. A. as an independent producer under the new setup of the company. Laemmle recently resigned from M-G-M without making a picture. He has several properties lined up and will probably produce them on the U. A. lot, in the event he makes a deal. Laemmle plans to leave for New York in a few weeks.

Alexander Korda, who has been here since Tuesday, is understood looking around for new producers to join the U. A. fold. David O. Selznick has two films still to deliver.

With the withdrawal of Selznick soon, the only outside producer distributing through U. A. will be Walter Wanger. Samuel Goldwyn will probably turn out eight for the company next season and Korda, six. Wanger will most likely have six.

Marcel Hellman, producer for Criterion Films in London, also is reported negotiating a deal for U. A. to handle about four pictures a year throughout the world. Hellman is expected to conclude his deal before he returns to England.

Meanwhile, Laemmle is reported talking to U. A. interests to produce four to six a year with an arrangement likely to be consummated as soon as Goldwyn and Korda pick up the options for U. A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford. Chaplin is planning to produce a picture, without appearing in it, and has the option to release through the company. This also applies to Fairbanks and Pickford although they have no immediate plans on production.

U. A. Cash Intake Is Up 131% in 11 Weeks

Cash intake by U. A. for the first 11 weeks of the new season increased 131 per cent as compared with the same period last year, according to George J. Schaefer, vice-president and general manager of distribution. Sales are 115 per cent above the same 11 weeks of the 1936-'37 season.

Doyle to Sail for U. S. on December 1

London, Nov. 21.—Stuart F. Doyle is scheduled to sail Dec. 1 on the *Aquitania* for New York. He will return to Sydney, Australia, via San Francisco, sailing from there on the *Monterey*, Jan. 5.

While in New York, Doyle will negotiate product deals and also work on a number of matters in connection with his radio interests.

Bunn in Dallas On Supply Move

Dallas, Nov. 21.—C. W. Bunn is visiting here for a few days on a tour of key cities, lining up independent theatre equipment dealers for Interstate Theatre Supply Stores, Inc. Bunn plans to stop at a number of other situations before returning to New York.

Interstate Theatre Supply Stores will become active after the first of the year and will be the only national competitive theatre equipment outfit to National Theatres Supply.

Italy Ban on French Picture Arouses Ire

Paris, Nov. 12.—Considerable resentment has been aroused in French newspapers over the banning by Italy of the French prize-winning film, "La Grande Illusion," which was awarded one of the leading prizes in the recent Venice Awards Festival by an international jury which included several Italians.

The film depicts the life of French officers as German prisoners during the war, and it is felt in many quarters that the ban on the film was at the instigation of Germany. In spite of what is generally considered a fair and impartial presentation of German officers and soldiers, Germany banned the film, because the director, Jean Renoir, is known for his extreme leftist tendencies, because a pleasant Jew is portrayed and because Erich von Stroheim plays a German officer. There is believed here to be nothing in the film which could possibly be objectionable to Italy.

The French board of censors has

(*Continued on page 7*)

U. A. Circuit Meeting In Baltimore Today

Stockholders of U. A. Theatres Circuit, Inc., will meet today in Baltimore to elect directors. No changes in the directorate or executive setup are anticipated. Auditors were making every effort over the weekend to have the annual financial report ready for the meeting. A delay may be expected because of the many associated companies which are required to submit their fiscal statements before the U. A. Theatres Circuit record can be computed.

Atlas Seeking To Buy Meehan K-A-O Shares

Has 42% of Outstanding Preferred Stock

Discussions, having as their aim the setting of a deal for the purchase by Atlas Corp. of M. J. Meehan's 42 per cent of the outstanding preferred stock of Keith-Albee-Orpheum Corp., have been begun and are continuing, Motion Picture Daily learned on Saturday.

The Meehan interest aggregates approximately 25,000 of the 64,000 preferred shares outstanding and is approximately double RKO's holdings of K-A-O preferred. The Meehan shares have a face value of about $3,400,000, inclusive of accrued, unpaid dividends and redemption premium. Their current market value is approximately $700,000 less. About 25 per cent of the preferred is in the hands of the public.

The proposed deal has not advanced beyond the discussion stage yet and, at the moment, there appears to be little that would indicate an early agreement. The present differential in bid and asked prices is too great at this time, it was indicated, to permit a forecast of when an understanding might be reached.

The discussions are significant, however, in that they point to a desire on the part of Atlas to bring control of the present highly profitable circuit completely within the RKO fold, obviously for the purpose of avoiding in the future such upheavals and internecine strife as marked K-A-O corporate affairs during the lean years of 1932 and 1933.

While RKO owns about 98 per cent of the 1,200,000 shares of K-A-O common stock outstanding, voting privileges in the theatre corporation were lost by those shares to the preferred stock when K-A-O failed to pay its annual dividend on the preferred in 1932 for the third successive year. As

(*Continued on page 7*)

Reduction in Scales Is Noted in Ontario

Toronto, Nov. 21. — Contrary to predictions and expectations, there is a trend toward lower admission prices in Ontario despite the admitted higher theatre operating costs. This applies to both circuit and independent houses

(*Continued on page 7*)

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(Registered U. S. Patent Office)

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Legion Approves 14 Of 15 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved 14 of the 15 films reviewed, seven for general patronage and seven for adults. One film was found objectionable in part. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Blossoms of Broadway," "A Damsel in Distress," "Dinner at the Ritz," "Donner, Blitz and Sonnenschein," "Hollywood Round-Up," "Navy Blue and Gold" and "Thrill of a Lifetime." Class A-2, Unobjectionable for Adults—"Almas Rebeldes," "Dr. Syn," "The Last Gangster," "Missing Witnesses," "Spiel Auf Der Tenne," "Uncivilized," and "Versprich Mir Nichts." Class B, Objectionable in Part—"Portia on Trial."

Wage Parleys Again

Broadway circuit operators will meet again with Joseph D. Basson and his Local 306 committee in an effort to set a new wage scale for the next two years. Two sessions were held last week with little accomplished.

Insiders' Outlook

By RED KANN

AGAIN sneaking up well in advance on the week's holiday, this is the first instalment once more of the annual nonsense column, "What They Are Thankful for on Thanksgiving," some new, some repeating on last year:

SAM GOLDWYN — Casenove, Akroyds and Co.
ALEX KORDA—Ditto.
PRUDENTIAL ASSURANCE — Likewise.
MARY PICKFORD—And me.
DOUG FAIRBANKS—I'm with you, too.
CHARLIE CHAPLIN—All cash.
DAVE SELZNICK—Louis B. Mayer.
LOUIS B. MAYER—Dave Selznick.
J. CHEEVER COWDIN—Louis Lurie. Texas oil millionaires. Maybe.
HERBERT WILCOX—That Victoria reigned.
CLOVER CLUB—Hollywood producers.
HOLLYWOOD STARS — The Westmores.
NED E. DEPINET—K-A-O.
JULES LEVY—"Stage Door."

▼

BARNEY BALABAN—Three strikes on exhibitor strikes.
NEIL F. AGNEW—Uh, huh!
JOE UNGER—Right you are.
MILT KUSELL—Of course.
AUSTIN KEOUGH—Quite right, sir.
UMPTO OF E.P.S.N.J. AND D.—We think so, too.
HERMAN ROBBINS — Miami's shores.
SAM DEMBOW—From 630 9th to 630 5th.
JOE SCHENCK—Darryl F. Zanuck.
DARRYL F. ZANUCK—For knowing how.
EARLE W. HAMMONS — Double features?
IRVING REIS—Paramount.
"DEAC" AYLESWORTH—Roy Howard.
NATE BLUMBERG — Vera, Lewis and Dodo.
ED HARTLEY—G. T. E.
L. W. CONROY—Tripp, Engels, et al.

▼

BOB COCHRANE—Durbin, Pasternak, Koster.
JIMMY GRAINGER—Me, too.
WHITFORD DRAKE—Recording licenses.
RUFUS LE MAIRE—Coast trade papers.
VITTORIO MUSSOLINI — Hollywood Anti-Nazi League.
LEO SPITZ—That he won't have to stay there.
SAM BRISKIN—That "temporary" contract.
GEORGE CANTY—J. Cheever Cowdin.
CHARLIE MCCARTHY—His health.
RAY JOHNSTON—J. A. Sisto.
DAVE LOEW—Columbia.
BILL LEBARON—Santa Anita.
BING CROSBY—Del Mar.
EDDIE GOLDEN—Anything monogram-ed.

▼

MERVYN LE ROY—They'll try to forget.
ED SULLIVAN—That Skolsky said no.
SID SKOLSKY—Kings Features.
JOE MOSKOWITZ—A play a night.
JOE PINCUS—Agreed.
BOB GOLDSTEIN—Who am I to say no?
HARRY BRAND—Still his palsy-walsies.
GIL GOLDEN—Ken Aneser.
COURTLAND SMITH — Jack Connolly.
JACK CONNOLLY—Courtland Smith.
JACK HALEY—Buddy Clark.
ANN HARDING—Werner Janssen.
CHARLIE PETTIJOHN—48 states, 48 legislatures.

▼

RKO THEATRES—"Damsel in Distress" for Xmas, New Year's.
CHARLIE FORD—The Sino-Japanese fracas.
HARRY COHN — "The Awful Truth."
JACK COHN—Harry.
GEORGE KANN—The train to Oakdale.
STANTON GRIFFIS—That $2,150,000 suit settlement.
HARRY BRANDT—Acceptances to the exhibitor "conference."
NATE YAMINS — "Directors' approval."
FRED HARRON—The Anglo-American treaty pow-wows.
SI SEADLER — The King of the Jungle.
E. C. MILLS—Ascap's Nebraska decision.
JOHN G. PAINE—Likewise.
SCHWARTZ AND FROHLICH—Agreed.
SAMUEL CUMMINS—Morons.
FRANK CAPRA—Plenty of opportunities.
FRED ULLMAN—Ned E. Depinet.
52ND STREET—"52nd Street."
LOTHAR MENDES—Distribution at 30 per cent.
REPUBLIC—Gene Autry.
JOHN MONTAGUE — His filmland pals.
MAYOR LAGUARDIA—"The March of Time."
ALL NEWSREELS—The China Clipper.
MOE'S PAWN SHOPPE—Phil Reisman's French Legion ribbon.
WALT DISNEY—Mickey Mouse.
"JACK"—That the B-Bar-H won't be far behind.
WIND MACHINE COMPANIES — "The Hurricane."
FRANCES FARMER—"Golden Boy."

Unit for Bklyn. Strand

The Brooklyn Strand next Thursday will put on a Major Bowes amateur unit of 10 acts in addition to the double feature program. It is reported that vaudeville will be booked for weekends.

"Merry" Goes to Roxy

"Merry-Go-Round of 1938" has been dated into the Roxy starting Friday. "The Barrier" will open at the Criterion on the same date and "Ebb Tide" holds another week at the Paramount.

Purely Personal

IRVING ASHER, Warner British production head, will arrive today on the *Normandie* accompanied by his wife, LAURA LA PLANTE, and three new players recently signed by the company and en route to Hollywood. They are BRUCE LISTER, JAMES STEPHENSON and CHILI BOUCHIER. On the same boat will be JAMES A. FITZPATRICK, who has just completed a series of quota pictures for M-G-M in England; CARL DIXON, secretary-treasurer of Paramount; MARLENE DIETRICH, ROUBEN MAMOULIAN, LOUIS DE ROCHEMONT, foreign editor of March of Time; M. MICHAUX, French film producer; HARRY RICHMAN and TINO ROSSI, French radio singer.

•

EDDIE FORMAN, writer of the Joe Palooka series for Warners, has completed the third of the "Gaiety Series," featuring FRED LIBUSE. Production will start next Tuesday under the direction of LLOYD FRENCH.

•

HELEN HAYES has been elected president of Kakiat Farms, Inc., which has been organized to develop a 500-acre tract near Nyack for residential purposes. She has selected a site on the property for a new home of her own.

•

ADOLPHE MENJOU and his wife, VERREE TEASDALE, left for California Saturday. Menjou will resume work in "The Goldwyn Follies" and will appear on the "Hollywood Hotel" broadcast Nov. 26.

•

EDWARD DESELDING MELCHER, former drama editor of the *Evening Star*, Washington, stopped off there en route for a New York vacation, following his screen writing work at the RKO studio.

•

MOE KELLIS of the Paramount art department has several paintings on exhibition in the American Artists group of the Montross Gallery.

•

CHARLES R. ROGERS is due in New York Tuesday from the coast, following a prior stop in Boston on Monday.

•

RUSSELL BIRDWELL is due from the coast by plane today.

•

HERB BERG tried his luck as an angler yesterday at Long Beach.

•

BILL GERMAN of J. E. Broulatour, Inc., is en route to California.

•

NUNNALLY JOHNSON has just emerged from a local hospital.

•

DAVE BLUM is back from the coast.

Mrs. E. J. Mannix Killed

PALM SPRINGS, Nov. 21.—Mrs. Bernice Mannix, wife of Edward J. Mannix, general manager of the M-G-M studio, was killed instantly today when an automobile in which she was riding overturned near here. Mannix has left Hollywood for the resort where his wife had been passing the weekend with friends.



WHEN YOU WANT TO KNOCK DOWN
AN ALL TIME RECORD...THERE'S

"Nothing Sacred"





Selznick International Pictures

PRESENTS

CAROLE LOMBARD in *Nothing*

CHARLES WINNINGER

DAVID O. SELZNICK'S....

directed by WILLIAM A. WELLMAN

Starts Thanksgiving Day







FREDRIC MARCH

Sacred

With

and **WALTER CONNOLLY**

SENSATIONAL COMEDY *in* **TECHNICOLOR**

screenplay by **BEN HECHT** *released thru* **UNITED ARTISTS . . .**

. . . at Radio City Music Hall

The Biggest GATE *You ever* PLAYED *to...*

SEE THE BIG FIGHT!



LOMBARD

vs.



MARCH

SELZNICK INTERNATIONAL'S *Sensational*
TECHNICOLOR *Comedy*

"NOTHING SACRED"

WITH

CAROLE
LOMBARD

FREDRIC
MARCH

CHARLES WINNINGER
WALTER CONNOLLY

by the producer and director of "A Star Is Born"
DAVID O. SELZNICK *and* WILLIAM A. WELLMAN
Screen play by BEN HECHT
Released thru UNITED ARTISTS







Atlas Seeking To Buy Meehan K-A-O Shares

(*Continued from page* 1)

a result, the K-A-O board was reconstituted to include Meehan representatives and a "neutral" chairman—Herbert B. Swope, and RKO found itself without a majority on the board of its valuable theatre subsidiary, virtually all of the common stock of which it owned.

Indications now are, according to informed sources, that unless a "bargain" can be made with Meehan in the near future, no deal is likely for some time to come.

Opens in 10 Days

Sam Strausberg plans to open the New Trent at New Rochelle in 10 days. The house will seat 600.

Open Clason Point House

Nat Steinberg has opened the New Beach at Clason Point. The theatre and accompanying structures were built at a cost of $120,000, seats 600, and was equipped by Joe Hornstein, Inc. William I. Hohauser is the architect.

Col. Cooper Honored

TORONTO, Nov. 21.—Col. John A. Cooper, president of the M. P. Distributors of Canada, was honored on the occasion of the 40th anniversary of the Canadian Club of Toronto, of which he was the first president, when he was made an honorary life member.

Klein Back at Work

BOSTON, Nov. 21.—Edward Klein has returned to his desk as president of the Bay State Film exchange after having been confined to City Hospital and his home for the past six weeks as the result of being struck and severely injured by a motorist.

Wall Street

Eastman Gains; Others Increase

	Open	High	Low	Close	Net Change
Col.	15	15	14¾	15	.....
Col., pfd.	31	31	31	31	— ½
Cons.	1¾	1¾	1⅝	1⅝	— ⅛
E. K.	152	155½	151	155¼	+4¼
E. K., pfd.	160	160	160	160	—2
K. A. O., pfd	80	80	80	80	—2½
Loew	50⅝	52⅛	50½	52	+1
Loew, pfd.	101⅞	101⅞	101	101	—1
Para.	11⅛	12⅜	11	12⅛	+ ⅝
Para. 1.	93	93	92¼	92¼	— ¼
Pathe	5¾	6	5¾	6	.....
R. K. O.	4½	4¾	4½	4¾	+ ¼
20th Fox.	20⅛	20¾	20	20¾	+ ⅝
20th pfd.	26½	26½	26½	26½	.....
W. B.	7	7½	7	7½	+ ½

Fractional Curb Change

	Open	High	Low	Close	Net Change
G. N.	1	1⅛	1	1⅛	.....
Sonotone	1⅝	1⅝	1⅝	1⅝	.....
Technicolor.	17⅛	17¼	17	17	— ¼
Trans-Lux.	2⅞	3	2¾	3	+ ⅛
Univ. Corp.	2	2	2	2	.....

Bonds Decline

	High	Low	Close	Net Change
Loew's 3½s '46	46	97½	97½	.....
Para. Pict. '47	76½	76½	76½	—1
R. K. O. 6s '41	95	95	95	—1

(Quotations at close of Nov. 20.)

The O'Donnell Influence



Largely for historical purposes, this photograph, made at the Variety Club banquet in Pittsburgh last Sunday, is reproduced. It represents Texas and the Bob O'Donnell influence. Top row, left to right: Cresson E. Smith, Ned E. Depinet, George J. Schaefer and Neil F. Agnew, looking very dashing. Bottom row, left to right: Gradwell L. Sears, O'Donnell and party unknown.

Italy Ban on French Picture Arouses Ire

(*Continued from page* 1)

banned "The Life of Emile Zola" and "The Road Back," produced by Warners and Universal, respectively, the first because the Dreyfus Case, about which the Warner film revolved largely, has been in the past a source of trouble in France. No explanation has been given for the ban on the Universal film, and the censor board will view the film again.

Reduction in Scales Is Noted in Ontario

(*Continued from page* 1)

and is obviously due to keen competition through the opening of new theatres and otherwise.

The Regent in Ottawa, a Famous Players theatre, has just announced a reduction in its scale, top price being cut from 42 to 35 cents. Various suburban houses in Toronto have cut from 25 to 20 cents and some of them are tossing in gift nights, amateur contests, and the like on top of double bills in order to maintain attendance.

"Madame X" Is Approved

TORONTO, Nov. 21.—"Madame X" has finally been passed by the Ontario censor board with a number of deletions, and play dates have been arranged outside of Toronto.

Raise Buffalo Scales

BUFFALO, Nov. 21.—Vincent McFaul and Charles Heyman have increased prices five and 10 cents in the five first run theatres here. Neighborhood operators are watching developments with a view to tipping scales a nickel. Heyman operates the Lafayette and McFaul has the other four houses.

Hong Kong Takes Up Because of Refugees

Theatre business in Hong Kong is about 20 per cent above normal, Harold S. Dunn, Far Eastern general manager for Warners, stated yesterday. This is due to refugees flocking to the city from all parts of Southern China, he said. The four first runs in Shanghai are operating and all theatres in Hong Kong are open, he added. Theatres in Tientsin and Peiping also are operating.

During the entire conflict there has not been any interruption of business in Hankow, Dunn stated. Warners, which serve two of the four theatres in the city, shipped prints by plane with M. Porta, an Italian, paying the charges. The three suburban theatres in the French concessions and International Settlement of Shanghai have been operating without a letup, according to Dunn. Warners and Paramount were the only exchanges operating in Shanghai 100 per cent, it was said.

Warners have not lost a reel of film nor any money while the undeclared war was in progress.

In Japan, theatre business is operating 100 per cent although grosses in some of the cities dropped from 25 to 30 per cent. In the key cities, takes fell off about 10 per cent, Dunn asserted. Because of the ban on money going out of the country, remittances are being held up in Japan. The monetary situation is expected to be cleared up shortly.

Dunn will remain here for several weeks and then return to Shanghai where he makes his headquarters. This is his first visit in some time.

Coogan, Grable Wed

HOLLYWOOD, Nov. 21.—Jackie Coogan and Betty Grable were married at St. Brendan's Church here on Saturday.

Hoyts Shows Best Year Since 1930

By CLIFF HOLT

SYDNEY, Nov. 1. (*By Air Mail via London*).—The balance sheet issued by Hoyts Theatres, Ltd., for the year ended June 30 discloses the best results since 1930. After providing for all taxation and depreciation, etc., the company's surplus stands at £81,305, compared with £61,088 in the previous year.

Trading profit shows an increase of £20,217, or approximately 33½ per cent compared with 1935-36. Expenses and taxation show a reduction from £339,650 to £330,690. The sum of £46,500 was required for dividends of six per cent on "A" preference shares and five per cent on "B" preference shares.

The report states that the policy of expansion and consolidation of the company has been continued. New theatres were erected in Albury (N. S. W.), and in conjunction with affiliated companies in Hartwell (Victoria) and Goulburn (N. S. W.), all of which have shown satisfactory results. Since July 1, additional new theatres have been opened at Brunswick (Victoria), and Balmain (N. S. W.), and in each case gratifying results are being achieved, the directors report.

The directors have undertaken expensive modernizing schemes in conformity with their policy of keeping the theatres up-to-date. Much of this work has been completed, but there still remains a number of theatres where renovations are desirable. It is proposed to continue this work in the current financial year. A complete reconditioning and modernizing program is being carried out in the Olympic Theatre Circuit, Bondi (N. S. W.), in which the company is interested.

The company does not at present propose to fill the vacancy on the board created by the decision of Stanley S. Crick, chairman, to resign.

Oklahoma's Grosses Showing Marked Drop

OKLAHOMA CITY, Nov. 21.—Gross receipts at the box-offices of theatres throughout the state have hit a slump, exhibitors report. With the special session of Congress in session and the Christmas season on the way, Oklahoma exhibitors do not look for an upturn in theatre receipts until after Jan. 1.

Oklahoma merchants and businessmen are evidently holding up purchases of goods and commitments due to uncertainty on Government policy. The bright spot for the future is the Grand River Dam project on which $20,000,000 will be spent in the northeastern section of the state, to start early next year.

Associates Hold Party

About 600 local exhibitors, exchange men and industry employes Saturday night attended the annual frolic of the M. P. Associates at the Astor. Numerous film, radio and stage stars appeared in person. Lew Lehr was master of ceremonies.

Ban "Tobacco Road"

NEW ORLEANS, Nov. 21.—"Tobacco Road" was banned from playing here on Saturday by order of Judge Borah. The road company of the play is in Dallas.

Short Subjects

"Tim Tyler's Luck"

(*Universal*)

Lyman Young's newspaper cartoon series has been transferred to the screen with all its imagination intact, plus a good amount of box-office appeal. The result, a serial, is reliable, exciting hokum that will please its audience and have it eagerly returning the following week. Colorful excitement is always ahead of any other dramatic incident and vivid movement is constant. The title role, played by Frankie Darro, is the sort of characterization that easily lends itself to facile selling.

The general drift of the story has young Darro invading the African jungle in search of his father, a scientist whose forte is apes. Al Shea plays Darro's parent. Another angle concerns Frances Robinson who is after a criminal named "Spider" Webb. The crook framed her brother in a diamond robbery and she is out for justice. These dual pursuits are aided by the Ivory Patrol, a sort of African mounted police. Jack Mulhall is the sergeant of a troop and spends much time in the saddle chasing renegades. A leopard, not too well sprinkled with a black dye, plays "Fang" a panther that Darro befriends and which becomes his protector, after a fashion. The narrative is unreeled with plenty of novel twists and adventures.

Each chapter runs approximately 21 minutes. "G."

"Ball Tossers"

(*Rice-Paramount*)

If there is a single spark of appreciation for a really fine sport film in the audience, the success of this short is assured. It concerns the finer points and finished technique of basketball. The famous Tulsa Stenos and Tulsa Oilers are featured. They go through their respective bags of tricks, which are enhanced by slow and stop motion and accompanying narration by Ted Husing. Many of the plays are real eye-openers in their execution. The clever angles of the game are explained simply and lightly. First-rate entertainment. Running time, 10 mins. "G."

"Fowl Play"

(*Fleischer-Paramount*)

Here is one of the most ingeniously clever Popeyes of the season. The throaty-voiced mariner presents Olive Oyl with a parrot that squawks his loving sentiments. Bluto comes on the scene and shows his annoyance by chasing the bird up a tree and chopping the tree down branch by branch. Popeye decides he should be stopped. They fight. The spinach makes its appearance and the whirlwind finish concludes. The incidental stuff is also good. Running time, 7 mins. "G."

Oregon Theatre Burns

BAKER, Ore., Nov. 21.—Baker's historic four-story Clarick Theatre was destroyed by fire here at a loss of $100,000. The house was constructed in 1901 by the Baker City Opera House Co. For the past 10 years it has been operated as one of the city's leading film houses under the management of Myrtle Buckmiller.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Nothing Sacred"

(*Selznick-U. A.*)

HOLLYWOOD, Nov. 21.—If there were a James Gordon Bennett Trophy for lighter-than-air films, as there is for balloons, David O. Selznick's colorful entry in this year's crowded race would be rated a favorite. This would be because it comes, although late, from a hangar devoted primarily to the manufacture of bombers, cruisers and heavier-than-air-craft generally, and bears in plain view the bench marks of workmen unaccustomed and unwilling to turn out a mere gasbag.

That it will go farther than most of its competitors, if not all, is as good a bet as a gambling man might reasonably expect to come upon in a field as speculative as the aeronautics of this unwieldly mataphor. "Nothing Sacred" engages special interest as the first important application of full color to frivolous material in feature length. Considered as a test of what may be awkwardly called the versatility of pigmentation, it seems to warrant placing of an "X" in the "Yes" column.

Several spectacular shots showing New York from the air and others elicited pure applause from a mixed preview audience. In these quiet stretches of an otherwise decidedly unquiet narrative, the color camera is frankly starred and gives an excellent account of itself. During the more actionful sequences, which is to say most of the time, coloration is as incidental as photography to comedy funny enough to engender laughter in volume frequently drowning out dialogue.

Carole Lombard, Fredric March, Charles Winninger and Walter Connolly are the principals in the play derived by Ben Hecht from a story by James H. Street, the gist of which is a demonstration that nothing is sacred to a circulation-minded newspaper, including death by radium poisoning. Hecht is notoriously at home in this type of thing, as witness his and Charles MacArthur's verdant "Front Page," but his penchant for the bawdy has been happily restrained this time without sacrifice of his pungency. His undercover thrusts, such as naming a pair of circulation sluggers, Max and Moe, are not of a kind to impede the layman's comprehension of such forthright slapstick as the widely publicized fight sequence in which March boots Miss Lombard in the classically appointed place and socks her on the button. Perhaps raffish is the word for the whole affair.

William A. Wellman's direction of the feverish and practically flawless delineation of New York City, in its mad, mawkish and occasionally maudlin adulation of a fake public idol, is a superb handling of slippery situations and caricatured characterizations. Early scenes in bluntly spoofed Vermont and a subsequent sequence showing what goes on in the thinly disguised French Casino, with glib Frank Fay as "em cee," stand out as especially precious passages in a film that ought to click from Times Square to Van Buren, Ark.

Running time, 75 minutes. "G."

"Under Suspicion"

(*Larry Darmour-Columbia*)

HOLLYWOOD, Nov. 21.—Ignoring romance as an important adjunct and concentrating on melodrama, in which has been inserted a slight comedy relief, "Under Suspicion" measures up as an acceptable average attraction. Basing its plot on a unique situation and developing it in a refreshing manner, the film balances dialogue and action and moves at the pace expected of semi-mysteries.

Jack Holt, the central character, who is on the screen about 90 per cent of the time, repeats his standard performance and is given effective support by Granville Bates, Luis Alberni, Morgan Wallace, Kathryn De Mille, Purnell Pratt, Craig Reynolds, Esther Muir, Rosalind Keith and Margaret Irving. Based on a non-formula story by Philip Wylie, the screenplay by Joseph Hoffman and Jefferson Parker is a workmanlike writing job and Lewis D. Collins' direction gives hokum a place with realism.

Holt, a motor magnate, wants to quit business. Several forces desire that he continue active. To influence him to do so, various attempts are made on his life. A detective is unable to solve the mystery of who wishes to kill Holt, and invites all suspects to a mountain lodge. There he sets out to discover the would-be killer. A couple of side issue murders are inserted to intensify the dramatic content, and Holt puts himself on the spot several times before he traps the potential murderer.

A little different from the usual Holt material in the beginning, the film moves outdoors before the half-way mark and in these sequences James S. Brown's photography accentuates dramatic content. The Holt clientele should find the show interesting.

Running time, 65 minutes. "G."

Variety Club

Columbus

COLUMBUS, Nov. 21.—M. R. CLARK was reelected chief barker of Columbus Variety Club, Tent No. 2, for the seventh successive term, at the annual election. WILLIAM C. PULLIN, SR. and VIRGIL JACKSON were named first and second assistant chief barkers, respectively. P. J. WOOD was reelected property master, and JACOB LUFT, dough guy.

Canvassmen elected were: MAX STEARN, J. REAL NETH, HARRY SCHREIBER, LEO HAENLEIN, WILLIAM CUNNINGHAM and WILLIAM ORTNA.

Pittsburgh

PITTSBURGH, Nov. 21.—JACK FLYNN of Metro, who hasn't missed a Variety Club banquet here in years, had to pass up this one because of his wife's illness.

MORT ENGLAND is back in town after spending several weeks in Philadelphia.

LEW LEFTON celebrated his birthday Friday at J. and MRS. ALEXANDER's Family Nite.

BILL ZEILOR returned from his Bermuda vacation looking like a million bucks.

MRS. HARRY KALMINE has been elected president, MRS LARRY KATZ secretary and MRS. DAVE KIMELMAN treasurer of the Ladies' Auxiliary.

Washington

WASHINGTON, Nov. 21.—Following a change in the by-laws to permit the election of the board of governors on the second Monday preceding Thanksgiving, the 1938 board was elected, subsequently naming A. JULIAN BRYLAWSKI, head of Warner Theatres' realty department, as chief barker.

Chief Barker CARTER T. BARRON presided at the meeting, which elected SAMUEL A. GALANTY, HARDIE MEAKIN, SAMUEL M. FLAX, HARRY E. LOKMEYER, BRYLAWSKI and ARCHIE D. ENGEL, for two-year terms, and HARRY S. BROWN and SAMUEL N. WHEELER, for one-year terms. Governors A. E. LICHTMAN, SIDNEY B. LUST and ARTHUR A. DETITTA have another year to serve.

Officers for the ensuing year, informally announced at the luncheon following a meeting of the new board, are BRYLAWSKI, chief barker; LICHTMAN, first assistant chief barker; LUST, second assistant chief barker; DETITTA, secretary; GALANTY, treasurer.

Revive Boston Blue Law

BOSTON, Nov. 21.—The licensing board of this city today notified 350 hotels, night clubs and restaurants that Paul A. Dever, District Attorney, interpreting an old Massachusetts blue law, would bar all mechanical or orchestral music, floor shows, singing and even radio programs on Sunday. Audiences as well as performers would also be subject to fines, the order said.

May Roadshow "Hotel"

HOLLYWOOD, Nov. 21.—Warner's may roadshow "Hollywood Hotel," Dick Powell starring musical. Definite decision will be reached when Gradwell L. Sears, general manager of distribution, reaches here soon.

OF IMMEDIATE IMPORTANCE!

Have you heard about the amazing openings on M-G-M's

"THE LAST GANGSTER!"

starring **Edward G. Robinson**

A SURPRISE SENSATION THAT DEMANDS QUICK ATTENTION TO THE BEST BOOKING TIME AT YOUR COMMAND! HERE ARE FACTS! (*Next page*)



The Romance of a Gangster's Life told in GRIPPING DRAMA!

Edward G. Robinson

THE LAST GANGSTER

with JAMES STEWART • ROSE STRADNER
LIONEL STANDER • DOUGLAS SCOTT
JOHN CARRADINE • SIDNEY BLACKMER

Screen Play by John Lee Mahin • Original Story by William A. Wellman and Robert Carson • Directed by Edward Ludwig • *A Metro-Goldwyn-Mayer Picture*

Starts FRIDAY at

COMING! The Love Story of Annapolis!
"NAVY BLUE AND GOLD"
with Robert Young, James Stewart, Lionel Barrymore, Florence Rice and Big M-G-M Cast!

One of the exciting ads from national newspaper campaign

JUST THE START!

(Oh Boy!)

CHICAGO
$1000 better than best previous M-G-M!

SCRANTON
$2270 better than theatre's previous high grosser!

HARRISBURG
and
NEW ORLEANS
Tops lovely "Libeled Lady" and M-G-M's liveliest lulus!

PITTSFIELD
Beats magic "Maytime","After Thin Man" and other honeys!

DES MOINES
Socks "Saratoga", "Libeled Lady" and biggest B. O. bombshells!

EASTON
Another new high! Beats "Maytime" by $900; "Good Earth" and "Captains Courageous" by $1000 each!

PROVIDENCE
Sweet opening looks like terrific week!

ALLENTOWN
Doing "Maytime" business. Beats big "Captains Courageous","Good Earth" and other Biggies!

WILLIAMSPORT
Opening biz beats great "Firefly" gross of Armistice holiday!

10 out of the first 10 ARE GREAT!

(don't you miss the boat!)



ONLY ONCE IN A BLUE MOON SUCH AN OPPORTUNITY!

Act Fast! Re-arrange your bookings! Here's a proven money-maker that's the talk of every Film Row! Get in touch with your M-G-M Branch at once!



WE SALUTE THE TRADE PRESS!

(The reviews below were written before any openings— yet the critics predicted a box-office success!)

M. P. HERALD—"The last word in gangster pictures, by any and all standards . . . The production is without question the best of the gangster library."

SHOWMEN'S TRADE REVIEW—"Smashing story that provides an ideal role for Edward G. Robinson. He comes across with a characterization of the kind that established him as the screen's No. One Gangster . . . Rare good entertainment."

HOLLYWOOD REPORTER—"Powerful . . . excellent production . . . Edward G. Robinson's character study is brilliant and brutally real . . . The picture owes much of its compelling power to the direction of Edward Ludwig . . . Pictorially striking...admirably photographed."

MOTION PICTURE DAILY—"Melodramatic and thrilling . . . will register effectively at the box-office . . . A timely yarn . . . realistic and as uncompromising in action as many of its characters . . . Edward G. Robinson gives a memorable portrait."

VARIETY—"Carefully produced . . . fine performances . . . Metro has a box-office profits prospect . . . Will bring the b. o. returns . . . Edward G. Robinson does his role up brown . . . Rose Stradner is a natural."

DAILY VARIETY—"Strong, impressive drama which stands on a par with the memorable prior performances of gangster big shots by Edward G. Robinson. This one, linking the Robinson name and the significent title, will do the b. o. trick again. Robinson's role is played with great power and dignity, as one of the actor's finest exhibits. Impressive also is Rose Stradner . . . Lionel Stander troupes superbly. Dramatic direction of highest calibre by Edward Ludwig. The play is kept tense, vivid, significant every foot of the way. Exciting entertainment, elaborately produced, and will stand up anywhere as a top show."

BOXOFFICE—"Contains a wallop to register in the higher gross brackets."

Radio Personals

NELSON CASE, the announcer, has auditioned for M-G-M pictures, and it looks like a deal. The deal was set by Kermit K. Schaefer. . . . Ben Lipset, the Little Napoleon of the talent agents, reports Chevrolet transcription deals set for Walter Cassel, Willie Morris and Bailey Axton. . . . Dick Fishel, WMCA sports expert, sells his football predictions and his average thus far for the season is .624. . . . In conjunction with his football program on WOR, Benny Friedman issues his selections to newspapers free of charge. His average to date is .638. . . .

✚

Robert M. Reuschle, production chief for Phil Lord's "We, the People" show, is engaged to Bernice Simms. They will be married in the summer. . . CBS trade news editor Maurice Gaffney, through his network, has invited the newspaper boys to bend an elbow at the Weylin Hotel Wednesday. . . Edwin Gilbert and Alex Fogarty, song writing team under CBS artists management, have been signed by J. J. Shubert to write the lyrics for the forthcoming musical, "Romantic for Letty." . . "The Jesters" have been signed for 13 weeks on the Gulden Mustard "Melodiers" program through Charles Facer of the NBC artists bureau. The program will start Jan. 4. . . "Three Marshalls" have been booked at Loew's, Washington, for the week of Dec. 10. . . Boake Carter has been booked to fill a lecture engagement at New Bedford, Mass., Dec. 14. Paul Ross of CBS artists bureau handled the booking. . . Tony Wons has been renewed for an additional 13 weeks on the Vicks program with a 50 per cent pay increase. . . The Eton Boys have just renewed their management contract with the CBS artists bureau. . . Binnie Barnes will be the guest of Radie Harris over Mutual Nov. 24. . . Lucy Monroe will be heard tonight on WOR with Vic Arden's orchestra on the Chevrolet "Melody Moments."

Asks Quiz on Radio Suit

April Prod., Inc., will ask Justice Aaron Steuer in the N. Y. Supreme Court today for an examination before trial of Louis Dreyfus, an officer of Harms, Inc., defendant in a suit to determine the ownership of the radio rights of "The Student Prince." Harms will ask for an examination of Milton R. Weinberger, president of the plaintiff firm. April Prod., the assignee of Shubert Theatres Corp., claims that a 1924 contract giving the rights to the songs from the operetta to Harms did not include broadcasting privileges. Harms, however, arranged with ASCAP for the broadcasting of the songs and received more than $100,000, it is alleged. Harms denies any agreement with ASCAP, but claims that the contract released the radio rights. April is suing for $100,000 damages and a permanent injunction.

KMTR Signs Film Columnist

HOLLYWOOD, Nov. 21.—Another film gossip columnist has gone on the air. KMTR has signed Michael Blair to present "Are You Listening?" Monday nights.

Canada Restricts Sunday Ads, Religious Air Talks

TORONTO, Nov. 21.—The Canadian Broadcasting Corp. has taken definite action with respect to two classes of programs in suspending the broadcasts of certain religious leaders and in banning commercial advertising on Sunday hours, the latter step having been taken at the request of the Lord's Day Alliance, representatives of which conferred with the Board of Governors on the subject.

The religious issue came to a head when the Canadian chain suspended Rev. Morris Zeidman of Toronto, representing the Protestant Radio League, which move was followed by the withdrawal from the air of Father Lanphier, representing the Catholics.

Under the new policy affecting Sunday programs, no commercial advertising is permitted in Canada with the bare exception that the name only of the sponsor can be mentioned at the opening and close of a broadcast. There is also a ban on the play-by-play broadcasts of any sport event on Sunday, even though the athletic contest is being held in the United States or other countries. The results of Sunday competitions may be announced in regular newscasts on Sunday night but descriptive material is frowned upon.

Chevrolet Leads Car Firms on Disc Shows

Chevrolet, with 401 stations, continues to hold first place among motor car companies in number of stations used for transcribed broadcasts, according to a summary by World Broadcasting System.

Ford is second, with transcribed programs on 331 stations; Buick is third with 93; Plymouth, 82; Oldsmobile, 65; Pontiac, 62; DeSoto, 58; Willys, 50, and Studebaker, 29.

Rosenbaum Renamed To Pa. Banking Unit

PHILADELPHIA, Nov. 21.—Samuel R. Rosenbaum, president of WFIL, here, was reappointed today to another term on the Pennsylvania State Banking Board by Gov. George H. Earle. Rosenbaum was first named to the banking post in 1935. Besides his many business connections, he is one of the city's foremost patrons of arts, being an ardent musician and vice-president of the Philadelphia Orchestra.

From Me to You

Charlotte, N. C., Nov. 21.—Charles Crutchfield, WBT program director, has received mail addressed to Crutchhopper, Baiarfield, HopCrutch, Fieldhopper, Crutchbriar, ad infinitum. But he got one this week that he admits takes the cake. He got one addressed "Miss 'Chuckie' Crutchfield."

It seems that Crutch dictated a letter to a new stenographer for Merle Jones, radio sales representative for WBT in Chicago. Kelly Smith is head of Radio Sales. So, the stenog sent the letter to "Miss Merle Smith, Chicago."

This week Crutchfield got the letter back with the following message: "Dear Miss Crutchfield: Thay it ithunt tho! (Signed) Jones and Smith."

"School of Air" Gets UnderWayTomorrow

Starting tomorrow, the New York City school system will inaugurate a "school of the air" over the municipal station WNYC. The weekly broadcasts will be on various cultural, social and academic subjects.

The broadcasts will originate from studios in Brooklyn Technical High School on wave-lengths linked to WNYC. At present the broadcasts will be on junior and senior high school level; a later expansion will include broadcasts for parents and for elementary school children.

The plan will mark the first time that radio has been taken in as an official part of local school system. Attending the public schools here are 1,145,000 pupils.

Moore Quits WFIL

PHILADELPHIA, Nov. 21.—Donald Withycomb, WFIL general manager, has announced acceptance of the resignation of Gerald ("Jerry") Moore, director of sales promotion at the station. The resignation is effective immediately and Moore will join the recently formed Continental News Service doing sales and promotional work. No successor has been named.

New Shows on the Air

"Editorial Slant on the News"

Among the new news commentators and editorialists to come before the microphone this season, George H. Combs, Jr., former Congressman from Kansas City, Mo., shows the most promise. His "Editorial Slant on the News" is a new WHN and WLW Line sustaining feature.

Belying his Congressional background, Combs doesn't engage in stuffy, oratorical talk for talk's sake. A first-rate writer and a speech stylist, he offers at the beginning a digest of the headline news of the moment then editorializes on the flash lines. His comments are penetrating and to the point and reveal a well-grounded knowledge of national and international affairs. He is particularly enjoyable when he comments on the life in official Washington, a subject with which he is most intimate.

"Editorial Slant on the News" is offered three times weekly, Mondays, Wednesdays and Fridays from 7 to 7:15 P.M. BANNER

Announcer Guild and WPEN Sign Contract

PHILADELPHIA, Nov. 21.—The American Guild of Radio Announcers has reached an agreement with WPEN here, and the new contract is awaiting the signature of John Iracci, currently in New York, who recently bought the station. The new contract provides for a closed shop, 15 per cent wage increases and a 40-hour week.

Forbes Assigned to CBS Coast Contacts

HOLLYWOOD, Nov. 21.—Donald W. Thornburgh, vice-president in charge of CBS operations on the west coast, has assigned William E. Forbes to handle agency and client service contacts on CBS network programs originating in Hollywood.

For the past year, Forbes has been a member of the KNX and CBS Los Angeles sales staff. His sales activities will be concentrated on coast-to-coast CBS accounts, Columbia Pacific network and Columbia California network business.

Deny CIO Official Tulsa Station Time

TULSA, Okla., Nov. 21.—Despite threatened legal action, Dave Fowler of Muskogee, Okla., regional director of the C. I. O., was denied the use of Station KVOO here last Sunday, for a half-hour morning broadcast previously scheduled for 9 A. M.

Fowler appeared at the station with his attorney to demand the right to use the time he had engaged, according to KVOO employes, but was barred from the studio.

The C. I. O. director threatened to bring suit against the station to recover money spent for advertising and other outlays in connection with the broadcast. He also threatened to bring the matter before the La Follette Civil Liberties Committee of Congress to have the station's license revoked.

"We don't want to try this case through the newspapers," William B. Way, KVOO station manager, explained. "It is just another of the many programs we are forced to cancel because they are not of general public interest."

Mutual on East-West Game

SAN FRANCISCO, Nov. 21.—The annual Shrine East-West football game, to be played New Year's Day between picked teams of college stars from all parts of the country, will be broadcast exclusively over the coast-to-coast network of Mutual.

Kelvinator to Add Stations

Nash Kelvinator, sponsors of the "Prof. Quiz" series, will increase its stations on CBS from 61 to 64 beginning Dec. 4. The stations are in Binghamton, N. Y.; Springfield, Mass.; Tulsa, Okla.; Duluth, Minn.; and Missoula, Mont. Geyer, Cornell & Newell is the agency.

Cantor to Speak from Coast

BOSTON, Nov. 21.—Eddie Cantor is scheduled to address Boston Jewry from Hollywood over a special hookup next Sunday. The occasion is the dinner at the Hotel Statler in behalf of the Associated Jewish Philanthropies' campaign for funds. Boston theatremen are prominent on the various committees.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 123 NEW YORK, TUESDAY, NOVEMBER 23, 1937 TEN CENTS

Admission Tax Intake Shows October Gain

Receipts Total $1,966,617, Largest in Some Time

By CLARENCE LINZ

WASHINGTON, Nov. 22.—Improvement in theatrical business was indicated today by the Internal Revenue Bureau in its monthly report of tax collections which showed that receipts in October from the admission tax totaled $1,966,617 as compared with $1,722,468 in September and $1,797,278 in October, 1936.

The month's collections were the heaviest reported for any month since December of last year, and brought receipts from this source to $16,441,430 for the first 10 months of 1937 as compared with $14,657,223 for the corresponding period in 1936.

In the third New York (Broad-

(*Continued on page* 13)

FitzPatrick May Do Ten More for M-G-M

Returning from a four-months trip to England and the Continent where he completed eight quota pictures for M-G-M, James A. FitzPatrick arrived yesterday on the *Normandie* and will leave for Hollywood the first week in December by boat through the Panama Canal to negotiate a contract with Louis B. Mayer for the production of 10 more quota films in England.

The eight films finished are "David Livingstone," "The Captain's Table," "Auld Lang Syne," "Last Rose of Summer," "Bells of St. Mary's," "Dream of Love," "Life of Chopin" and "Bizet, the Composer of Carmen."

FitzPatrick has spent 18 months all told in the making of these pictures,

(*Continued on page* 15)

Miss Dietrich Has Another for Param't

Marlene Dietrich will make one more picture for Paramount before winding up her contract, the star told MOTION PICTURE DAILY last night when she arrived on the *Normandie*. Her last picture will be "French without Tears," following which she will return to Europe.

Asked by a MOTION PICTURE DAILY

(*Continued on page* 15)

Radio—Page 16

Hold Para. Chart Part of Contract

INDIANAPOLIS, Nov. 22.—The catalog Paramount issued outlining features planned for 1936-'37 should be considered as identifying subject matter of its exhibitor contracts, a brief filed in U. S. District Court here by the Gary Theatre Co., asserts.

The brief is the final document filed in the company's action for a mandatory injunction to compel Paramount to deliver 10 features allegedly contracted for but not delivered. Affidavits and briefs filed by both sides will be studied by Judge Robert C. Baltzell, who called for them in place of oral testimony.

In its brief, Paramount held that the catalog and representations by its salesmen should not be considered binding on them. "Unless the catalog be given effectiveness as identifying the subject matter of the contract, no one can say what, if anything, was covered by the contract," the plaintiffs set forth.

"To say that plaintiffs and other exhibitors in the United States, after

(*Continued on page* 6)

Educational Board Reelects Officers

E. W. Hammons, president, and all other officers of Educational Pictures, Inc., were reelected yesterday at a meeting of the company's board of directors.

Other officers are Bruno Weyers, vice-president; T. R. Williams, treasurer, and Norman C. Nicholson, secretary. All directors of the company were reelected at a stockholders' meeting last Friday.

Production Gains With 34 Shooting

HOLLYWOOD, Nov. 22.—Production last week climbed to 34 pictures at work, three more than the previous week's total, which was the lowest of the year. Ten pictures were started and six were finished, leaving 13 in final stages of preparation and 67 in the cutting rooms.

Those starting were: "A Dangerous Affair" and "You Can't Win," Columbia; "Three Men in the Snow," M-G-M; "Telephone Operator," Monogram; "College Swing," Paramount; "Outside of Paradise," Republic; "Radio City Revels," RKO; "Blonde Moll," 20th Century-Fox; "Mad About Music," Universal, and "Food for Scandal," Warners.

The tally by studio:

Columbia finished one, shooting four, preparing zero, editing eight; Goldwyn, one, zero, zero, two; Grand National, zero, zero, one, one; M-G-M, zero, six, one, five; Mono-

(*Continued on page* 13)

UA Circuit Earnings At 35 Cents a Share

BALTIMORE, Nov. 22.—Earnings on the 600,000 outstanding shares of U.A. Theatres Circuit, Inc., will approximate 35 cents a share, Dennis F. O'Brien, vice-president and chairman of today's stockholders' meeting, stated. Haskins & Sells have not completed the audit for the fiscal year ended Aug. 31, but are expected to have a complete report ready in about a week.

The present board of nine was reelected. It includes: O'Brien, Bertram S. Nayfack, A. H. Frisch, Harry

(*Continued on page* 6)

"Firefly," "Awful Truth" Top Major Cities' Takes

"The Firefly," "The Awful Truth," "Conquest," "Ali Baba Goes to Town" and "Alcatraz Island" were outstanding at the box-offices of the nation last week. The first mentioned film in four situations did between $1,000 and $3,500 over average. At the RKO Shubert in Cincinnati the Jeanette MacDonald operetta held to the $12,000 house par.

"The Awful Truth" continued on the profit side in San Francisco where, dualled with "The Man Who Cried Wolf," at the Orpheum, it garnered $11,300, over the line by $3,000. The comedy went over by $300 at the Warner Lake in Cleveland, taking $3,000. In Cincinnati it took $19,500, which is $9,500 over average. In Omaha and Washington it also went over average.

"The Firefly" was good in Oklahoma City, where it grossed $5,600, which is $1,000 over average. In Minneapolis the film did $12,000, or $2,000 over par. It also did well at the Paramount in St. Paul. Philadelphia and Seattle takes on the film were $17,500 and $8,750 respectively, going over the line by $3,500 and $1,750.

"Conquest" went under par at the Midland in Kansas City but in Milwaukee, at the Wisconsin, double billed with "Hot Water" it attracted $9,000, over by $1,000. At the Pittsburgh Penn $12,750 was grossed, ex-

(*Continued on page* 6)

To Make Plans For Appeal of Dallas Ruling

High Court Plea Awaits Hoblitzelle Arrival

Final plans for the drafting of an appeal to the U. S. Supreme Court from the decision of the U. S. District Court at Dallas, holding that major distributors conspired with the Interstate Circuit in entering into contracts which tended to regulate admissions in subsequent run theatres will be made here with the arrival of Karl Hoblitzelle, Interstate head, and George Wright, defendants' counsel, from Dallas in the next few days.

Hoblitzelle and Wright will confer here with Thomas D. Thacher of the law firm of Simpson, Thacher & Bartlett, who has been retained by the defendants to present their appeal to the Supreme Court. Austin C. Keough, Paramount vice-president and secretary, and Louis Phillips of the Paramount home office legal department,

(*Continued on page* 6)

Selznick Refuses to Discuss Metro Deal

HOLLYWOOD, Nov. 22.—David O. Selznick is back in Hollywood from his extended New York stay, continuing to refuse to discuss his M-G-M deal. This is how Selznick put it today:

"Most of the deals we have been considering have appeared in print. While it is true that we have tentatively decided upon one of these deals, it is entirely possible that any one of

(*Continued on page* 6)

Monogram Will Make 48 Films Next Year

HOLLYWOOD, Nov. 22.—W. Ray Johnston, president of Monogram, arriving to confer on production, disclosed that next season's Monogram product would be increased probably by six pictures, most of them exploitation specials, to make the total output 48.

Expressing satisfaction at the production record of Monogram under

(*Continued on page* 13)

No Paper Thursday

***Motion Picture Daily* will not publish on Thursday, Nov. 25, which is Thanksgiving Day.**

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 42 November 23, 1937 No. 123

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J. M. JERAULD, *Managing Editor*
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Postpone Gary Hearing

INDIANAPOLIS, Nov. 22.—Hearing on the suit filed by the Gary Theatre Co., to enjoin clearances imposed by major producers on behalf of Balaban & Katz of Chicago was postponed from today to tomorrow because of the absence from the city of Federal Judge Robert C. Baltzell.

Plan Newsreel House

CLEVELAND, Nov. 22.—Sam Dembow has confirmed the report that a Trans-Lux theatre will be built here. It will be Cleveland's first newsreel theatre.

A Correction

The review of "Tim Tyler's Luck" in yesterday's MOTION PICTURE DAILY erroneously mentioned Frankie Darro as playing the title role. Frankie Thomas is featured.

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REASONABLE RENTALS
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Inquire Superintendent or
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Sues Col., Charging Patent Infringement

HOLLYWOOD, Nov. 22.—Mrs. Annie R. Owen, of Washington, describing herself as the widow of William O. Owen, inventor, today filed suit against Columbia Pictures Corp., Harry Cohn, Frank Capra and Viola Lawrence, charging infringement of patents willed to her by her late husband and which govern mechanisms for insets, fadeouts and dissolves.

She asked the court to enjoin the defendants from using the patented devices and copies thereof, and to award her damages after an accounting of the profits of eight pictures in which, she alleges, the devices were used. The films are "Lost Horizon," "Mr. Deeds Goes to Town," "The King Steps Out," "Love Me Forever," "Unknown Woman," "The Black Room," "Atlantic Adventure" and "After the Dance."

Delay 3 Theatre Suits

Trial of three suits brought by M-G-M Corp., M-G-M. Dist. Corp., Republic Film Exchange and Mascot Pictures against the estate of Jack W. Springer, Soteros Cocalis, the Van Dyke Amusement Co., Inc., and the Trio-Manhattan Corp. for alleged unauthorized exhibition of pictures owned by the plaintiff was postponed to Wednesday by Federal Judge Robert T. Patterson in the U. S. District Court yesterday. Postponement was asked on the ground that settlement out of court was being arranged.

Two other suits brought by Paramount Prod., Inc., Paramount Pictures Dist. Corp., the M-G-M Corp. and the M-G-M Dist. Corp. against the Springer estate, the Spuyten Amusement Co., Inc., and the Trio Amusement Co. were marked settled.

Ask Pacent Suit Dismissal

A. T. & T., Western Electric and Erpi filed amended answers in the U. S. District Court yesterday in response to the $6,000,000 triple damage anti-trust suit brought against them by Stanley K. Oldden as assignee for the benefit of the creditor of the Pacent Electrical Co., Inc. The defendants denied the alleged conspiracy to violate the anti-trust laws and asserted that Pacent had infringed on patents owned by them and should account for the profits. They also stated that the action was barred by the six-year statute of limitations. A dismissal of the complaint with costs was asked.

Hays Board Meet Dec. 8

The quarterly meeting of the board of the M.P.P.D.A. is tentatively scheduled for Dec. 8. The meeting may be postponed to a later date due to the present uncertainty concerning Will H. Hays' return from Hollywood and also of the numerous other directors of the organization now on the coast. The latter include Barney Balaban, Paramount; Nicholas M. Schenck, Loew's; Leo Spitz, RKO; Harry M. Warner, Warners; Sidney R. Kent, 20th Century-Fox.

Resume House Picketing

The Service Employes of the Amusement and Cultural Buildings Union, Local 54, has resumed picketing at the Tompkins in Brooklyn, according to Lou Conway, president of the union, following the alleged refusal of the theatre owners to sign a closed shop agreement.

No Film Fan

Kansas City, Nov. 22.—Henry L. Dillingham, U. S. Marshal for western Missouri, has never seen a talking film, and it has been 16 years since he saw any sort of picture. The other day he saw a film in Federal Court, when it was shown as a piece of evidence. Dillingham 16 years ago used to take his small daughter to the theatre, but when she was lost one night as he was talking with friends, he wasn't trusted by the family to take her again.

Texas Allied Opens Two-Day Convention

DALLAS, Nov. 22.—The Allied Theatre Owners of Texas opened its two-day convention here today, with approximately 150 independent exhibitors in attendance.

The day was devoted to committee appointments, registration, and the receiving of the reports of the organization's officers on the activities of the past year. Tomorrow, the final day, will be featured by a round table discussion of recent Federal Court rulings here and the effect of the decisions on the interests of independent exhibitors. Col. H. A. Cole, president of the unit, will lead the discussions.

Korda Here Thursday

HOLLYWOOD, Nov. 22.—Alexander Korda plans to leave for New York by plane Wednesday night, arriving there Thursday. He may sail for home on the *Berengaria* instead of the *Normandie*.

Wanger En Route West

CINCINNATI, Nov. 22.—Walter Wanger left here today for Hollywood by plane. He spent the weekend here and is heading for the coast to be on hand for the U.A. directors' meeting Wednesday.

Conclude Union Deal On New Haven House

NEW HAVEN, Nov. 22.—I.A.T.S.E. Local No. 74 has concluded a three-year agreement with class "A," "B" and "C" theatres in New Haven, Ansonia and Derby, with new terms effective retroactive to Sept. 1, 1937. Increase for "A" houses is from $50 to $54 for the first year, $54 to $56, the second, and $56 to $58, the third. For stage shows the scale is $67.50 to $72.50 for assistants, $75, carpenters, and $77.50, stage managers, these rates for 24 shows to be in operation for the next two years. Shows over 24 are rated $3 per show. Class "B" and "C" houses increase from $40 to $42.50 the first year, to $43.75 the second, and $45 the third.

Open Canada Union Talks

TORONTO, Nov. 22.—Vincent Armand, chief projection supervisor for Western Canada of Famous Players Canadian Corp., has entered into formal negotiations at Winnipeg with officials of the I.A.T.S.E. with a view to settlement of labor differences in that city.

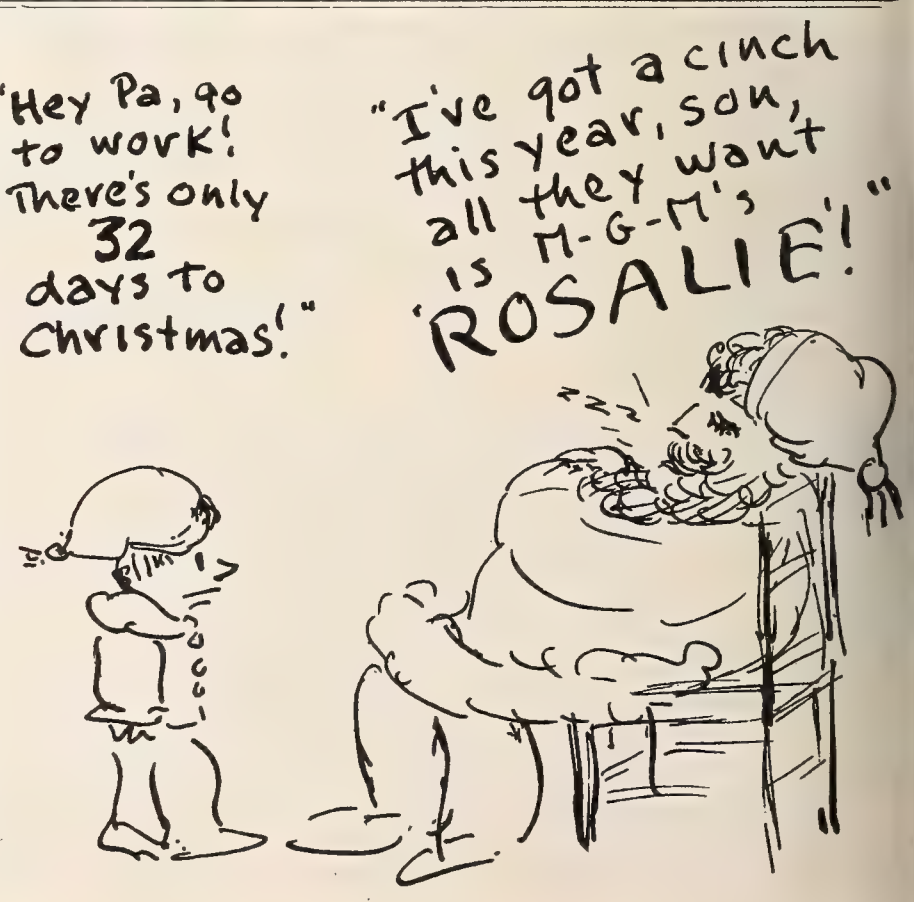
Threatened action by the I. A., culminating in the promise of a general strike in all of the 200 theatres of the circuit across Canada, has been withheld by the I. A. pending the outcome of the conversations at Winnipeg.

Close Wilmington Contract

WILMINGTON, Nov. 22.—The Rialto, independent downtown first run, has signed an agreement with Local No. 473, A. F. of L., operators' union. A report will be made to the next meeting of the Central Labor Union so that the general labor movement may extend full patronage to the theatre.

Wage Talks Resumed

Representatives of the major circuits here conferred again yesterday with officials of Local 306 in an effort to arrive at a new wage scale for operators in the circuit's houses for the next two years.



BE CANDID WITH YOURSELF!



Ask yourself what it means to be able to advertise a picture with all the screaming show values of 'Here Comes The Navy' and 'Devil Dogs'— and the most sensational headline topic of the day, besides!

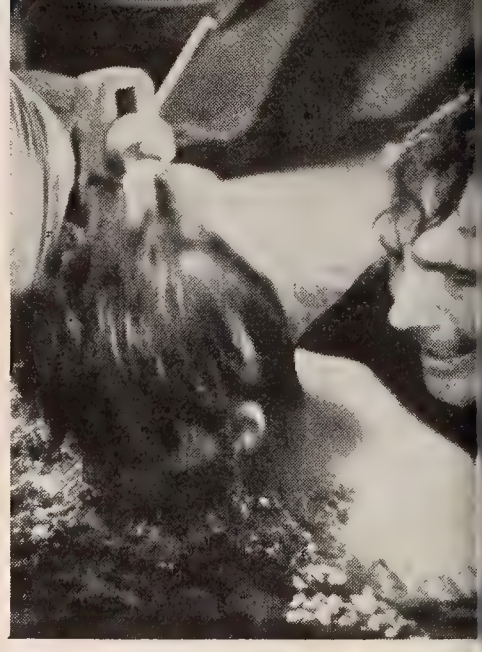
. . .You'll Find Your Candid Answer on the Next Page!

You Can Show These Scenes in Your Ads!

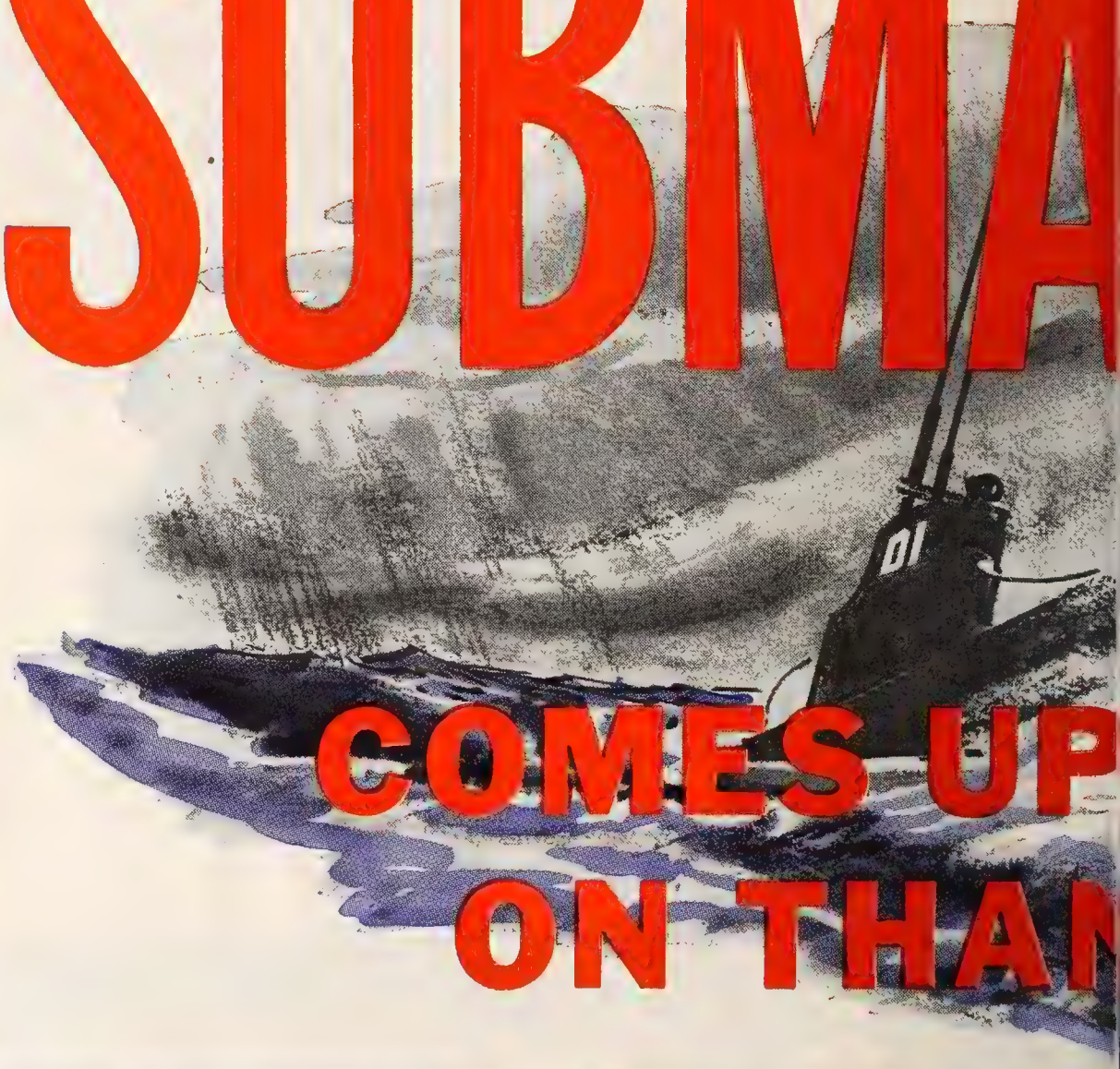
You Can Show This Drama on Your Screen!

You Can Show the World Your Biggest Gross This Season When . . .





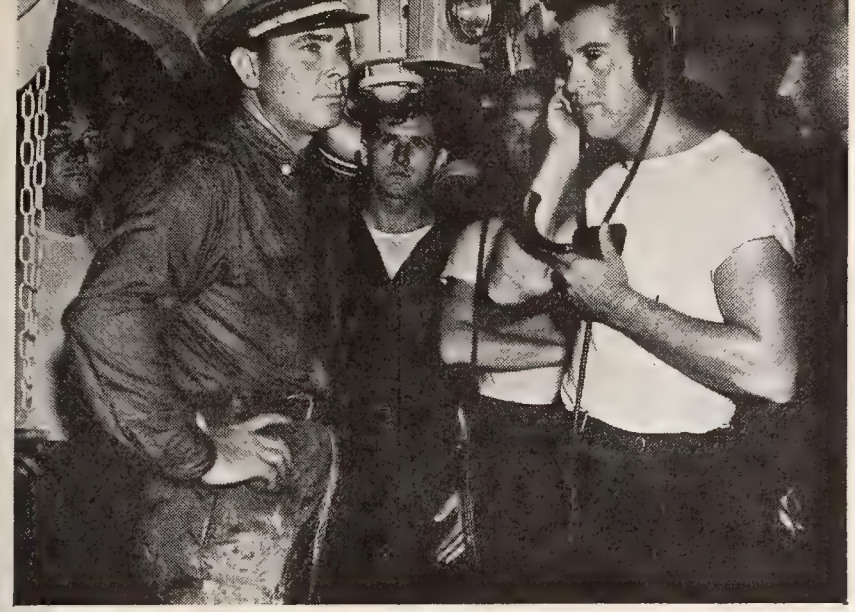
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COMES UP ON THAN

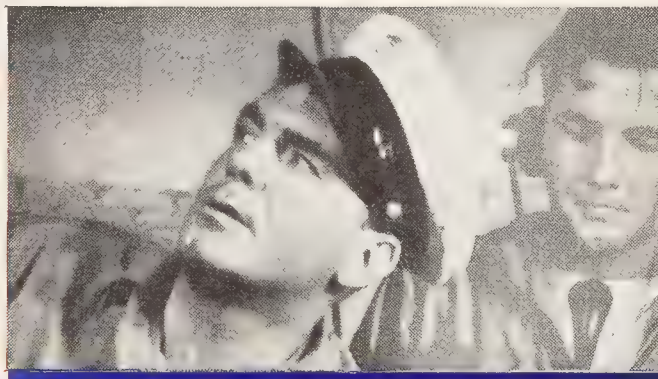








RINE D-1"



PAT O'BRIEN



WAYNE MORRIS



GEORGE BRENT

FOR ACTION

KSGIVING!



FRANK McHUGH
DORIS WESTON

Directed by LLOYD BACON

Screen Play by Lt. Comm. Frank Wead, Warren Duff and Lawrence Kimble • From a Story by Lt. Comm. Frank Wead • Music by Max Steiner • A First National Picture
A COSMOPOLITAN PRODUCTION

WARNER BROS.

30-day 24-sheet bombardment in 1500 cities will be followed by a spectacular key-area newspaper campaign!

Purely Personal

SI SEADLER'S penchant for illustrating his own correspondonce is an old habit and well known. He also tries his art in roughs of M-G-M advertising, but for the first time actually is using his own creations in small display copy currently running on "Rosalie."

•

MAURICE MCKENZIE, executive assistant to WILL H. HAYS, will arrive from the coast tomorrow. HAYS, due to a change of plans, is remaining in Hollywood beyond this week, with no definite departure date set yet.

•

ANNA NEAGLE and HERBERT WILCOX will arrive today on the Century and will sail tomorrow aboard the *Normandie* for England, where Miss Neagle will give a command performance for Britain's rulers.

•

EDDIE BELL, JR., son of the Paramount New Jersey exchange manager, will play on the N. Y. U. team against Fordham at Yankee Stadium Saturday. Half of the local exchange will watch the game.

•

CHARLES R. ROGERS, executive producer for Universal, accompanied by his wife and his assistant, BILL PIERCE, arrived from California last night with a stopover at Boston.

•

ROGELIO A. PUJOL, executive of Cuban Pictures Co., Inc., Havana, is in New York on business. His firm is building modern studios near Havana.

•

MILT KUSELL, who has been bothered with a bad cold the last few days, was forced to remain at his Larchmont home yesterday.

•

ARTHUR LEE returned yesterday from a 10-day trip and reported G.B. business "particularly good" on the west coast. He added that a salesman has been put on at Portland and another will be added to the San Francisco sales force in two weeks.

•

SIDNEY PIERMONT of Loew's turned in a swell job in the handling of the stage show for "Night of Stars" at the Madison Sq. Garden.

•

GEORGE TRENDLE arrived in New York from Detroit yesterday for conferences with Y. FRANK FREEMAN.

•

AL TRAHAN, who is now appearing at Loew's, Washington, will open at the State here Thanksgiving Day.

•

ROBERT W. PERKINS, Warner counsel, will return in a few days from a vacation at West Virginia.

•

BOB GOLDSTEIN insists he is going abroad again. It may be somewhere between Dec. 1 and 15.

•

A. J. CRONIN, novelist, left for Boston yesterday and from there will head for California.

•

JULES LEVY is back from the coast and BARRET MCCORMICK is due to return next Monday.

•

NORTON RITCHEY, now in Paris, is not expected until the middle of December.

•

MOE SEIGEL, Republic production head, will leave for Hollywood in a few days.

•

ARTHUR GREENBLATT will return Friday from a tour of G.B. exchanges.

•

RALPH ROLAN is due in from the coast some day this week.

•

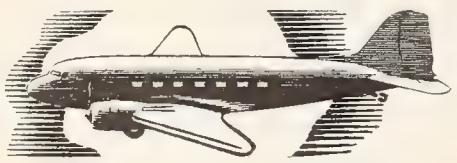
NATE J. BLUMBERG returned from Hollywood yesterday.

•

LEON SCHLESINGER is due from the coast today.

•

MARSHALL NEILAN is in town.



UNITED'S SLEEPER SERVICE OFFERS:

*Sky Room courtesy lounge for nighthawks, early birds. (Only on United.)
*Sleepers limited to 12 persons for extra comfort.
*No crowding—a berth for every passenger.
*De luxe Skylounges on daylight portions of trip, sleepers at night.
*2 nightly sleeper flights coast to coast.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices

UNITED AIR LINES

"Firefly," "Awful Truth" Top Major Cities' Takes

(*Continued from page* 1)

ceeding the average of $11,000. At Loew's Palace in Washington the Garbo film took in $16,400, going over by $1,500.

"Ali Baba Goes to Town" did just that in Detroit at the Fox. It was aided by a stage show. The take—$23,500—was over by $3,500. At the Alvin, Pittsburgh, the Cantor film went $3,500 over average, taking $10,000. In Denver, with a stage band assisting, it took in $10,500, over by $2,000.

"Alcatraz Island" was good in New Haven, where, at the Roger Sherman, it took $6,000, which is above normal by $2,600. In the college town, "Double Wedding" and "Counsel for Crime" did not create any undue excitement. On a double bill they broke even. "Alcatraz" and "Adventurous Blonde" attracted San Franciscans to lift the Fox gross by $400 over par. "Ebb Tide" and "Expensive Husbands" at the Warfield in the coast city boosted the take up to $17,000, over by $4,000. A road show of "The Hurricane" at the Geary in the same city blew in $12,000, exceeding average by $2,000.

"Danger, Men at Work" in Minneapolis with a stage show at the Orpheum rolled up $14,000, more than double the $6,000 average. "Madame X" at the Century and "The Life of Emile Zola" at the Orpheum in St. Paul did $5,000 each, which is over par by $1,000 in each case.

"Double Wedding" in Cleveland, at Loew's State, garnered $20,000, which is substantially over the line. "Back in Circulation," at the Michigan in Detroit, aided by a stage show, did $23,000, over by $3,000. "Music for Madame" stood out in Philadelphia. "Merry-Go-Round of 1938" was good in Pittsburgh. "Bad Guy" was strong in Chicago at the State-Lake where it reaped $17,300, up by $4,300.

Loop Doorman Is Shot

CHICAGO, Nov. 22. — Sheldon Shoreen, 24, doorman at the State-Lake, was shot tonight by a bandit who attempted to hold up the theatre. His condition is serious. Policeman John Mannix was also wounded in frustrating the robbery.

Hold Para. Chart Part of Contract

(*Continued from page* 1)

studying catalogs and deciding upon what product to exhibit and after extensive negotiations entering into a complicated written contract have done nothing more than to give the producers the option if they see fit to sell these exhibitors pictures is to do violence to all reason. Paramount's own contract 'guarantees' these pictures."

Vigorously rebutting each point in Paramount's closing brief, filed here, Nov. 15, the exhibitor scores the producer for "interminable cutting and editing" of the pictures in question.

"Paramount, like any other producer who desires to withhold pictures, can continue its cutting and editing activities indefinitely, and apparently that is here the case.

"Paramount admittedly intended to give us these pictures by a certain date. If plaintiffs are willing to accept them at a later date, Paramount can not take advantage of its own delay and refuse delivery."

The exhibitor denies seeking from Jules J. Rubens, head of Great States Theatres, release of rights in RKO pictures in exchange for Paramount rights, which was charged by the defendant.

Selznick Refuses to Discuss Metro Deal

(*Continued from page* 1)

the others may eventuate. Until contracts are signed, it would obviously be ridiculous to talk about any one deal that at the moment is a stronger likelihood than others."

His final two for United Artists are set. These will be "Merry, Merry Maidens" and an untitled Janet Gaynor vehicle.

Those close to David O. Selznick yesterday admitted in New York that announcement of his return to M-G-M will be made in a few days.

To Make Plans For Appeal of Dallas Ruling

(*Continued from page* 1)

also may participate in the conferences on the appeal.

The defendants have until Dec. 13 to file their appeal, which goes directly to the Supreme Court because the Dallas case was instituted by the Government. Present expectations are that the appeal will be ready in advance of that date and will make it possible for a hearing to be set for some time in late January or in February.

The conference here is expected to decide definitely whether or not the defendants will request a writ of *supersedeas* to suspend enforcement of Judge W. H. Atwell's Dallas Federal Court decree pending the determination of the appeal. It has not been decided definitely yet whether the defendants will seek such a writ.

U.A. Circuit Earnings At 35 Cents a Share

(*Continued from page* 1)

D. Buckley, Joseph H. Moskowitz, Willard V. King, William P. Philips, Joseph M. Schenck and Lee Shubert. This board will elect officers either late this week or early next in New York. The officers are: Schenck, president and chairman; Shubert and O'Brien, vice-presidents; Philips, vice-president and treasurer; Nayfack, secretary, and A. M. Georger, comptroller.

No earnings were reported on the common stock last year. Attending today's meeting in addition to O'Brien were Nayfack and Frisch.

Singer Left $33,932

HOLLYWOOD, Nov. 22. — Mme. Ernestine Schumann-Heink, who died a year ago at the age of 75, left an estate valued at $33,932.

Wall Street

Stocks Generally Decline

	Open	High	Low	Close	Net Change
Col.	15⅛	15¼	15⅛	15⅛	+ ⅛
Cons.	1⅝	1¾	1½	1½	— ⅛
Cons., pfd.	6¾	6¾	6¾	6¾	— ¼
E. K.	152	152	150	151¾	—3½
G. T. E.	13	13	13	13	+ ½
Loew	51½	51⅞	46½	47½	—4½
Loew, pfd.	101½	101½	101½	101½	+ ½
Para.	11½	12⅛	11¼	11⅜	— ¾
Para. 1.	92½	92½	91¼	92	.....
Para. 2.	10½	11	10¼	10½	— ½
Pathe	6⅛	6⅛	5¾	5¾	— ¼
RKO	5½	5½	4⅞	5	+ ¼
20th Fox	21½	21½	20	20	— ¾
20th, pfd.	26¼	26¼	26¼	26¼	— ¼
W. B.	7½	7½	6⅞	6⅞	— ⅝

Curb Issues Off

	Open	High	Low	Close	Net Change
G. N.	1¼	1¼	1	1⅛	.....
Tech.	18⅜	18⅜	17¼	17¼	— ½
Trans-Lux	2⅞	2⅞	2¾	2¾	— ¼
Univ. Corp.	1¾	1¾	1¾	1¾	— ¼
Univ. Pict.	3¾	3¾	3¾	3¾	— ¼

Light Bond Increases

	High	Low	Close	Net Change
Keith 6s '46	86½	86½	86½	—1
Loew 3½s '46	97¾	97⅜	97⅝	+ ⅛
Para. B'way 3s '55	63	63	63	.....
Para. Pict. '47	76¼	76	76	— ¼
RKO 6s '41	94	94	94	—1
W. B. 6s '39	81¾	81¾	81¾	+1¾

(Quotations at close of Nov. 22)


HOLD YOUR HEART AND TAP YOUR TOES...
HERE COMES FRED ASTAIRE...

SMART!...SMOOTH!...SNAPPY!... Romance and rhythm and fun run riot on a screen alive with the lift of GERSHWIN music and WODEHOUSE humor!... With footloose Fred topping his tops in the "Drum Dance"—romancin' with Hollywood's new Girl of Your Dreams ...with goofy George and goofier Gracie giving their goofiest!... Positively the world's dizziest dancing show!... A joy-filled, girl-thrilled, lavish load of living high!... set for the kind of grosses you long for!

THE BIG THANKSGIVING WEEK ATTRACTION IN SCORES OF IMPORTANT FIRST RUNS THROUGHOUT THE NATION!...

FRED ASTAIRE
GEORGE BURNS and GRACIE ALLEN

"A Damsel in Distress"

with JOAN FONTAINE • REGINALD GARDINER • RAY NOBLE





GEORGE GERSHWIN wrote the music!
IRA GERSHWIN fashioned the lyrics!

. . . and all America already is hearing, singing and dancing to these four new sweet and swingy tunes:



A Foggy Day

Words by IRA GERSHWIN

Music by GEORGE GERSHWIN

I Can't Be Bothered Now

"Damsel In Distress"

2

Words by IRA GERSHWIN

Music by GEORGE GERSHWIN

Nice Work If You Can Get It

Words by IRA GERSHWIN

Music by GEORGE GERSHWIN

Things Are Looking Up

Words by IRA GERSHWIN

Music by GEORGE GERSHWIN

look-ing up! I've been look-ing the land-scape o-ver And it

RKO RADIO PICTURES

From the story by P. G. Wodehouse

A PANDRO S. BERMAN Production

Directed by GEORGE STEVENS

Screen play by P. G. Wodehouse, Ernest Pagano, S. K. Lauren

OPENS EXTENDED RUN ENGAGEMENT

★

RIVOLI THEATRE

NEW YORK

TOMORROW, NOV. 24

FRED ASTAIRE

GEORGE **BURNS** and GRACIE **ALLEN**

"A Damsel in Distress"

WITH

JOAN FONTAINE

REGINALD GARDINER • RAY NOBLE

CONSTANCE COLLIER • MONTAGU LOVE • HARRY WATSON

200

DAY AND DATE OPENINGS.... THANKSGIVING WEEK THROUGH-OUT THE NATION

"Music," Show Phila. Leader With $21,000

PHILADELPHIA, Nov. 22.—In its first roadshow week at the Locust, "The Hurricane" blew a neat, but not gaudy, $10,500 into the box-office. The take is fair, but not sensational and the run looks like four weeks.

Again the Earle led the town, grossing $21,000 with "Music for Madame" and a stage show, over par by $7,000. The city has been on a stage show rampage for weeks and this house, the only central city spot with shows, has been doing well.

"The Firefly" got a fair $17,500 for its opening week at the Stanley and will go for a second. The rest of the town was below par with "Great Garrick" and "Merry-Go-Round" not living up to expectations.

Total first run business was $93,200. Average, exclusive of average for the Locust where "The Hurricane" is roadshowing, is $81,960.

Estimated takings for the week ending Nov. 18:

"THE GREAT GARRICK" (W.B.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $7,200. (Average, $8,160)
"HIGH, WIDE AND HANDSOME" (Para.)
ARCADIA—(600), 25c-40c-50c, 4 days, 2nd run. **Gross:** $1,100. "Madame X" (M-G-M), 3 days, $600. (Average, 7 days, $2,800)
"CONQUEST" (M-G-M)
BOYD—(2,400), 40c-55c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $14,000)
"MUSIC FOR MADAME" (RKO)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Mary Dees, Monte Blue, Jane Pickens. **Gross:** $21,000. (Average, $14,000)
"MERRY-GO-ROUND OF 1938" (Univ.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $11,000. (Average, $14,000)
"STAGE DOOR" (RKO)
KARLTON—(1,000), 25c-40c-50c, 7 days, 2nd run. **Gross:** $3,500. (Average, $4,000)
"THE AWFUL TRUTH" (Col.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,800. (Average, $4,000)
"THE HURRICANE" (U.A.)
LOCUST—(1,400), 57c-86c-$1.14-$1.71, 7 days (roadshow). **Gross:** $10,500.
"THE FIREFLY" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $17,500. (Average, $14,000)
"ALCATRAZ ISLAND" (F.N.)
STANTON—(1,700), 30c-40c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $7,000)

Griffith Shifts Men

OKLAHOMA CITY, Nov. 22.—Griffith Amusement Co. has made the following promotions and transfers, all involving increases in pay: Paul Cornwell from the Orpheum at Okmulgee to the Melba at Guthrie; Jim O'Donnell from the Melba to the Rivoli at Blackwell; Fred Brewer from the Rivoli to the Tall Chief at Fairfax; Thurston Homan from the Tall Chief to the Aztec at Enid, Okla.

To Test Double Bills

OKLAHOMA CITY, Nov. 22.—The Griffith circuit's Rialto, downtown subsequent run house here, has started a four-week test of a double bill policy, every Wednesday and Thursday only, in an attempt to build up grosses in the middle of the week.

Gets Paramount Pact

PORTLAND, ORE., Nov. 22.—Warren Magwood, well known Portland actor, has been awarded a Paramount studio contract. He has been renamed Philip Warren. He has a four-year contract, subject to six-month renewals.

Key City Grosses Reflect Slight Gain to $1,519,420

Key city grosses for the week ending Nov. 12-13 showed an upward trend from the previous week, aggregating $1,519,420 from 151 theatres in 24 major cities, as compared with a total gross of $1,510,291 from 147 theatres in the same 24 cities for the week ending Nov. 5-6.

The total for the most recent period, however, still was under the aggregate for the 24 cities for many recent weeks, except that ending Oct. 8-9, when the total was $1,500,826.

Estimated takings for the latest available periods:

	Week Ending Nov. 12-13		Week Ending Nov. 5-6	
	No. Theatres	Gross	No. Theatres	Gross
Boston	8	$100,000	8	$108,200
Buffalo	5	56,800	5	55,800
Chicago	8	110,700	8	143,000
Cincinnati	8	46,250	8	52,300
Cleveland	6	56,300	6	66,000
Denver	7	41,500	7	36,000
Detroit	6	84,700	6	79,400
Houston	4	32,700	4	29,800
Indianapolis	5	27,400	5	34,000
Kansas City	5	31,800	5	33,000
Los Angeles	10	113,320	9	106,091
Milwaukee	6	34,000	5	28,900
Minneapolis	5	38,600	5	38,500
Montreal	5	43,500	5	39,000
New Haven	4	23,300	4	21,000
New York	9	273,000	9	256,350
Oklahoma City	5	16,900	5	22,100
Omaha	3	23,000	3	22,600
Philadelphia	9	99,000	9	88,400
Pittsburgh	5	55,700	5	55,600
San Francisco	9	90,200	9	82,600
St. Paul	4	14,500	4	15,400
Seattle	7	37,950	7	36,650
Washington	8	68,300	6	59,600
	151	$1,519,420	147	$1,510,291

Key city grosses up to the week ending Nov. 12-13:

Week Ending	No. Theatres	Gross
Sept. 3- 4	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420

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Fox Takes Cushman Show

LINCOLN, Nov. 22.—Fox Intermountain joined with Wilbur Cushman's vaudeville route when Rick Ricketson, division manager in Denver, signed for all his towns, including Cheyenne, Rawlins, Laramie, Rock Springs, Ogden, Idaho Falls, Pocatello, Nampa, Caldwell and Kemmerer. Besides this group there are other occasional one night stands. Frederick-Mercy Theatres, with home offices in Seattle, also went on the books for Ellensburg, Yakima, and Walla Walla. This brings about 30 days playing time for Cushman.

"Camille" Austria Choice

VIENNA, Nov. 22.—"Camille" and "Mr. Deeds Goes to Town" were the only two American films listed among the best 10 for the year from August, 1936, to May, 1937, as determined by a vote of the readers of the only Austrian film fan weekly, *Mein Film.*

Renamed Frieda Starr

HOLLYWOOD, Nov. 22.—M-G-M has changed Frieda Isenstadt's name to Frieda Starr. The actress is a young singer from Brooklyn.

G. N. Closes 13 Deals

Grand National has closed product deals with 13 independent circuits. They are Robb & Rowley, Lefkowitch Circuit of Ohio, Skouras, Cooperative Theatres of Michigan, Fabian Theatres, Walter Reade Enterprises, Schine Theatrical Co., Smalley's Theatres, Wilmer & Vincent, Century Circuit, Randforce, I. Libson and Semelroth Theatre Circuit.

Change 20th-Fox Title

HOLLYWOOD, Nov. 22.—Sonja Henie's next 20th Century-Fox musical will be released under the title, "Happy Landing." It was known formerly as "Happy Ending."

Paramount Signs Dunn

HOLLYWOOD, Nov. 22.—Jack Dunn, actor-athlete, has been signed to a term contract by Paramount. He will be featured in "Everybody's Girl."

Lewis to Make "Sisters"

HOLLYWOOD, Nov. 22.—David Lewis will produce "The Sisters," based on Myron Brinig's novel, for Warners.

"Stage Door" Lead Grosser In Milwaukee

MILWAUKEE, Nov. 22.—"Stage Door" and "West of Shanghai" grossed $8,500 at the Warner, $3,500 to the good, to take the lead for the week. Second money went to "Conquest" and "Hot Water," good for $9,000, or $1,000 above the Wisconsin average.

"Prisoner of Zenda" and "Love Is on the Air" at Fox's Strand was the only other combination to better par, doing $4,800, just $300 over the line. This was a second week continued run from the Warner. The new reduced price policy at Fox's Wisconsin and Palace failed to meet with any outstanding response during the first three days.

Total first run business was $35,100. Average for five houses is $26,500.

Estimated takings:

Week Ending Nov. 16
"DINNER AT THE RITZ" (20th-Fox)
"LIFE BEGINS WITH LOVE" (Col.)
PALACE—(2,400), 35c-50c, 5 days. **Gross:** $4,000. (Average, $5,000)

Week Ending Nov. 17
"STAGE DOOR" (RKO)
"WEST OF SHANGHAI" (F. N.)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $8,500. (Average, $5,000)
"CONQUEST" (M-G-M)
"HOT WATER" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 6 days. **Gross:** $9,000. (Average, $8,000)

Week Ending Nov. 18
"THE FIREFLY" (M-G-M)
"BAD GUY" (M-G-M)
GARDEN—(1,200), 35c-40c-60c, 7 days. **Gross:** $3,800.
"BEHIND THE MIKE" (Univ.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: "Personalities on Parade." **Gross:** $5,000. (Average, $5,000)
"PRISONER OF ZENDA" (U. A.)
"LOVE IS ON THE AIR" (F. N.)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $4,800. (Average, $4,500)

Circuit Changes Name

RICHMOND, Nov. 22.—Richmond Operating Corp. has filed a charter amendment changing its corporate name to Neighborhood Theatres of Virginia, Inc., and increasing its maximum capital from $1,000 to $201,000; minimum from $100 to $1,000. Morton G. Thalhimer is president.

Revivals Aiding Takes

VANCOUVER, Nov. 22.—The Capitol, Famous Players' ace Vancouver house, has instituted a series of revival programs to bolster Monday evening attendance, always a poor night in this city. The extra feature starts at 11 P.M. Thus far the idea has been successful.

Gibraltar Party Held

DENVER, Nov. 22.—The employes of Gibraltar Enterprises, Inc., here, held their fourth annual party with 150 film and theatre supply men attending. A costume party, it was held at the Kiowa Lodge, in the mountains west of Denver.

Troy Honors Leo Rosen

TROY, N. Y., Nov. 22.—Leo Rosen was honored at a testimonial dinner here on his fifth anniversary as manager of the Troy Theatre. The dinner was given by film and other business men of the city.

Ticket Tax Revenue Shows October Gain

(Continued from page 1)

way) district, Federal admission tax collections jumped from $442,546 in September to $604,487 the following month, it was reported by the Bureau.

Receipts from box-office admissions in October were $559,145, against $407,698 in September, other collections being as follows: on free or reduced rate admissions, $2,121 against $546; tickets sold by brokers, $7,017 against $2,582; tickets sold by proprietors in excess of established prices, $1,401 against $555; permanent use or lease of boxes and seats, nothing against $210; admissions to roof gardens and cabarets, $34,803 against $30,953.

Production Gains With 34 Shooting

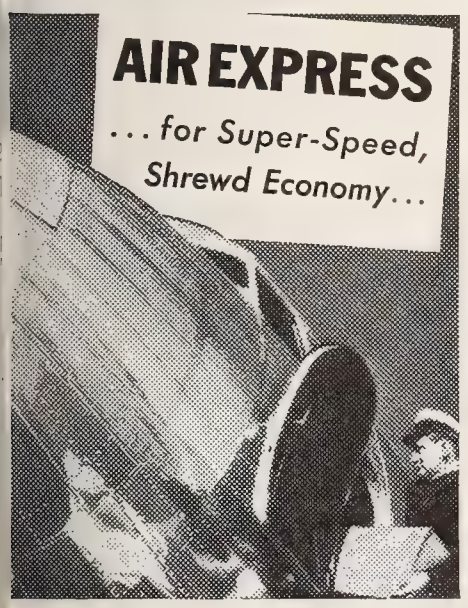
(Continued from page 1)

gram, zero, one, zero, one; Paramount, one, five, three, nine; Principal, zero, two, zero, one; Republic, one, one, two, four; RKO, one, four, two, four; Roach, zero, one, zero, zero; Selznick, zero, zero, zero, one; 20th Century-Fox, one, three, three, four; Universal, zero, two, zero, one; Wanger, zero, zero, zero, one; Warners, zero, five, one, 25.

Three short subjects—two at M-G-M and one at RKO—started this week and are still shooting. M-G-M and Columbia finished one each. A total of four are being prepared, and 11 are being edited.

Industrial Index Up

CINCINNATI, Nov. 22. — Among favorable straws in the Cincinnati industrial wind is the Chamber of Commerce report for October, which shows bank clearings, always a reliable barometer, at $273,632,697, compared with $259,506,166 for October, 1936, an increase of $14,126,531. New automobile registrations increased 25 per cent, and employment in 17 selected industries gained 30 per cent during the same comparative period. Value of building permits also increased.



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Out Hollywood Way

HOLLYWOOD, Nov. 22. — With M-G-M tying up JAMES STEWART for a new long-term period, it is probable that STEWART may not finish his one picture loanout to RKO, "Vivacious Lady," shooting on which was cancelled last spring because of his serious illness. GINGER ROGERS is starred in the film, which was in work for about two weeks before being postponed. With STEWART recovered, he has been constantly at work at M-G-M, and his commitments may prevent him from finishing the Rogers vehicle. RKO has a battery of writers giving the script of "Vivacious Lady" a working over. . . The same studio is negotiating with DOUGLAS FAIRBANKS, JR., to have him play opposite IRENE DUNNE in "The Joy of Loving."

PETE SMITH'S second Prudence Penny short at M-G-M will be done in color. . . RKO's "Women Have a Way" has resumed shooting, after an 11-day layoff due to MIRIAM HOPKINS' illness. . . C. B. DE MILLE'S next picture for Paramount will be based on the development and growth of the Hudson's Bay Co. . . CHARLES GRAPEWIN, veteran character actor, will retire shortly to devote his time to writing books. . . Sharing credit with CRANE WILBUR for the adaptation of "Penrod's Double Trouble" at Warners is ERNEST BOOTH, recently released from Folsom Prison on parole after serving 14 years for bank robbery. . . DOROTHY MCNULTY is changing her professional name to "Penny Singleton." . . The CAREY WILSON short at M-G-M to be directed by FELIX FEIST, "I Don't Know—Do You?" deals with the question of messages from the dead.

Arnold and Douglas Join Spain Benefit

HOLLYWOOD, Nov. 22.—Edward Arnold and Melvyn Douglas have added their names to the lengthy list of sponsors conducting the M. P. Artists' Christmas Drive in behalf of the children in the war-torn regions of Spain. The campaign is scheduled for the week of Dec. 5-12.

Sponors of the drive include not only actors and artists but also political and diplomatic personages both here and abroad. David Lloyd George heads the list of English sponsors which includes the Duchess of Athol, Lady of Gladstone and others; Eduard Herriot, President of the French Chamber of Deputies, heads France's imposing list of endorsers; America is represented also by Fannie Hurst, Sinclair Lewis and others; from Mexico comes President Cardenas to act as honorary chairman, while here in Hollywood the committee is composed of Franchot Tone, Mrs. Fredric March, Vicki Baum, Lewis Milestone, Dudley Nichols, and others.

"Syn" Takes $10,000

"Dr. Syn" tallied approximately $10,000 at the Globe in its first week. The film is now in its second stanza.

Paramount reported that "Ebb Tide" took $48,000 in its first five days at the Paramount, and said a gross for the week of $58,000 is expected.

Reorganization Plea Filed by Ambassador

LOS ANGELES, Nov. 22.—Ambassador Pictures, Inc., and its subsidiary, Conn Prod., Inc., today filed a petition for reorganization under Section 77 B of the Bankruptcy Act in U. S. District Court. Assets were listed at $450,000 and liabilities at $230,000.

The petition was filed by Naomi Conn, secretary, who said there were 150,000 shares of common stock of $1 par value outstanding. Listed among the debts was $71,155 due to Marks & Malcolm Trading Corp., and Mercury Film Laboratories, New York, to which the negatives of 22 pictures were pledged. The petition stated that the income obtainable from the negatives would amount to $300,000 next year.

Seek to Defer Date Of S.E.C. Statement

WASHINGTON, Nov. 22.—International Cinema, Inc., today asked the S. E. C. to defer the effective date of its registration statement, originally filed Sept. 17. The statement covers a proposed issue of 50,000 shares of class "A" common and 100,000 shares of common stock; part of an authorized issue of 200,000 shares of class "A" and 1,000,000 shares of common.

The proposed issue would raise $200,000, of which $50,000 would be spent for new equipment, $100,000 for reduction of indebtedness and $50,000 for working capital.

Monogram Will Make 48 Films Next Year

(Continued from page 1)

Scott Dunlap, production chief—more than half of the 42 features on this season's schedule have been completed—Johnston said that Monogram's exchange system will be able to handle the greater number of films next year because the liquidation of the old independent product on hand before the new Monogram started will be completed this season.

Johnston will be here for about a week, before returning to New York.

No definite commitments for the 1938-'39 product have been made, he said, but much of the story material will be by name authors.

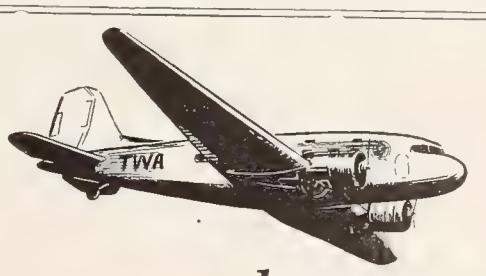
English Exhibitors Hit Separate Quota

By AUBREY FLANAGAN

LONDON, Nov. 22.—Exhibitors are launching a vigorous attack against the inclusion in the Films Bill, now under consideration, of a provision for separate quotas. The protest is taking the form of the circularizing of all members of the Films Act Committee of the House of Commons, which is now studying the bill.

It is understood the Government is also opposed to such a provision, and diplomatically is advising that it would welcome the backing of the exhibitors in opposition to the proposal.

A revision of the short subject quota is forecast in informed circles, as well as an amendment from Oliver Stanley, president of the Board of Trade, approving booking combines. The committee will reconvene tomorrow to discuss reciprocity clauses.



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"Ali Baba" in Detroit Lead With $23,500

DETROIT, Nov. 22.—"Ali Baba Goes to Town," with a stage show at the Fox, led the box-office parade in a fair week, taking $23,500 to better average by $3,500. Close behind came "Back in Circulation," also aided by a stage show, at the Michigan, where the gross was $23,000, over par by $3,000.

"The Firefly" went over average by $600, taking $10,600 at the United Artists, while "Flight from Glory,' dualled with "Women Men Marry," just beat par, with $5,100 at the State.

Total first run business was $76,000. Average is $70,000.

Estimated takings for the week ending Nov. 18:

"LIFE BEGINS IN COLLEGE" (20th-Fox)
"BEHIND THE MIKE" (U.)
ADAMS—(1,770), 15c-50c, 7 days, 2nd week. **Gross:** $4,800. (Average, $5,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage. Jan Peerce, Eddie Garr, Lamberti, 3 Wiles, 2 Eileens. **Gross:** $23,500. (Average, $20,000)

"BACK IN CIRCULATION" (F. N.)
MICHIGAN—(4,100), 15c-75c, 7 days Stage, Don Redman, Orlando Roberson. 2 Zephyrs, 3 Berry Bros., Ella Mae Waters, Chuck & Chuckles, Louise McCarroll. **Gross:** $23,000. (Average, $20,000)

"FLIGHT FROM GLORY" (RKO)
"WOMEN MEN MARRY" (M-G-M)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $5,100. (Average, $5,000)

"THE FIREFLY" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days. **Gross:** $10,600. (Average, $10,000)

"LIFE OF EMILE ZOLA" (W. B.)
MADISON—(2,000), 15c-75c, 7 days, 3rd week. **Gross:** $10,000. (Average, $10,000)

Develops Heater for Shooting in Winter

HOLLYWOOD, Nov. 22.—Ed Tiffany, head of Grand National's camera department, has invented an automatic heater for use in any type of film camera, to enable shooting in freezing and zero weather. The heater is built in the camera under the motor with an automatic cut-off switch and will keep the temperature at the camera between 85 and 90 degrees at all times.

The new device was tried out first by Harry Sherman with his "The Barrier" unit on location near the Canadian border. Grand National will use the new device for all of its pictures filmed during cold weather and taken on location. The first unit to use the Tiffany invention for Grand National will be Al Herman's "Renfrew Rides Again," which is scheduled to go on location in the snow country near Truckee.

Commonwealth Adds One

KANSAS CITY, Nov. 22.—C. A. Schultz, head of Commonwealth Amusement Corp., has confirmed the report from Washington, Mo., that the circuit is building a second house there. The 400-seat Garden will be remodeled early in December.

Takes Over Trailer Unit

BOSTON, Nov. 22.—Harry Asher has taken over the commercial film trailers of the Sales-Films, Inc., in this district.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Danger Patrol"

(RKO)

HOLLYWOOD, Nov. 22.—Stark horror pervades the story of "Danger Patrol," which delves into a little known, highly dangerous occupation for possibly the first time on the screen. "Soup handling" means the carting and use of nitro-glycerine. The locale of the Helen Vreeland-Hilda Vincent story adapted by Sy Bartlett is in a Texas oil town where the explosive is used to blow in wells to start production and to snuff out oil well fires.

The undercurrent and dominating factor in the lives of the workers is the danger of a premature explosion or an attack of "nitro fever," the vernacular for insanity, mild or otherwise, caused by the constant pressure of fear, skillfully delineated under the direction of Lew Landers. For cast names the Maurice Cohen production offers Sally Eilers, John Beal and Harry Carey.

Beal, having failed at other jobs, finds work driving a nitro truck, and is trained in the work by Carey, whose daughter, Miss Eilers, falls in love with the newcomer. The young couple splits when Beal refuses to quit his job before he has saved enough money to get away. Miss Eilers agrees to marry his rival, and Beal, disheartened, is about to fly with a load of explosives to put out an oil well fire in Mexico. Carey knocks him out, and before the plane crashes in the fog, the couple hears a radio conversation between Carey and the Mexican air field officials clearing up their misunderstanding.

Running time, 60 minutes. "G."

Overseas Previews

"La Citadelle De Silence" ("The Citadel of Silence")

(Sedif)

PARIS, Nov. 15.—This melodrama, directed by Marcel L'Herbier, and starring Annabella, in her last film made in France before leaving for Hollywood, is, in parts, excellent, although action is inclined to be slow and, on the whole, just misses the mark.

Action is in Poland, under Russian domination. A young Polish girl, Viana, whose father is shot by the Russians, belongs to a group of conspirators, nearly all of them doctors at the hospital where she, herself, is a nurse. They decide to drop a bomb on the carriage of the governor of the the town on his wedding day. Viana performs the dangerous task, but her aim is faulty and she misses, instead wounding Count Stephan, who is in charge of the prison at Linsk, known as the "Citadel of Silence" because the prisoners are forbidden to speak.

On her return to the hospital Viana is called upon to tend the count, who falls in love with her. She escapes to Paris where she waits for the arrival of her fiance, Cesar, who is to join her. Stephan follows and they meet again. In the course of a conversation, he tells her that Cesar was arrested at the frontier and has been sent to the prison. Later he proposes and, realizing that it is her only chance of meeting and, perhaps, helping the man she loves, she becomes his wife and returns to the "Citadel of Silence" with him.

Through the intermediary of a Polish ex-prisoner and guard, she communicates with Cesar and plans an escape, but the plot is discovered by a spy. He is killed by Cesar and two other prisoners and they are condemned to death. In an attempt to save the man she loves, Viana confesses everything to her husband. He refuses to postpone the execution, but the prisoners mutiny and take the prison. However, their attempt to reach the outer door, and liberty, is stopped by the governor, who, although mortally wounded, threatens them with a machine gun Viana, hoping that her husband will not aim at her, runs to the door but his sense of duty is stronger than his love for her and she is riddled with bullets. She dies as the doors swing open before the prisoners. The film is long and at times, slow.

Annabella, in the opinion of many, is mis-cast as Viana and her acting is not up to the standard of her British film, "Wings of the Morning," in which she found a role to suit her particular personality. Pierre Renoir as Count Stephan is good, but the real acting honors go to Bernard Lancret as Cesar, and Larguev as the ex-prisoner. The film is having a good run in Paris as the stars are big box-office attractions. Hollywood producers might be interested for a re-make, using the original prison scenes.

AUTRE

"Firefly" Top With Seattle In Doldrums

SEATTLE, Nov. 22.—A severe snow storm and the competition of two roadshows knocked the bottom out of first run grosses here. They reached the lowest level in several months. "The Firefly," at the Fifth Avenue, was the only film to come anywhere near average, taking $8,750 against par of $7,000, and continuing its run.

The Liberty, with a dual of "Life Begins with Love" and "It Happened in Hollywood," and the Paramount, with "The Barrier" and "Hold 'Em Navy," pulled their bills after five days.

Total first run business was $28,400. Average is $36,500.

Estimated takes for the week ending Nov. 19:

"THE CALIFORNIAN" (20th-Fox)
"THE LADY FIGHTS BACK" (Univ.)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $2,950. (Average, $4,000)

"THE FIREFLY" (M-G-M)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8,750. (Average, $7,000)

"LIFE BEGINS WITH LOVE" (Col.)
"IT HAPPENED IN HOLLYWOOD" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 5 days. **Gross:** $1,900. (Average, $5,000)

"DOUBLE WEDDING" (M-G-M)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,100. (Average, $4,000)

"THE PERFECT SPECIMEN" (F.N.)
"MADAME X" (M-G-M)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $4,150. (Average, $6,000)

"OUTLAWS OF THE ORIENT" (Col.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Lela Moore. **Gross:** $3,900. (Average, $4,500)

"THE BARRIER" (Para.)
"HOLD 'EM NAVY" (Para.)
PARAMOUNT—(3,050), 30c-40c, 5 days. **Gross:** $3,700. (Average, $6,000)

Portugal Attendance Gains 74% Over 1936

WASHINGTON, Nov. 22.—Tickets sold at 90 film theatres in Portugal during the first six months of 1937 totaled 6,966,105, a gain of 74 per cent over the total of 4,066,296 sold in 88 theatres in the corresponding period of 1936, according to a report from the office of the American Consul in Lisbon to the U. S. Dep't of Commerce here.

While the increase was due in some measure to improved economic conditions in the urban districts, it is believed that the gain must be attributed to principally the wide popularity of the Portuguese films, "Bocage" and "Revolucao de Maio," which were shown at all theatres and attracted large audiences.

"Robin Hood" Title Final

HOLLYWOOD, Nov. 22.—The title of "The Adventures of Robin Hood" at Warners today became official, through an agreement reached between the studio and M-G-M, which owns the screen rights to the operetta, "Robin Hood."

Manages Salem House

BOSTON, Nov. 22.—James Field has returned as manager of the Paramount in Salem, one of the Phil Bloomberg circuit. Field has been in Cuba.

Miss Dietrich Has Another for Param't

(Continued from page 1)

reporter if it was true that Paramount had bought up her contract, Miss Dietrich, who was having dinner with Rouben Mamoulian in the Sortie Salon of the *Normandie*, turned to the director and asked:

"What does that mean? I do not understand what it means." It was explained and Miss Dietrich answered that the purpose of her trip is to make her last film under the Paramount pact. She will leave for Hollywood today. No plans have been set after she returns to Europe in May, Miss Dietrich said.

Mamoulian will remain in New York a week and then head for the RKO studios where he will direct one picture, tentatively entitled "Perfect Harmony." He bought two stories while touring England, France, Switzerland and Italy in the past three months. He returns to the Paramount lot after the RKO stint.

FitzPatrick May Do Ten More for M-G-M

(Continued from page 1)

he said. He also completed four Technicolor shorts with the British Grenadier Band and while on the coast will confer with Fred C. Quimby for the production of 12 more.

While in England, Al Lichtman renewed FitzPatrick's contract to make a series of 12 Traveltalks for the seventh year. Since the first of the year, FitzPatrick has covered 60,000 miles. He has just completed an arrangement with the French and Egyptian Governments to make an expedition through Morocco, Tunis, Algiers and Egypt for a series of six shorts. He will make three to four also in the British Isles. The producer will sail for England in February.

Richman Set for Fox Film

Harry Richman, who just completed "Kicking the Moon Around" for Vogue Productions in England, will appear in "Driftwood" for 20th Century-Fox, he said on his arrival yesterday after being away eight and a half months. He will leave for the coast in two weeks to confer with Joseph M. Schenck. He plans to remain in Hollywood about three days, then go to Florida and then back to England.

Norma Taylor Here

Norma Taylor, who appeared in a number of Broadway stage plays, returned on the *Normandie* yesterday and said she was signed by Louis B. Mayer while the latter was in London recently. She said she will leave for the coast in a week for a screen test.

'Student Prince' by MGM

HOLLYWOOD, Nov. 22.—M-G-M is planning an elaborate production of Sigmund Romberg's operetta, "The Student Prince," with Betty Jaynes in the feminine lead and the title role to be played by either Nelson Eddy, Allan Jones or Gilbert Russell. Robert Z. Leonard will direct.

Defeat Sunday Films

MEMPHIS, Nov. 22.—Jackson, largest West Tennessee municipality outside Memphis, defeated proposed repeal of the Sunday blue laws in an election held this week, by a vote of 716 to 463.

Looking 'Em Over

"That's My Story"

(Universal)

LINCOLN, Nov. 22.—The only unusual quality about this story is the presence of a father and daughter in the cast, Ralph and Claudia Morgan. Otherwise, it trails in the deep-rutted path of most newspaper stories, is never even slightly convincing, and is dull.

In addition to introducing Miss Morgan, recruit from Broadway where she did last "Storm over Patsy," the yarn is an opener for William Lundigan, who should catch on with the girls.

Ralph Morgan is a city editor with a molasses mouth, but who fires men as easy as tossing scrap paper in the basket. One of the unbelievable things about the story is his office, which is done in the manner of a bank president, and no city editor ever had one like that. A sheriffing twosome is composed of Hobart Cavanaugh and Harlan Briggs, done in small town comedy style. The feminine menace is Bernadene Hayes, in jail for shooting a millionaire boy friend.

The narrative points out that Lundigan has been fired from every newspaper save the one edited by Morgan, and the latter gives him a chance if he turns up an interview with the girl, held incommunicado. After failing to get into the jail any other way, Lundigan gets himself arrested and is thrown in with Herbert Mundin, a psychopathic case. Mundin shows him a way to get out, but in hunting for Hayes' cell he gets in with Miss Morgan, also a reporter trying the same gag, and thinks she's the girl. The effect is goofy, causing Morgan to lose some editorial hair. Both get a freak break at the finish.

The story was originally "Scoop" by Van Terrys Perlman, from which Barry Trivers did the screenplay. Associate producer is Robert Presnell, with direction by Sidney Salkow.

Running time, 63 minutes. "G."

"The Old Wyoming Trail"

(Columbia)

A familiar plot, familiar lines and familiar unfoldment are to be seen in "The Old Wyoming Trail," but new twists in the action and the more or less different treatment of certain sequences give it reliable entertainment qualities.

Charles Starrett, probably the handsomest in the roster of western stars, with the aid of Donald Grayson, Barbara Weeks and an assorted and adequate supporting cast act that old favorite, the one where an unscrupulous land grabber is attempting to squeeze out a settlement of ranchers and sell their belongings at a slick profit to a railroad company. He has been doing this without interruption until Starrett comes on the scene, to his dismay. In good time and style, Starrett is aroused to do something about the state of affairs and, as the story comes to its climax, he gives the villains their just due. This aforementioned climax involves the exploding of about 500 cartridges and the performing of approximately 200 extras who lend plenty of thrills to the ensuing gun-battle. Starrett and Miss Weeks also properly do justice to the amorous fadeout.

Folmer Blangsted directed.

Running time, 56 minutes. "G."

Guilty in Bingo Case

CLEVELAND, Nov. 22.—In its first local test case, two Bingo operators were found guilty of violating the anti-gambling laws in Municipal Court here. Judge Oscar C. Bell presided. The verdict was reached by a jury of eight women and four men. Julius Goldstein and David Spivak, defendants, through their attorneys, Fred W. Garmone and W. L. Jacobs, immediately filed a motion for a new trial. If it is denied, they plan to carry the case to the Court of Appeals.

Critics Name Nugent

The New York Film Critics, at the meeting at the Cafe Richelieu yesterday, elected Frank Nugent as chairman, replacing William Boehnel, and reelected Leo Michkin as secretary. Preliminary eliminations were made for the group's annual awards for best film of the year, best masculine and feminine performances, best direction and best foreign picture, which will be presented early in January.

Republic in Peru Deal

Republic Pictures has closed a deal with Cinematografica del Pacifico of Lima, Peru, for distribution of their 1936-'37 program in Peru and Bolivia. The same company distributed the Republic program last season. Republic has also closed for the 1937-'38 product with Pioneer Theatre Corp., Iowa; W. F. Fulton Circuit, Kansas City and Illinois towns; Fox Milwaukee Circuit; several Robb & Rowley houses in Texas; Alpine Circuit, West Virginia; Harvey Circuit, California; Huss Circuit, Cincinnati, and W. A. Simmons Circuit, Montana and Idaho.

"Road" Opens to S. R. O.

NEW ORLEANS, Nov. 22.—Following Judge Borah's reversal of his decision barring the performance of "Tobacco Road," the show opened here tonight at the St. Charles to a packed house. Judge Borah claimed that the barring of the play is a local rather than a Federal function.

World-Wide Release For Asher U. K. Film

Four of the pictures to be made in England will be released internationally, Irving Asher, Warners British production head, stated yesterday on his arrival from England with his wife, Laura La Plante. He will leave for Hollywood tomorrow, accompanied by Bruce Lister, James Stephanson and Chili Buchier. All three English players have been under contract and appear in Warner's English films regularly. While their trip to the coast is described as "a holiday" by Asher, they will make screen tests for Jack L. Warner and Hal Wallis. There is a possibility they may stay on the coast to appear in some American pictures.

Asher asserted that the new production program, while tentatively set at 16 in England, was not definitely decided and that was one of the reasons for his trip. Another will be to arrange schedules so that coast talent can be made available for British pictures. Lloyd Bacon will direct one in England and Leslie Howard may make one at Teddington provided the story is right.

Asher will return to England in five weeks. He said he was planning a better type of picture in England. One of the quartet of English films to be sent over will be "You Live and Learn" with Glenda Farrell. Aino Bergo, Swedish actress, has been signed by the company and will be on her way here soon. She has appeared in "Thistledown," first for Warners and after a second at the British studios will sail for this country.

Dixon Here for Vacation

Carl Dixon, treasurer for Continental Europe for Paramount with headquarters in Paris, arrived yesterday for his first vacation in a year. He will spend about two weeks here.

"Business is improving on the Continent, and that's quite general in Europe," he said. No particular significance is attached to his trip.

Greer Garson Arrives

Another importation, signed by Louis B. Mayer while in London, arrived yesterday on the *Normandie* in the person of Greer Garson, whose last stage production in England was Keith Winter's "Old Music." She has two and a half years' stage experience in the West End theatre, she said.

Dissolve M-G-M Firm

DOVER, DEL., Nov. 22.—Metro-Goldwyn Pictures Corp., a Delaware corporation, has been dissolved. A certificate of voluntary dissolution by the consent of all the stockholders has been issued by the secretary of state.

Flash Previews

"Devil's Saddle Legion"—. . . the chain gang touch . . . a different angle on the general run of open-space stories . . . Should be all right for its spots.

"Quick Money." . . . Strictly formula plot saved by novelty slapstick embellishments. . . . Boy who is an amateur chemist provides most of the laughs.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Begin Code Work for Radio Set Industry

WASHINGTON, Nov. 22.—The first formal steps toward development of a voluntary code of fair practices for the radio receiving set industry were taken today by the Federal Trade Commission with the publication of proposed rules and the calling of a public hearing thereon, to be held Dec. 7.

Primarily, the rules are concerned with the labeling and advertising of receiving sets, and would require all descriptions of such sets to show exactly what frequencies are covered.

In announcing the hearing, the commission pointed out that the receiving set manufacturing industry has a capitalization of about $50,000,000, gives employment to between 30,000 and 40,000 workers, and had a total production of more than 5,000,000 sets with an estimated retail value of over $200,000,000 in 1935, with production for 1936 substantially higher.

Charges CBS Censored Talk

Ferdinand Louis Kerrin, British Labor Party candidate for Parliament, yesterday charged that the Columbia Broadcasting System "drastically censored" his radio speech over its network last Friday, eliminating all references to joint action by democratic countries against Fascism. Kerrin charged that he was not notified of the changes until 10 minutes before the broadcast was to go on. At CBS it was said that certain portions of the talk had been "toned down" and a formal statement might be issued endeavoring to explain the action.

Change CBS Program Times

Three Columbia programs will have their presentation time changed. Victor Bay's "Essays in Music" will be heard on and after Dec. 10 from 6 to 6:30 P. M. Margaret Daum's recitals on and after Dec. 10 will be heard from 7:15 to 7:45 P. M. and the Columbia Workshop on Dec. 9 will change its time to 10:30 to 11 P. M.

Starr Returns from Coast

Herman Starr, in charge of radio shows for Warners, returned from the coast yesterday. While in Hollywood he completed plans for the new Lucky Strike air show. Paul Munro, who has been producing the Kate Smith show, arrived on the coast yesterday to work on the new Warner-Lucky Strike program which will have Arch Obler and Frank Gill as writers.

Ohio Firm Returns to Air

CINCINNNATI, Nov. 22.—The State Automobile Insurance Co., Columbus, reinstated its program, "Unbroken Melodies," over WLW, 9:45 to 10 P. M., E.S.T., last night at the same hour and with virtually the same talent employed when broadcasts were discontinued three years ago after the company had reached the limit of business permitted under an Ohio law.

Coughlin Halts Drive for Him

DETROIT, Nov. 22.—The Rev. Charles E. Coughlin today asked his "friends and followers" to stop their efforts to have his broadcasts resumed. Father Coughlin recently was rebuked by Pope Pius XI through the Apostolic Delegate in Washington.

Jessel May Replace Bacher in Metro Job

HOLLYWOOD, Nov. 22.—George Jessel may take over the entire M-G-M Maxwell House radio program, succeeding Bill Bacher, who walked off the Metro lot Friday after the third broadcast in the new air series.

Jessel will go over to M-G-M this week as production counsel on the radio show for a limited time and the deal will not conflict with the Sunday Mutual program. If the deal works out satisfactorily, it is believed Jessel may switch entirely to M-G-M. Immediately following Bacher's sudden resignation as production head of the Metro show Ed Gardner of Bacher's staff took over temporarily.

Myrna Loy will head the list of stars and Allan Jones again will be master of ceremonies in the fourth program of the series, "Good News of 1938," this Thursday evening. Scenes from the film "Thoroughbreds Don't Cry" will be enacted.

Tracy, Joan Fontaine on Air

Lee Tracy and Joan Fontaine will be heard in "Hospitals Are for Sick People" on the Silver Theatre over CBS on Nov. 28.

Title New CBS Program

"The People's Choice" is the title of a new program which will start on Dec. 5 over CBS from 8 to 8:30 P. M.

Blindfold Test

WHN wants Frank Roehrenbeck to do a football forecast—but he's afraid the "Roehrenbeck System" might fail.

It all came about when F. R., who is general manager of the station, won the gridiron pool for two successive weeks—far ahead of the football "authorities."

The "Roehrenbeck System" involves a blindfold, a pencil and a list of teams.

Oklahoma Station in Contract with Union

OKLAHOMA CITY, Nov. 22.—Joseph Harris, A.R.T.A. union organizer, has revealed that KOMA, Oklahoma City Hearst station has signed a contract covering five engineers and four announcers employed by KOMA. This is the second Hearst station to sign a contract with his union, Harris said. KEHE, Los Angeles, was the first.

The KOMA contract is effective for one year from Nov. 22. The contract provides for a 48-hour week for engineers and a 42-hour week for announcers, a slight salary increase, two months' sick leave, closed shop and a grievance committee clause. The committee will be composed of one representative of the station, one of the union and a third member to be selected by both provided that the third member meets the approval of the union.

Urges Native Talent On Canadian Web

TORONTO, Nov. 22.—Appearing before the Toronto City Council, Dr. H. A. Fricker, prominent Canadian musical conductor, urged that action be taken to obtain more employment by Canadian artists and orchestras on the network of the Canadian Broadcasting Corp. This has brought an encouraging and significant reply from Major Gladstone Murray, general manager of the C.B.C., as follows:

"With expanding finances, we propose to achieve the objective of encouraging Canadian musicians and getting more Canadian programs on U. S. stations by trading arrangements with networks in the United States so that talent of Canadians will be brought more and more before the U. S. public."

Kaltenborn on Air from Bed

CINCINNATI, Nov. 22.—H. V. Kaltenborn, CBS commentator, who has been in Good Samaritan Hospital here since Nov. 12, when he was stricken with an infected gall bladder while en route here to deliver an address, broadcast from his hospital bed on his regular hour, 10:30, last night, using facilities of WKRC, local Columbia affiliate. This is the first network program ever presented from a patient's hospital quarters here.

Quaker Oats Sponsors Show

PHILADELPHIA, Nov. 22.—The Quaker Oats Co., has contracted for exclusive sponsorship of the first half of the Martha Laine-conducted WFIL "Woman's Club." This is a half-hour daily show. The account was placed through the Arthur Kudner Agency of New York. Time will be used in the interests of "Muffets," a Quaker breakfast food product, and is scheduled for 26 weeks.

Power Increase for WBNS

COLUMBUS, Nov. 22.—WBNS, local CBS outlet, has been authorized by the F. C. C. to increase daytime power to five kilowatts, with one kilowatt at night, effective Dec. 14. The station which uses a frequency of 1,430 cycles now operates on one kilowatt daytime and 500 watts at night.

Start Cincinnati Program

CINCINNATI, Nov. 22.—A new program, "Our City," bowed in at 7 P. M. yesterday as the initial airing of a series designed to acquaint listeners with operation of the local Government. Col. C. O. Sherill, City Manager, and Henry N. Hooper, superintendent of General Hospital, participated in the first program.

Air "True Confession" Dec. 3

Carole Lombard and Fred MacMurray will do "True Confession" on the Dec. 3 Hollywood Hotel hour. Loretta Lee continues to pinch hit for Frances Langford.

To Rebroadcast CBS Program

"Headlines and Bylines," the CBS commentator program, beginning Nov. 29 will be recorded and rebroadcast to Europe over a short wave station.

Conn Show Starts Nov. 28

Harry Conn's new program, "Earaches," will be heard over CBS on Nov. 28 from 8:30 to 9 P. M.

Radio Personals

DAVE RUBINOFF returned to town yesterday with Bill Green. Accompanying them were Dave's daughter, Ruby, and her husband, Bob Clayman, band leader, who were married yesterday in Pittsburgh, and came on for a week to see New York. . . . Binnie Barnes will be the guest star on Radie Harris' program tomorrow evening over WOR. . . . Val Clare interviewed Jane Anderson, war correspondent, on conditions in Spain, last night over CKLW, Windsor-Detroit.

✚

Amos Kubic, 67-year old town crier of Provincetown, Mass., will appear as one of Jay C. Flippen's guests over WHN tonight. . . . Jussi Bjoerling, tenor of the Royal Opera at Stockholm, will make his American debut on the General Motors program next Sunday. . . . Benay Venuta will return to the air after an absence of four months next Monday at 9:30 P. M. over WOR, as singer and mistress of ceremonies on the program which features Vic Erwin's orchestra. . . . President Laredo Bru of Cuba will discuss "The State of the Nation" on Dec. 10 over WLW, Cincinnati, from Havana, in an interview by Joseph Ries, the station's educational director.

✚

Parks Johnson and Wally Butterworth have been named editors of the "Twenty Questions" department of *Liberty Magazine*. . . . Tommy Dorsey will leave for the coast in the early spring, taking his band to the Palomar in Los Angeles, and doubling his work by making two pictures. . . .

✚

Ruth Draper, Anton Litvak and Richard Rogers are scheduled to be interviewed at the pier when the *Normandie* sails tomorrow. . . . Arthur Shields, director of the Abbey Players, will be interviewed by Charlotte Buchwald on WMCA, Friday from 1:15 to 1:30 P. M.

✚

Philadelphia Town Pump

PHILADELPHIA, Nov. 22. — Paul Frailey, author of "Somebody's Son" over WCAU, is now writing and producing "Dramas of Science," a new series sponsored by the Franklin Institute. . . Eddie Dowling will be heard over KYW from the Penn A. C., tomorrow. . . Major Thomas Coulson, author of "Mata Hari" and former member of the British Secret Service, will soon be added to the WCAU news comment staff. . . The Broadsmith Agency has bought six five-minute periods of Transradio News over WIP for David T. Robinson, Inc., and the contract is for 26 weeks.

Tappin's, Inc., has bought 30 five-minute periods weekly in addition to spot announcements over WIP. Schillin Advertising Corporation placed the account. . . Esther Goff is replacing Doris Havens, who is recuperating from automobile injuries on the Ben Alley, Household Finance shows over WCAU. . . Harry Balkin, known as the "Success Doctor," has begun a new series of character analyses over WFIL. . . Jan Savitt, house band director at KYW, has another commercial. His Top Hatters orchestra is now airing for local RCA-Victor dealers. . . Wayne Cody, the rotund "Melody Man," has begun a show directed at the kiddies over WFIL, sponsored by F. A. North Co.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 124 NEW YORK, WEDNESDAY, NOVEMBER 24, 1937 TEN CENTS

UMPTO Has 6-Pt. Policy For "Peace"

Would End Distributor, Exhibitor Friction

PHILADELPHIA, Nov. 23.—A six-point program for the elimination of major sources of grievances between exhibitors and distributors is advocated as an approach to "permanent peace" between the two in the current issue of *Contact,* official publication of the United M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, distributed here today.

The program calls for the abolition of 40 per cent pictures, fewer pictures sold on percentage, adjustment of "oversold" situations, increased autonomy for exchange managers, protection and maintenance of established runs and fair percentage deals for last runs.

Calling for the abolition of 40 per cent pictures, the exhibitors publica-

(*Continued on page* 11)

Loew Will Sail on Five-Month Survey

Aurthur Loew, foreign head for Loew's, expects to sail Dec. 26 on the *Normandie* on the first lap of a five-month trip to Europe, where he will spend about four weeks, India, Singapore, Java, China, Manila and then to Australia. Half of the trip will be made by plane.

Construction of a new theatre at Amsterdam will proceed as planned, Loew stated yesterday. The house will seat 1,700 and will be ready late next year. The new 1,600-seat theatre in Bombay will be opened in May and construction will get under

(*Continued on page* 12)

Wilcox Plans Three Each Year for RKO

Herbert Wilcox will make three pictures a year for 10 years for RKO world distribution, he declared last night prior to his sailing today on the *Normandie.* He will return to London with Anna Neagle, F. A. Young, his chief cameraman, and Merrill White, his chief film editor.

The producer plans to import into England as much Hollywood talent as he can arrange for. Miss Neagle will appear annually in two and her next will be a modern story. While in Hollywood, Wilcox arranged for studio space at London Films' plant at Denham, near London.

Alger Refutes Opposition to Plan for RKO

Final Report Filed with Federal Judge Bondy

Three petitions attacking the RKO plan of reorganization on the ground that it fails to make proper provision for holders of the old RKO Class A stock are held to be without legal merit by Special Master George W. Alger in his final report on the reorganization plan, which was filed with Federal Judge William Bondy in U. S. District court here yesterday.

The first hearing on the report is scheduled for today before Judge Bondy. As a result, indications are that the RKO reorganization has been materially advanced by the recent change of procedure dispensing with oral hearings before Alger on both his preliminary and final report.

The petitions in opposition to the plan on the grounds of its failure to provide special treatment for the old Class A stockholders were brought by Ernest W. Stirn of Milwaukee, holder of 1,234 shares of Class A; E. J. Hickey of Washington, D. C., and

(*Continued on page* 5)

Bank Night Is Ruled Lottery in Alabama

MONTGOMERY, ALA., Nov. 23.—The Supreme Court of Alabama has ruled that Bank Night is in violation of the state lottery laws.

The opinion, read by Justice Virgil Bouldin, upheld the state Court of Appeals in a recent decision. Justice Bouldin's opinion said in part:

"The lust for profit by catering to and commercializing the gambling spirit has given rise to many ingenious devices resulting in very many

(*Continued on page* 12)

Competition

Boston, Nov. 23.—William Freiday, Maine circuit operator, has been called upon to compete with himself. Freiday has been named chairman in charge of the annual Auto Show in Portland.

Reciprocity In Film Bill Is Approved

By AUBREY FLANAGAN

LONDON, Nov. 23.—Despite the vigorous opposition of the labor interests, the reciprocity clause in the new Films Bill, as proposed by Oliver Stanley, president of the Board of Trade, was passed today by the Films Act Committee of the House of Commons, which is now considering the proposed legislation.

The clause provides that, subject to certain conditions, a distributor acquiring a film for distribution abroad costing a minimum of £20,000, may count the film for one under the quota.

Labor interests, in opposition,

(*Continued on page* 5)

Universal to Star Colman in Feature

Universal has completed arrangements by which Ronald Colman will be starred in one or more pictures for the company contingent upon a vehicle being found which is satisfactory to the actor. The search for a play or story suitable for Colman was stated by the company yesterday to be one of the reasons for the current visit here of Charles R. Rogers, Universal production head. Rogers will remain in New York until such a vehicle is selected, it was said.

U. A. Control British Until Loan Is Paid

Korda, Bankers Have 6 On 9-Man Board

LONDON, Nov. 23.—British interests will exercise a two-thirds directorial control of United Artists until the $4,500,000 loan being made to Samuel Goldwyn and Alexander Korda for the exercise of their options for the three-fifths of the United Artists stock outstanding has been repaid, MOTION PICTURE DAILY learned here.

The British control will be through six representatives on a new United Artists board of directors of nine members. Three of the six British members of the board, however, will be Korda representatives. Of the remaining board members three will be representatives of the London financing companies and three will be Goldwyn representatives.

A voting trusteeship is to be created and Goldwyn and Korda will be the sole trustees. The board of directors, however, is empowered to veto or override financial and other specific-

(*Continued on page* 11)

Erpi Will Add W. E. Cable Sales—Drake

Erpi is adding Western Electric cable sales and services to its functions within the A. T. & T. fold, replacing the theatre equipment sales and servicing activities which it is relinquishing, Whitford Drake, Erpi president, stated yesterday on his arrival on the *Berengaria* following a six-week European business trip. Drake reported that cable contracts

(*Continued on page* 4)

Tentatively Accept Kromocolor Lab Bid

PATERSON, Nov. 23.—Vice-Chancellor Vivian M. Lewis today tentatively accepted the $60,000 bid by Border Realty Co. for the Kromocolor Laboratory at Paramus, subject to a possible better offer in the next 24 hours. The vice-chancellor at the same time instructed the receivers to close title

(*Continued on page* 4)

Television Transmission on Coaxial Cable Demonstrated

By CHARLES A. AARONSON

Eliminating the technical discussion and explanation which accompanied yesterday's demonstration at the Bell Laboratories here of the use of the company's coaxial cable between New York and Philadelphia in television transmission, the result appeared to be to the non-technical observer that here is one possible solution to one of television's greatest problems, efficient transmission over a long distance.

Prior to the coaxial cable, using

(*Continued on page* 10)

Additional Radio Developments—Pp. 10-11

No Paper Tomorrow

***Motion Picture Daily* will not publish tomorrow, which is Thanksgiving Day.**

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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No Para. Shift—Balaban

HOLLYWOOD, Nov. 23.—Barney Balaban, president of Paramount, declared in a statement here today that no changes in the present production setup of the company are planned at present.

N. J. Allied in Meet

NEWTON, N. J., Nov. 23.—Irving Dollinger, president of Allied of New Jersey, presided at the regular meeting of the membership at the Cochrane House today. Routine topics were discussed.

Will Pay Dividend

Marcus Loew's Theatres, Ltd., Canadian firm, has voted the payment of $1.75 a share on the seven per cent preferred stock, payable Dec. 15.

Coming Attractions Theatre Trailer Corporation Ballyhoo That Sells
A TRAILER ON EVERY PICTURE
Produced by Experienced Showmen
HOME OFFICE: 630 9th Ave., N. Y. C.
ADOLPH POLLAK General Mgr.

Insiders' Outlook

By RED KANN

MORE goings on, or the second as well as the final instalment of the annual boilings-over known as "What They Are Thankful for on Thanksgiving."

GROUCHO, HARPO AND CHICO—California justice.
"SCARLETT O'HARA"—Publicity.
20TH CENTURY FOX—It's still Shirley Temple.
RADIO SPONSORS—Hollywood.
SAM KATZ—They can't do that to me.
PALM SPRINGS—Hollywood.
CHRIS DUNPHY—Uncle Adolph.
BOB GILLHAM—Still Barney Balaban.
JANET GAYNOR—"A Star is (re) Born."
BETTY GRABLE—Last Saturday, finally.
JACKIE COOGAN—Ditto.
HARRY GOETZ—The women.
BUDD ROGERS—Charlie.

▼

HOWARD BENEDICT—Perry Lieber.
PERRY LIEBER—A lowering golf score.
HOWARD STRICKLING—Ralph Wheelwright.
EDDIE SELZER—Bryan Foy.
BRYAN FOY—That the alphabet ends with "B."
EDDIE ALPERSON—Jimmy Cagney.
EDDIE PESKAY—Echo of above.
DISTRIBUTORS—The English trade treaty. Maybe.
LIONEL STANDER—Fred Allen.
HAL HORNE—Walter Wanger.
EDDIE CHURCHILL—Lynn Farnol.
LYNN FARNOL—Nell, 61st St. and Round Hill.
WILLARD MCKAY—No further removed from "21" than last year.

▼

JIMMY FIDLER—His 24 stooges.
GYPSY ROSE LEE—"You (or she) Can't Have Everything."
GEORGE MARSHALL—"Goldwyn's Follies."
RUSSELL BIRDWELL—Dave Selznick.
MARION DAVIES—Louella O. Parsons.
LOUELLA O. PARSONS—William Randolph Hearst.
HERB YATES—The good old Republic.
MARTHA RAYE—Wide open spaces.
EDGAR BERGEN—Charlie McCarthy.
JOHN BARRYMORE—Paramount.
ROBERT TAYLOR—Barbara.
BARBARA STANWYCK—Bob.
THE ACADEMY—All the little crumbs.

▼

MARY PICKFORD—"My Buddy."
BUDDY ROGERS—"Oh, What a Girl Was Mary."
HER MAMA—Shirley Temple.
DAVE EPSTEIN—His clients.
PHIL REISMAN—An RKO office everywhere.
ANDREA LEEDS—"Stage Door."
RUPERT HUGHES—Any chance to argue.
SARONG MANUFACTURERS—Dorothy Lamour.
COAST LAWYERS—The Bartholomew family.
BILL MCGUIRE—His relations.
HERBERT KALMUS—Color in waves.
GENE AUTRY—Non-discoverable addresses and phone numbers.
CULVER CITY—Its C. of C.
BILL POWELL—"Parnell."
ANY PRODUCER—None of the critics.
SOL LESSER—The Hawaii tie-up.
MAE WEST—Vic Shapiro.
VIC SHAPIRO—May in the West and practically any other month as well.
JOHN WAYNE—Trem Carr.
KEN THOMSON—S.A.G. contract.
AUBREY BLAIR—The same.
BEN BLUE—Pavlowa.
ERNST LUBITSCH—Joe Breen.
SCREEN WRITERS' GUILD—Howard Emmett Rogers.
EDDIE CANTOR—Of course. Ida and the five daughters.

▼

HARRY M. WARNER—A potential $5,900,000 net.
ALBERT—A potential $5,900,000 net.
JACK—A potential $5,900,000 net.
"CHARLIE MCCARTHY"—Sinclair Lewis.
HARLAND HOLMDEN—A sense of humor.
ED KUYKENDALL—The 10-point "turkey."
SPYROS SKOURAS—That trip to Greece.
IRVING LESSER—Harry C. Arthur.
HOMER S. HARMON—Ditto.
HARRY C. ARTHUR—S. R. Kent and St. Louis.
JAMES A. FITZPATRICK—Al Lichtman and Fred Quimby.
LOUIS K. SIDNEY—Java on the air.
HOWARD CULLMAN—The Roxy.
ELEANOR HOLM—Glenn Morris.

▼

GEORGE AUERBACH—Terpsichore.
GEORGIE JESSEL—His momma gag.
BILL THOMAS—Harold Hurley.
IRVING ASHER—That Louella Parsons was not among the ship-news reporters.
BRUCE LISTER, CHILI BOUCHIER and JAMES STEPHENSON—Irving Asher.
GREER GARSON—Louis B. Mayer.
EUROPEAN IMPORTS—The same.
WILLIAM BIOFF—George E. Browne.
GEORGE E. BROWNE—The IATSE membership.
BILL FIELDS—Law suits.
KENNETH MCKENNA—Bob Rubin.
BOB TAPLINGER—Charlie Einfeld.
CHARLIE O'REILLY—Candy machines.
RALPH ROLAN—Ned Depinet.
EARL ALLVINE—The W. C. T. U.
E. I. SPONABLE—Jack Painter.
LEW LEHR—Russell Shields.
ED REEK—Milk and crackers.
WALTER BREDIN—African golf at Klemmer's Cellar.

▼

HARRY LAWRENSON—The handle on the bucket.
"TOOTS" SHOR—Billy La Hiff, Jr.
PAUL LAZARUS—Paul, Jr.
PAUL LAZARUS, JR.—The AMPA.
MARK HELLINGER—Grad Sears.
BEN WASHER—That "Dead End" became a "Hurricane."
MAURICE CONN—77 B.
FRED PELTON—Nick Schenck.
A FLOCK OF OTHERS—Nick Schenck.
A. A. BROWN—Prosper Buranelli.
ED THORGERSEN and TOM CUMMISKEY—Each other.
LOWELL THOMAS—The soft ball.
JACK GORDON—Leon Quigley.

▼

VYVYAN DONNER—Her byline.
AL GOLD—The fire department.
JACK KUHN—Long Beach real estate.
MOVIETONE NEWS—Eric Mayell and Bonney Powell.
GLEN ALLVINE—His beach house.
GRAD SEARS—"The Life of Emile Zola."
SCREEN ACTORS' GUILD—IATSE support.
SCREEN PLAYWRIGHTS' GUILD—Grover Jones.
LAURA LA PLANTE—Christmas

(*Continued on page 12*)





LOVE AND KISSES at the BOX-OFFICE! "NAVY BLUE AND GOLD"!

(Doing swell in all opening engagements and please ask yourself are *you* getting every thin dime that this rousing M-G-M entertainment can bring *you* with rousing promotion!)

Erpi Will Add W.E. Cable Sales—Drake

(Continued from page 1)

were closed in France and Germany in the course of his trip.

The Erpi president indicated that he would remain in that post, together with other ranking Erpi executives, after Jan. 1, the date on which the company formally closes its theatre sound equipment activities. In response to a question, Drake said, "There has been no talk of any of us leaving, so far as I know." His statement verifies information obtained from Western Electric spokesmen by MOTION PICTURE DAILY during Drake's absence.

Erpi, also, will continue its recording licensing activities, its foreign recording and reproducing business and its licensing of manufacturers of theatre sound equipment. Headquarters will be maintained in New York. No changes are being made in the company's setup abroad, Drake said.

Drake said that he had been out of touch with his office here during his absence and was not familiar with the arrangements which have been completed for the sale on Dec. 1 of Erpi's servicing and installation business to a Wall St. group, with L. W. Conrow heading the new company.

Replying to a question, Drake said that Erpi would not make any additional investments in film company securities at this time.

Tentatively Accept Kromocolor Lab. Bid

(Continued from page 1)

by Nov. 30. Decision on the $21,000 deposit made by Joseph O'Donnell in connection with his $105,000 bid continues in abeyance.

Joseph Keane, counsel for William Fox, denied in court that his client is in any way interested in Border Realty. Because the sale was not conclusively adjudicated, William Krimsky, co-receiver, stated he would be willing to answer all inqueries by interested parties.

Vaude Decision Waits

No decision is expected to be reached on a permanent vaudeville policy for the Brooklyn Strand until after Christmas. Tomorrow, a Major Bowes amateur unit of 10 acts will appear for the day with other presentations to be held off until the latter part of next month.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm ; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
AMERICAN AIRLINES INC.

Purely Personal

FRANCES DEES, who doubled for JEAN HARLOW in "Saratoga," will be tendered a cocktail party by F. & M. this afternoon at Frankie & Johnnie's. Tomorrow she will leave for Troy to make personal appearances at Proctor's. From there she will head for Schenectady, Boston, Washington and Pittsburgh.

•

HORACE HEIDT and his orchestra have been filmed by BURGI CONTNER at Producers' Service for a Stewart-Warner industrial produced by Chicago Film Laboratories.

•

ERIC LINDEN, whose latest starring roles have been in the Flash Casey series, is in New York for a brief vacation.

•

RUTH ROGERS, TED LESSER's Spokane discovery for Paramount, is now in Hollywood to start work under her contract.

•

FREDRIC MARCH, assisted by his wife, FLORENCE ELDRIDGE, will hold a cocktail party at the Music Hall on Thanksgiving Night.

•

J. S. HUMMEL, Warners foreign sales manager, will sail from the coast Dec. 8 on the *Mariposa* bound for Australasia and the Far East.

•

A. H. MCCAUSLAND, trustee's representative at RKO, will arrive in New York from the coast by plane today.

•

JON HALL, male lead in "The Hurricane," will arrive today on his first visit to New York.

•

STEPHEN POWYS' "Three Blind Mice" has been purchased for production by 20th Century-Fox.

•

JOSEPH L. ROBERTS has been named local representative for *Movie Whirl*, new Canadian fan magazine.

•

FLORA THURSTON, Warner booker, has left for her headquarters in St. John, New Brunswick, Canada.

•

MAX COHEN of Cinema Circuit will leave today for Lakewood and will return Monday.

•

SI FABIAN is due back from Albany today.

•

TED HUSING and JIMMY DOLAN flew to Pittsburgh last night.

•

ANDRE KOSTELANETZ will leave for Kansas City by TWA today.

•

FRED ASTAIRE will leave for Palm Beach the end of the week to play golf with RANDOLPH SCOTT.

Ask Gary Co. Briefs

INDIANAPOLIS, Nov. 23.—After hearing oral arguments today on the petition of a group of major producers to dismiss the suit of Gary Theatre Co. to enjoin clearances imposed against its Gary houses on behalf of Balaban & Katz of Chicago, Judge Robert C. Baltzell of U. S. District Court gave the Gary company five days to present analysis of allegations in the complaint.

An Expert?

Hollywood, Nov. 23.—Fred Rinaldo, M-G-M short subject writer, was married last week. He returned to work this week after a short honeymoon.

His first assignment was to write the Robert Benchley short, "How to Raise a Baby."

Texas Owners Hit Clearance Methods

DALLAS, Nov. 23.—A resolution objecting to the clearance system being determined by one of the interested parties without consideration of the others involved was adopted here tonight by the Allied Theatre Owners Ass'n of Texas.

The organization expressed complete disagreement with Judge W. H. Atwell's decision in the Interstate case as against a protection system that granted one town protection over another as a discrimination against the small town exhibitor.

H. A. Cole, re-elected president of the organization, led a round table discussion, touching on the Independents' problem as to the public, taxes, Federal regulation, theatre circuits, product, protection, film buying and booking.

The recent development in Federal Court here in the Interstate trial case was discussed exhaustively.

Rubin Frels, recently the loser of a law suit in Federal Court to the Jefferson Amusement Co., was elected vice-president and A. U. Lilly, Greenville, secretary. About 200 attended the meeting.

"Tide" Does $60,000 In Paramount Week

"Ebb Tide" on the screen and Frances Langford on the stage completed a first week at the Paramount last night with a take of approximately $60,000. The show is being held.

Bob Weitman has set six pictures to follow, which will take care of bookings until next March. "Thrill of a Lifetime" will follow the current picture. Subsequently will be "True Confession," "Wells Fargo," "The Big Broadcast," "The Buccaneer" and "Every Day's a Holiday."

"Tide" Near Oakland Mark

"Ebb Tide," according to reports from Fox West Coast to Paramount, has come within $32 of the high mark set by "Artists and Models" in the four-day weekend business at the Paramount in Oakland.

"100 Men" Sets Record

MEXICO CITY, Nov. 22.—Hundreds were turned away from Cine Teatro here on Sunday when Universal's "100 Men and a Girl" drew record Sunday receipts of $4,000, $1,000 above the previous mark. An extremely long run is indicated for the film.

"Firefly" in Third Week

PORTLAND, Nov. 23.—"The Firefly" has gone into its third week here at the United Artists.

Report Miss Sillcox Quits Author League

Luise Sillcox, executive secretary of the Authors' League for many years, tendered her resignation to the council of the league at its meeting yesterday, it was reported in theatrical circles. Neither Miss Sillcox nor officials of the Authors' League could be reached for comment after the meeting.

It is understood that Miss Sillcox will retain her paid executive posts with the Dramatists' Guild, Authors' Guild and Radio Writers' Guild, but will relinquish her post as treasurer of the Screen Writers' Guild. The four guilds are members of the Authors' League.

Reports that Miss Sillcox's action was impelled by current wrangling between the Screen Writers' Guild and its parent organization over the former's autonomy demands, designed to free the Hollywood organization of "New York domination," could not be verified in the absence of official comment.

Denies Writ Halting New Cocalis Theatre

Supreme Court Justice Bergen of Catskill, N. Y., yesterday denied Grossman & Frieder a temporary injunction restraining Sam D. Cocalis from building a new theatre at Hudson, N. Y., at the same time holding the case for trial. No trial date has been set.

Sol Goodman, attorney for Grossman & Frieder, argued that Cocalis had made an agreement to stay out of Hudson and the building of a new theatre was a breach of the pact. Watson & Looby, Albany counsel for Cocalis, contended that Grossman & Frieder violated the agreement by making a partnership arrangement with Walter Reade.

Meanwhile, Cocalis is going ahead with his theatre until the court rules otherwise.

Levy Completes Four Deals with Circuits

Jules Levy, general sales manager for RKO, has completed negotiations with the Minnesota Amusement Co., the Harry David Publix circuit, B. & K. and the Interstate circuit of Texas on product deals. He consummated the deals while on his recent trip to the coast. In addition he held regional sales meetings in San Francisco and Chicago.

Starting with Thanksgiving Week, RKO will have seven features available in addition to "Snow White and the Seven Dwarfs." The group includes "Bringing Up Baby," "Joy of Living," "Radio City Revels," "Vivacious Lady," "Having a Wonderful Time," "A Damsel in Distress" and "Victoria the Great."

Meeting on Condor

CHICAGO, Nov. 23.—A meeting of interests identified with Condor Pictures is slated to be held here Wednesday.

William B. Jaffe, attorney and partner of Sol A. Rosenblatt, left for Chicago and the Condor meeting there yesterday.

Rosenblatt returned from Hollywood by air yesterday.

Alger Refutes Opposition to Plan for RKO

(Continued from page 1)

Iva MacPherson and an associated group of Boston shareholders. The petitioners did not surrender their Class A stock in exchange for common following the financial reorganization of RKO in 1931 and, now, contending that the Class A has a preferential position over the present RKO common, ask that special provision be made for it in the reorganization.

In his report, Alger finds that Stirn, while not being guilty of undue delay in making his claims in behalf of the Class A stock, had advanced "purely technical and insubstantial" considerations and was not entitled to any relief. Alger's report also rejects Stirn's contention that the stock transfer was illegal. Hickey's claims in respect to the Class A stock were substantially the same as Stirn's but are dismissed by Alger's report on the ground that Hickey was negligent in not advancing his claims against the 1931 reorganization earlier.

Unconstitutionality Dismissed

Hickey's contention that Section 77-B of the Bankruptcy Laws, under which RKO is being reorganized, is unconstitutional, is dismissed by Alger as "not deserving discussion."

The MacPherson petition attacks the 1931 financial reorganization itself, alleging that it constituted an "illegal transfer" of stock which was dictated by RCA by virtue of its "domination" of RKO. Alger's report finds the charges "wholly without merit" and states that "no proof is advanced."

Alger's report differs but little from his tentative report presented to reorganization attorneys on Nov. 6. As reported in MOTION PICTURE DAILY earlier, his report approves the reorganization plan in all of its basic principles and gives the $9,150,000 Rockefeller Center claim against RKO a value of $4,930,000 to $5,150,000 on the basis of his own computations of the market value of the 460,000 shares of new RKO common which he recommends should be paid for the claim, instead of the 500,000 shares proposed in the plan.

Change Sinking Fund Provision

A major change from his tentative report is made by Alger, however, in recommending that RKO, at its option, be permitted to relax the plan's provisions for a three-year sinking fund for retirement of debentures and apply such funds to other purposes. Alger's tentative report recommended that no dividends be paid on the company's new common until the three-year sinking fund provisions for the debentures had been fully met. The tentative proposal drew vigorous objections from reorganization principals who viewed it as subjecting the company to liability for huge Federal undistributed profits taxes in the future. In consequence, that recommendation is eliminated by Alger.

Alger finds that, with the modifications he suggests, the RKO reorganization plan is "fair and equitable and feasible, and does not unduly discriminate against any creditors or stockholders."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Thank You, Mr. Moto"

(20th Century-Fox)

HOLLYWOOD, Nov. 23.—It is not likely that "Mr. Moto" will ever threaten the grip which "Charlie Chan" holds on theatregoers. But where there is no tendency to compare the competing series, "Thank You, Mr. Moto" should be received as acceptable average entertainment. Based on a story by John P. Marquand, the screenplay by Willis Cooper and Norman Foster is soundly constructed. It balances dialogue, action and situations and creates strong characters which permit the individuals interpolating them to appear to good advantage. Foster's direction blends realism with hokum in a manner which accentuates the melodramatic, romantic, mystery, comedy and suspenseful elements.

The plot revolves about a set of ancient Chinese scrolls. A Chinese family, Pauline Frederick and Philip Ahn, hold six. Peter Lorre has found the seventh. Pieced together, they are supposed to hold the secret to Ghengis Kahn's buried treasure. A gang, headed by Sidney Blackmer, tries to gain possession of the set. But as romance which concerns Thomas Beck and Jayne Regan is introduced, Blackmer fails to count upon Lorre. Theatrical melodrama predominates the action, which develops quite a bit of torture and four or five killings before Blackmer is outwitted and Lorre burns the scrolls.

Lorre is improving his "Mr. Moto" characterization and the work of Blackmer, Miss Frederick, Ahn, Sig Rumann, John Carradine, Beck, Miss Regan, William Von Bricken and John Bleifer is convincing. Besides names, several good exploitation angles are to be found in screenplay and production detail. "Thank You, Mr. Moto" should satisfy as a sustaining attraction.

Running time, 65 minutes. "G."

"Harlem On The Prairie"

(Associated Features)

HOLLYWOOD, Nov. 23.—"Harlem on the Prairie" is a standard modern musical western in story idea and production technique. Its ingredients are romance, drama, comedy, music, theatrical villainy and heroism. Down to the expected chase, everything needed has been included.

Its principal difference—an idea that sets it apart from all other westerns and makes of it a feature that has considerable exploitation value—is that it is played by an all-Negro cast. Thus it can be advertised legitimately as "something different." It may be anticipated that houses which cater exclusively to Negroes should find it a banner attraction. Yet on its entertainment merits alone, it might prove a novel attraction in other theatres. The audience which saw its preview in the Meralta Theatre, Culver City, and in which youngsters predominated, did as much cheering as such audiences usually do in the case of regulation westerns.

The plot centers around an old-time medicine show performer and his daughter who return to a locale where, years ago, as a member of an outlaw gang, he participated in a gold robbery and hid the loot. Tracked by rivals, he is killed, but before he dies he entrusts the young hero with the secret of the cache and instructions to return it to its rightful owners. Music and comedy punctuate the shooting and riding melodrama and the hero keeps his promise and, of course, marries the girl.

Other than in Negro houses, names are practically meaningless, but in addition to the novelty there is plenty to talk about in ways that might insure interest. As produced by Jed Buell and directed by Sam Newfield, the show is likely to engender favorable comment.

Running time, 55 minutes. "G."

"The Shadow"

(Columbia)

HOLLYWOOD, Nov. 23.—"The Shadow," a murder mystery, should go well in the neighborhoods or in those houses whose patrons are keyed to murder melodramas.

Against a background of circus life, several murders are committed. Charles Quigley, as the young press agent, solves the mystery, and saves the show for Rita Hayworth, the owner. This Wallace MacDonald production directed by C. C. Coleman, Jr., in the formula manner, has a list of possible culprits among the cast, but at the showdown, everyone is eliminated but the actual murderess, who is exposed as a half of the fake "Siamese Twins," who up to this point, had not been drawn into the main thread of the story.

Arthur T. Horman adapted the Milton Raison story.

Running time, 60 minutes. "G."

Reciprocity In Film Bill Is Approved

(Continued from page 1)

claimed that the United States interests are not interested in the distribution of British films, but Stanley, in his reply, held that the clause will induce American collaboration.

The committee agreed to the postponement of discussion of other clauses pending the examination by Stanley of the Film Council plan. In introducing the clause, Stanley claimed complete trade support for it.

The committee will reassemble on Thursday. The producers' group is split on the separate quota issue, John Maxwell, the Ostrers and C. M. Wolf walking out of yesterday's meeting after failing to obtain support for a resolution to abandon the proposal.

London Opening Tomorrow

LONDON, Nov. 23.—The Ritz, Metro's new London theatre, will open here on Thursday.

Mannix Rites Friday

SOMERVILLE, Mass., Nov. 23.—Funeral services for Mrs. Edgar Mannix, who was killed in an automobile crash in California last Saturday, will be held here Friday at the home of her mother, Mrs. James Maurice. There will be a solemn requiem mass in St. Catherine's Church. Interment will be in Hollywood Cemetery.

Set "Buccaneer" Shows

HOLLYWOOD, Nov. 23.—Paramount's "The Buccaneer" will be previewed in large cities in various parts of the country prior to its general release, Cecil B. DeMille stated yesterday. The first public screening will be given at Dallas. Premiere will take place in New Orleans Jan. 7.

Wall Street

Stock Losses Dominate

	Open	High	Low	Close	Net Change
Col.	15	15	15	15	— ⅛
Cons.	1½	1½	1½	1½	.....
Cons., pfd.	6¾	6¾	6	6⅝	— ⅛
E. K.	151	150½	150	151	— ¾
G. T. E.	13	14	13	13¾	+ ¾
Loew	47½	49	46	46¼	—1¼
Loew, pfd.	101	101	101	101	— ½
Para.	11⅜	11¾	11	11⅝	+ ¼
Para. 1.	90	90	89⅝	90	—2
Para. 2.	10⅜	10⅝	10⅛	10½	.....
Pathe	5⅝	5¾	5½	5¾	.....
RKO	5	5⅛	4¾	4⅞	— ⅛
20th Fox	19⅝	20½	19⅝	20½	+ ½
20th, pfd.	26	26½	25	25	—1¼
Univ., pfd.	31	31	31	31	+ ¾
W. B.	7	7⅛	6¾	7	+ ⅛

Light Curb Rise

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1	1	— ⅛
Monogram	1½	1½	1½	1½	— ⅛
Sonotone	1⅝	1⅝	1⅝	1⅝	.....
Tech.	17½	17½	16½	17½	+ ¼
Trans-Lux	2¾	3	2¾	3	+ ¼
Univ. Corp.	1½	1½	1½	1½	— ¼

Bonds Off

	High	Low	Close	Net Change
Keith 6s '46	86½	86½	86½	.....
Loew 3½s '46	97½	97¼	97¼	— ⅜
Para. Pict. 6s '55	90	89¾	89¾	—3¼
Para. Pict. '47	75	74	74	—2
RKO 6s '41	93	93	93	—1
W. B. 6s '39	80	80	80	—1¾

(Quotations at close of Nov. 23)

Key

MANHATTAN M

"MONEY-MAKER"

REPUBLIC'S "MANHATTAN MERRY-GO-ROUND" looks like a certain box-office money-maker. Backed up with good performances by a well selected cast, top notch direction and tunes destined for the whistling class, this filmusical is just what the customers want.
—Daily Variety

"BEST GROSSES"

Mark "MANHATTAN MERRY-GO-ROUND" as a definite money-maker; perhaps one of the best grossers in REPUBLIC'S history. It has everything.
—Motion Pic. Daily

"TOP SPOT"

Top spot musical with big cast, good production value, should do well anywhere.
—Showmen's Trade Review

"WORLD NAMES"

REPUBLIC goes to town with "MANHATTAN MERRY-GO-ROUND". A successor in type to its successful "HIT PARADE". A veritable avalanche of radio and music world names to stud the cast with glamor.
—National Box-Office Digest

"SATIS

REPUBLIC'S annual c
cal pictures. Accordi
much can be expec
produced with an
almost everybody
—



PHIL REGAN
LEO CARRILLO
ANN DVORAK
TAMARA GEVA
JAMES GLEASON
GENE AUTRY
TED LEWIS AND HIS ORCHESTRA
CAB CAL AND HIS

ublic's

ERRY-GO-ROUND

"TOP-NOTCH"

An abundance of top-notch
adio stars and ranking
creen players, hummable
nusic and tasteful pro-
luction. REPUBLIC has a
it on its hands in this
ast and pleasing mu-
ical romance.

—Box-Office

YING"

ibution to film musi-
o preview reaction,
at the box-office.
toward satisfying

n Picture Herald

"BOX-OFFICE"

"MANHATTAN MERRY-GO-ROUND" will give an audience its money's worth in entertainment. The picture should satisfy the box-office.

—Hollywood Reporter

"EXCELLENT"

An entertaining picture: direction is excellent throughout: well balanced performances.

—Hollywood Spectator

"PLENTY OF PACE"

IT has all the elements of mass entertainment. There is plenty of pace and atmosphere.

—Film Daily

"PRETENTIOUS"

Topnotch! A pretentious effort! Best yet from REPUBLIC.

—Jay Emanuel Publications

5 N
SONG H
"Have You Ever
In Heaven" ★ Ma
Wanna Make Rhythm"
Owe You" ★ "All Over No
At All" ★ "Round-up Time In



RCHESTRA
Y THOMPSON
AND HER RADIO CHOIR

JOE DiMAGGIO

HENRY ARMETTA

LUIS ALBERNI

MAX TERHUNE

SMILEY BURNETTE

LOUIS PRIMA
AND HIS BAND

"Ali Baba" Is Hit in Fine Boston Week

BOSTON, Nov. 23.—"Ali Baba Goes to Town," with a stage attraction headed by Stoopnagle & Budd, Jane Froman and Borrah Minivitch's Rascals, was high at the Metropolitan with $31,000, over the top by $9,000.

Other attractions proved to be hits in Boston in a week of cold weather. At the RKO Memorial "Merry-Go-Round of 1938" and "Dinner At the Ritz" grossed $6,000 above average with $18,000 for the week. "The Awful Truth," dualed with "The Game that Kills," grossed $20,000 at Loew's Orpheum, above average by $8,000. The same program playing at Loew's State drew $6,000 above par with $17,000.

"The Barrier" co-featured with "Hold 'Em Navy," drew $10,000 at the Paramount, where par is $7,000. At the Fenway the same program drew $5,800 or $1,300 over average.

Total first run business was $132,000. Average is $82,500.

Estimated takings for the week ending Nov. 18:

"THE BARRIER" (Para.)
"HOLD 'EM NAVY" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,800. (Average, $4,500)

"MERRY-GO-ROUND OF 1938" (Univ.)
"DINNER AT THE RITZ" (20th-Fox)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"THE AWFUL TRUTH" (Col.)
"THE GAME THAT KILLS" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

"THE AWFUL TRUTH" (Col.)
"THE GAME THAT KILLS" (Col.)
LOEW'S STATE—(3,537), 25c-45c-65c, 7 days. **Gross:** $17,000. (Average, $11,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Jane Froman, Stoopnagle & Budd, and Borrah Minevitch's Rascals. **Gross:** $31,000. (Average, $22,000)

"THE BARRIER" (Para.)
"HOLD 'EM NAVY" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $10,000. (Average, $7,000)

"THE WESTLAND CASE" (Univ.)
RKO BOSTON—(3,246), 25c-45c-55c, 7 days. Stage: Sally Rand. **Gross:** $23,000. (Average, $22,000)

"MAYERLING" (Pax Film)
HUB—(950), 20c-30c-40c, 7 days. **Gross:** $7,200. (Average, $5,000)

Cinema Art in 77 B

Cinema Magazine, Inc., which on Friday filed a voluntary petition for reorganization under Section 77 B in the U. S. District Court, is the company which has been publishing *Cinema Art,* de luxe fan magazine. A. Griffith-Grey is president; E. A. Tropp, executive vice-president; Ernest E. Martin, treasurer, and M. A. Guido, secretary. Paul F. Husserl is editor.

Quits Poster Company

CLEVELAND, Nov. 23. — George Kendis has resigned as accountant for Exhibitors' Poster Service Co., to devote all his time to independent distribution. In partnership with Roy Gross he has opened the Kay and Gee Exchange in the Film Bldg.

Plans Portland House

PORTLAND, Ore., Nov. 23.—Harry Moyer, Portland exhibitor, will build a new $30,000 theatre in the Sellwood suburban district. The house will seat 734.

"Madame X" Takes $8,000, Montreal

MONTREAL, Nov. 23.—"Madame X," heading the dual at the Princess, held the marginal advantage over other Montreal first runs, with a take of $8,000, or $1,000 above average.

"Back in Circulation," on the Loew twin bill, registered a gross of $9,000 against $8,000 average, while the Capitol had $10,000 on "Angel" plus a second feature, against average of $9,500. The weather became bad but the chief opposition, hockey, was weak.

Total first run business was $38,000. Average is $40,500.

Estimated takings for the week ending Nov. 20:

"ANGEL" (Para.)
"THIS WAY, PLEASE" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)

"BACK IN CIRCULATION" (W. B.)
"MARRY THE GIRL" (W. B.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)

"STELLA DALLAS" (U. A.)
ORPHEUM—(919), 25c-34c-50c, 7 days. **Gross:** $3,500. Third week. (Average, $5,000). Previous week, $5,000)

"FIREFLY" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $7,500. Second week. (Average, $11,000). First week; $13,500.

"MADAME X" (M-G-M)
"FIGHT FOR YOUR LADY" (Radio)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000)

"Alcatraz" Top in New Haven, $6,000

NEW HAVEN, Nov. 23.—The only bill to go substantially beyond normal was the dual, "Alcatraz Island" and "Life of the Party" at the Roger Sherman, which took $6,000, over by $1,400. "Double Wedding" and "Council for Crime," in a second week at the College, grossed the normal at lower admissions, $2,800.

The Loew's-Poli, with "Ali Baba Goes to Town" and "Fight to the Finish" also stayed at the par $8,000, while "The Barrier" and "Hold 'Em Navy" dipped slightly under the $4,800 mark in eight days at the Paramount.

Total first run business was $21,200. Average is $20,200.

Estimated takings for the week ending Nov. 18:

"DOUBLE WEDDING" (M-G-M)
"COUNSEL FOR CRIME" (Col.)
COLLEGE—(1,499), 35c-50c, 7 days, (2nd week). **Gross:** $2,800. (Average, $2,800)

"ALI BABA GOES TO TOWN" (20th-Fox)
"A FIGHT TO THE FINISH" (Col.)
LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $8,000. (Average, $8,000)

"THE BARRIER" (Para.)
"HOLD 'EM NAVY" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,400. (Average, $4,800)

"ALCATRAZ ISLAND" (W. B.)
"THE LIFE OF THE PARTY" (RKO)
ROGER SHERMAN—(2,200), 35c-50c. 7 **Gross:** $6,000. (Average, $4,600)

"Danger" and Show Best in The Twin City

MINNEAPOLIS, Nov. 23.—"Danger, Love at Work," with a stage show, topped the Twin City grosses. The take at the Minneapolis Orpheum was $14,000, against the average $6,000. A price rise helped.

For films only, "Firefly" was the big grosser. It took $12,000 at the Minnesota, where $10,000 is normal and did a $7,000 business at the Paramount where $5,500 is normal. Other winners included "Madame X" at the Century which topped the normal $1,000 and "The Life of Emile Zola" at the St. Paul Orpheum which was $1,000 over the usual $4,000.

Playing both cities, the stage show, "The Doll House" hurt grosses.

Total first run business in Minneapolis was $36,200. Average is $27,500. Total first run business in St. Paul was $16,550. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Nov. 18:
"FIREFLY" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $12,000. (Average, $10,000)

"DANGER, LOVE AT WORK" (20th-Fox)
ORPHEUM — (2,900), 25c-55c, 7 days. Stage: Revue with Eddie Peabody. **Gross:** $14,000. (Average, $6,000)

"MADAME X" (M-G-M)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"HOLD 'EM NAVY" (Para.)
"MY DEAR MISS ALDRICH" (M-G-M)
STATE—(2,400), 25c-40c, 7 days. **Gross:** $4,000. (Average, $5,500)

"100 MEN AND A GIRL" (Univ.)
WORLD—(400), 25c-35c, 7 days. 6th week. **Gross:** $1,200. (Average, $2,000)

St. Paul:

Week Ending Nov. 18:
"FIREFLY" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"THE LIFE OF EMILE ZOLA" (W. B.)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

Week Ending Nov. 16:
"MY DEAR MISS ALDRICH" (M-G-M)
"HOLD 'EM NAVY" (Para.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,750. (Average, $3,500)

Week Ending Nov. 17:
"LOVE IS ON THE AIR" (F. N.)
"ROLL ALONG COWBOY" (20th-Fox)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,800. (Average, $2,000)

May Show Shorts Alone

HOLLYWOOD, Nov. 23.—Warners are considering the leasing of a theatre for the showing of their two Technicolor shorts: "The Man Without a Country" and "The Romance of Louisiana." No feature picture would be shown, the shorts getting top billing. An incidental publicity campaign would be conducted.

Negroes Plan Theatre

KANNAPOLIS, N. C., Nov. 23.—Negro citizens of this textile manufacturing city plan to build their own film theatre. It will be operated under the same ownership as the Y and Gem Theatres, and will seat 500.

"U" Studies Ballet Film

HOLLYWOOD, Nov. 23.—Plans are being studied at Universal for the production of a film based on the Imperial Russian Ballet in which the music of Igor Stravinsky, "The Firebird Suite," will be featured.

"Merry" Take Is K. C. Win With $8,500

KANSAS CITY, Nov. 23.—First run takes were not impressive here. "Merry-Go-Round of 1938" took $8,500, aided by a stage show at the Tower, $1,000 over the line and the only house to better average.

Snow and cold weather struck the town and hurt grosses.

"The Perfect Specimen" and "Alcatraz Island" in their second week, did $4,100 at the Newman in six days, for which the average is $4,300. "Ali Baba Goes to Town" and "The Westland Case," the first in its second, the latter in its first week, took $3,500, $500 under the line, but was held over.

Total first run business (excluding Empress) was $32,800. Average is $34,800.

Estimated takings:

Week Ending Nov. 17
"CONQUEST" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $9,100. (Average, $11,500)

"THE PERFECT SPECIMEN" (W. B.)
"ALCATRAZ ISLAND" (W. B.)
NEWMAN—(1,900), 25c-40c, 6 days. **Gross:** $4,100. (Average, 6 days, $4,300)

"ALI BABA GOES TO TOWN" (20th-Fox)
"WESTLAND CASE" (Univ.)
UPTOWN—(2,000), 25c-40c, 7 days. Second and first week, respectively. **Gross:** $3,500. (Average, $4,000)

Week Ending Nov. 18:
"IT'S LOVE I'M AFTER" (W.B.)
"HOLD 'EM NAVY" (Para.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $7,600. (Average, $8,000)

Week Ending Nov. 19:
"GAMBLING WITH SOULS" (Jay Dee Kay Prods.)
"THREE LEGIONNAIRES" (General Film)
EMPRESS—(1,500), 25c, 9 days. **Gross:** $6,800. (No average)

"MERRY GO ROUND OF 1938" (Univ.) show. **Gross:** $8,500 (Average, $7,500)
TOWER—(2,200), 25c-40c, 7 days. Stage

"Ali Baba" Is Denver's Lead With $10,500

DENVER, Nov. 23.—"Ali Baba Goes to Town" was easily the week's leader, taking $10,500 at the Denver, to top average by $2,000, in a stanza of general weakness at the box-office. The Cantor film was moved to the Aladdin for an extended run.

"Heidi" and "That's My Story," dualled at the Rialto, was the only other bill to better par, taking $2,000, which was $500 over average.

Total first run business was $32,500. Average is $33,500.

Estimated takings for the week ending Nov. 17:

"LIFE OF EMILE ZOLA" (W. B.)
ALADDIN—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $3,500)

"DR. SYN" (G. B.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Aladdin. **Gross:** $2,500. (Average, $2,500)

"THE BARRIER" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"ALI BABA GOES TO TOWN" (20th-Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $10,500. (Average, $8,500)

"DOUBLE WEDDING" (M-G-M)
"ANNAPOLIS SALUTE" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. Second week for "Double Wedding." **Gross:** $5,500. (Average, $7,000)

"BACK IN CIRCULATION" (F. N.)
"OVER THE GOAL" (F. N.)
PARAMOUNT—(2,600), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"HEIDI" (20th-Fox)
"THAT'S MY STORY" (Univ.)
RIALTO—(900), 25c-40c, 7 days. "Heidi" following a week each at the Denver, Aladdin and Broadway. **Gross:** $2,000. (Average, $1,500).

THIS

ad speaks for itself. Toronto's Imperial Theatre ran it in the Toronto Eve. Telegram...COLUMBIA reproduces it because it tells dramatically the triumphant story of a great picture's performance. . . .

THE AWFUL TRUTH HAS BEEN HELD OVER IN 52 CITIES!

NEVER BEFORE!

IN THE HISTORY OF CANADA'S LARGEST THEATRE HAS A PICTURE PLAYED LONGER THAN THREE WEEKS

But.. ★ The Awful Truth ★

starring

IRENE DUNNE • CARY GRANT

Smashes all records by starting its 4TH • Positively and . .

FINAL WEEK TODAY

★IMPERIAL★

P.S. *The ad makes one mistake . . . THE AWFUL TRUTH holds over for a FIFTH history-making week!*

A COLUMBIA PICTURE

Pantages Film Chat Is Pulled from Air

Lloyd Pantages' film gossip program for Raymonds, Inc., on CBS, will be removed from the network Nov. 21. The program was started Oct. 17, which makes Pantages' stay one of the shortest in network history. Only in extremely rare instances is a program removed from the networks before the original 13-week contract obligation is fulfilled.

The assumption in radio circles yesterday was that the program was canceled because of the recent furore against screen gossipers on the air. W. C. Gittenger, CBS sales manager, however, denied this to MOTION PICTURE DAILY. He said the cancellation was due to trouble between the client and the agency, which is the Weinberg Advertising Co., of California. CBS states it canceled the program at the request of the agency.

M-G-M, Coffee Show To Jessel, Gardner

HOLLYWOOD, Nov. 23.—Drastic revisions have been made in the Maxwell House Coffee program of M-G-M scheduled for Thursday night. Under a new production regime headed jointly by George Jessel and Ed Gardner—replacing Bill Bacher—the program will mark the debut of Frank Whitbeck, studio advertising head, who will act as M-G-M news reporter, giving items of interest and announcements concerning forthcoming product. This will be a regular feature.

Rosalind Russell and James Stewart will appear Thursday in an original sketch, Fanny Brice will do a comedy routine and Betty Jaynes and Douglas MacPhail will be heard in music from "The Firefly."

Ask F.C.C. Approval of Detroit Station

WASHINGTON, Nov. 23.—Authority to construct a new broadcasting station at Detroit, to operate on 1,010 kilocycles with 250 watts power, has been asked of the F.C.C. by the King-Trendle Broadcasting Corp.

Other applications filed with the commission included requests of WMBS, Uniontown, Pa., for increase of time to permit broadcasting at night with 100 watts power; WFOY, St. Augustine, Fla., for change of frequency from 1,210 to 590 kilocycles and increase of night power from 100 to 250 watts; WLAP, Lexington, Ky., for change of frequency from 1,420 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts, and WAPI, Birmingham, for change of frequency from 1,140 to 1,020 kilocycles and increase of power from 5,000 to 50,000 watts.

Munroe Reaches Coast

HOLLYWOOD, Nov. 23.—Paul Munroe, of the New York office of Lord and Thomas, arrived here yesterday to take over active production, under Tom McAvity, of the Warners' air show, "Your Hollywood Parade." Munroe, whose last assignment was on the Kate Smith air program, and who previously was CBS program director in New York, will have *carte blanche* authority on the new program, and will work directly under McAvity.

Television Transmission on Coaxial Cable Demonstrated

(Continued from page 1)

ordinary air transmission facilities, although definition is comparatively clear and reasonably satisfactory over short distances, long distance transmission has been virtually impossible. Through the use of the coaxial cable, which has been developed and used in extensive experimentation by Bell Laboratories, it was demonstrated yesterday that pictures, using a motion picture for example, could be seen, on a small screen approximately seven by eight inches in size, with a noticeable but not disturbing flicker and with quite satisfactory definition. The important point involved, however, is that those pictures were sent from New York on a round trip to Philadelphia and back, a total distance of about 180 miles.

In the demonstration yesterday, which, it was explained, was certainly not designed to show television improvement, as such, the pictures were 240-line images. Television has progressed to the 441-line point or better. The 240-line image shown yesterday was confined to that figure because the limitations imposed by the experimental terminal and repeater equipment now on the New York-Philadelphia cable, which limits the top frequency of the transmitted current to approximately 1,000,000 cycles, permitting of no finer grain image than 240 line. However, it was pointed out that it would be a comparatively simple matter to step up the cable to 2,000,000 cycles, thus accommodating images of 350 lines.

Shown on the small screen in an experimental room of the Bell Laboratories on West St. were first an explanation, with voice and diagram of the working and application of the coaxial cable, and finally a series of newsreel pictures and a sporting reel. The results were good, and the possibility appears infinite of such wire transmission as the coaxial cable solving the problem of long range television transmission, at least until air or wireless transmission has successfully overcome, if ever, the long distance problem.

Officials yesterday were careful to make no promise; they shied carefully clear of predictions. Bell is not interested in television, as such, they pointed out, but has devised a method of transmitting television images over long distances, by wire, presumably for whatever value that may have to the science of television.

Radio Personals

REX INGRAM'S "Deep River Boys," new choir, have been signed under CBS artists bureau management and will make their network debut during the week of Dec. 5. . . . Tony Wons made one request for picture post cards to be sent to children in hospitals, and his sponsor had to hire a corps of people to take care of the influx of mail. . . . Eloise Daubenspeck, former national radio director of the Girl Scouts, has been named to succeed Helen Johnson as director of the CBS "School of the Air." . . . Helen Nolan of the CBS press department made a palpitating debut as a radio actress on the Col. Jack Major program yesterday. . . . Don Johnson, "Prof. Figgsbottle" of radio yesterday became a long distance father. He was notified of the birth by a telephone call from Canada, where his wife adopted a baby girl. . . .

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Shep Fields returns to town Saturday after an absence of several months . . . Bill Meeder, organist, and Stuart Metz, announcer, have been renewed for 13 weeks for the "Road of Life" program . . . Rae Smith, vice-president of J. Walter Thompson, will leave on the *Normandie* today with Mrs. Smith . . . Tony Wons is starting a weekly column of philosophy in *Radio Guide* next month . . . Dave Alber wants to know if it's true that NBC frowns every time "Columbia, Gem of the Ocean" is played over its networks . . . Paul Kregg, formerly of Benton & Bowles, has joined the production staff of WNEW, working under William McGrath, production manager . . . Bud Rice, formerly of *Cue*, has joined the same station as night news editor . . . Andrea Leeds will guest appear on the Chase & Sanborn program Sunday . . .

Washington Town Pump

WASHINGTON, Nov. 23. — John Charles Daley, WJSV, is the father of a boy born last week . . . Recent visitors to the offices of WJSV include Major Edney Ridge, director of WBIG, Greensboro, N. C., and Tom Gooch and John Runyon, both of KRLD, Dallas . . . Arch McDonald has been benched for several days by a cold, and Arthur Godfrey is pinch-hitting for him on the latter's commercial shows . . . WJSV is again broadcasting a series of programs in support of the annual Community Chest campaign. Hugh Conover is the announcer . . .

Withdraws CBS Charge

Ferdinand Louis Kerrin, British Labor party candidate for Parliament, yesterday withdrew a charge he made last Saturday that CBS had "drastically censored" portions of a speech he broadcast last Friday night. He said that since making the charge he had received "an entirely satisfactory explanation of the manuscript deletions" in connection with his speech.

Two Programs Cancelled

Two local programs, the "Special Edition of the Air," sponsored by the Borden Co., over WEAF; and John B. Kennedy's comments for the Kendall Refining Co., over WJZ, have been marked for cancelation, the first expiring Dec. 3, and the latter this week. Batten, Barton, Durstine & Osborn handles both accounts.

Renew Bulova Signals

Bulova time signals over WABC have been renewed for a full year, effective Jan. 1. The signals are given hourly. Biow & Co. handles the account, and Radio Sales, Inc., negotiated the renewal.

Charge Infringement In Television Action

WILMINGTON, Nov. 23.—Charging infringement of patents involving the manufacture and operation of telepicture apparatus and systems, G. H. Finch of New York today filed suit in Federal Court here against International Research Laboratories, Inc., and Walter Howey.

The plaintiff, who is engaged in manufacturing and providing engineering information for telepicture transmitting systems, alleges that the defendants infringed by selling, leasing, offering for sale or lease and supplying telepicture transmitting systems. The plaintiff seeks a temporary injunction and also seeks to have the defendants forced to pay all profits derived from the alleged infringements.

NBC Television Is Shown

RCA-NBC television was demonstrated to members of the American Radio Relay League yesterday, and will be repeated today for the same organization.

WFIL's New Chicago Office Gross $30,000

PHILADELPHIA, Nov. 23.—The new Chicago office of WFIL, managed by Stuart Eggleston, reported gross sales of $30,000 for the first two weeks of its operation. According to general manager Donald Withycomb, this represents an amount exceeding the total business obtained by WFIL from the Chicago area in the past six months.

The opening of the Chicago office, which also covers the Detroit market area, followed the success of a similar experiment in New York. Jack Stewart, WFIL's sales manager, who set up the out-of-town office system, is contemplating a trip to the coast within the next two weeks, to look over the ground for a possible sales office in either Los Angeles or San Francisco.

Referee Named on Air Suit

James A. Martin was appointed referee to determine all questions and facts in the suit brought by the Trenton Broadcasting Co., against Charles E. Loew, Julia V. Loew and WOAX, Inc., by Justice Salvatore A. Cottillo in the N. Y. Supreme Court yesterday. Trenton purchased all the time of Station WTNJ from November, 1934, to November, 1937, and allegedly obtained an option to purchase all outstanding stock of WOAX, which holds the F. C. C. license for the operation of Station WTNJ from the Loews, for $70,000. Trenton claims it exercised the option but that the defendants refused to deliver the stock and is suing for an injunction to compel them to perform their part of the deal.

Rosenthal to Coast

Herbert I. Rosenthal, recently appointed general manager of the CBS Artists Bureau, Inc., will leave today for the coast for a brief visit preliminary to taking over the office on Jan. 1.

Program on 12 Stations

Star Radio, Inc., has sold its "Christmas Tree of 1937" series to 12 stations so far this week. The series will start Dec. 1.

Radio

Develop "Prof. Quiz" Contest in Theatres

Quizzical Questions, Inc., new firm, has formulated a contest idea for film theatres based on the "Professor Quiz" programs over CBS. The contest, which will be under the personal supervision of the radio quizzer, is now available to theatre owners.

Walter J. Price is general sales manager, and it is claimed that early contract returns indicate that every state will be represented in the list of theatres in the contest. The contest will begin the end of January, and last 26 weeks.

The setup for the national "Professor Quiz Battle of Wits" is (1) local half-hour theatre contests for five patrons each week, (2) elimination contests for local theatre winners in convenient cities, and (3) a grand final competition for which 10 or more contestants will be brought to New York or Hollywood, all expenses paid by Quizzical Questions. The prizes will be shared by the finalists.

"Prof. Quiz" will prepare the questions and answers for use in the contest. It is expected that the contest will be publicized on his program. The theatre contests, however, will not be broadcast.

Atlas Planning Disc Sale on Film Method

Bringing to radio the production and distribution methods of films Atlas Radio Corp. yesterday completed plans to release recorded programs via the picture method.

Divided into four zones, each headed by a film man, the sales staff consists of 24 representatives, according to Herbert J. Ebenstein, Atlas president.

The central zone, with headquarters in Chicago, has established branches in Minneapolis and Detroit. L. Daniel Blank has been named to head this office. Southern zone, with headquarters in Dallas and a branch office in Atlanta, is to be supervised by Claude C. Ezell. Western zone, with headquarters in Los Angeles and branches in Denver and Seattle, comes under direction of Ray Coffin. With headquarters in New York, the eastern zone will set up branches in Boston and Pittsburgh.

Lou Winston, in charge of production in Hollywood, arrived by plane Tuesday.

Two N. E. Stations Appoint Weed & Co.

Two New England stations have appointed Weed & Co. as national representatives, effective immediately. One of them—WLAW, Lawrence, Mass., is a newly licensed transmitter that will go on the air for the first time, Dec. 12, the second is WLNH, Laconia, N. H.

WLAW is owned and operated by Hildreth & Rogers, publishers of Lawrence's two newspapers, the *Eagle* and the *Tribune*, and will have a power of 1,000 watts. WLNH is a member of Mutual and Colonial.

Feeding Mutual by WLW to Be Resumed

WLW, which ceased feeding programs to Mutual after the formation of the WLW Line, will resume the operation effective immediately, feeding two and one-half hours a week.

The WLW programs scheduled for coast-to-coast Mutual airing are the WLW operetta series, "Fairyland Lady." "Theatre Digest of the Air" and a brace of dance programs. Dec. 8, 9 and 10 WLW will feed the network broadcasts from the Inter-America Radio Convention in Havana.

Fairfax Program Is Renewed on Mutual

The Beatrice Fairfax program on Mutual for Silver Dust and Gold Dust, broadcast Tuesdays, Wednesdays, Thursdays and Fridays at 2:45 P.M., has been renewed for 13 weeks. Batten, Barton, Durstine & Osborn is the agency.

"The Voice of Experience" who has been broadcasting over the Trans-American Line and the Colonial network, will be heard coast-to-coast over Mutual starting Dec. 27. Erwin, Wasey & Co. is the agency.

May Add Opera to Phila. Orchestra

So favorable has been the comment from the banks sponsoring the series, and from the Wessel Co., of Chicago, agency handling the program that the Philadelphia Orchestra series, broadcast Mondays from 9 to 9:30 P. M., on the NBC-Blue, may include the broadcast of an opera every four weeks.

The orchestra on Monday, as an experiment, offered the opera "La Boheme," with Lucy Monroe and Suzanne Fisher among the soloists, instead of the usual orchestral program.

CBS Plans Choral Series

CBS, in conjunction with the Columbia Concert Corp., will inaugurate a new choral series Jan. 8. The title will be "Columbia Choral Quest." Amateur choirs, choruses and glee clubs will compete for a cup awarded by the network and an expense-paid, non-profit concert tour now being arranged by the Columbia Concert Corp.

Lucille Singleton, CBS director of auditions, will supervise the programs. The awards committee will consist of Deems Taylor, CBS music consultant; Davidson Taylor, director of the network's music department; Frederick Schang, Jr., of Columbia Concerts Corp., and Dr. John Finley Williamson of Princeton University. The series will last 16 weeks.

Start Opera on Air Dec. 4

The Metropolitan Opera broadcasts will begin over the NBC-Blue Dec. 4, beginning at 1:55 P. M. All of the Saturday matinees for the full Metropolitan season will be broadcast. Thus far the broadcasts are slated to be aired on a sustaining basis. RCA sponsored the past two seasons, and prior to that the American Tobacco Co., and Listerine.

U. A. Control British Until Loan Is Paid

(Continued from page 1)

ally defined actions of the voting trustees.

The $4,500,000 option financing, it is learned, is being supplied by only two British concerns. They are, as previously disclosed by MOTION PICTURE DAILY, Casenove, Akroyds & Co., and Greenwood & Co., both of London. Prudential Assurance of London, which was erroneously believed earlier to be playing a major part in the financing, has no direct participation in the option deal.

The fact that E. H. Lever, financial secretary of Prudential, was the only British financial figure to participate in the negotiations in the United States, and also that Prudential has financed Korda's London Films in the past, gave credence to the belief that Prudential was an integral part of the option financing. It has been definitely established now, however, that Lever acted only as the fiscal agent for the two actual financing concerns and, at the same time, was an official observer of the progress of the deal through Prudential's already large interest in London Films.

Ten-Year Refunding Plan

The $4,500,000 British loan is being made for a three-year period but the agreement reached provides for a 10-year refunding plan in the event the loan is not repaid by the expiration of the initial period.

As pointed out by MOTION PICTURE DAILY earlier, the deal becomes in this respect equivalent to a long term extension of the Goldwyn-Korda options, with the difference that full control of the United Artists stock now is to be acquired through repayment of the loan to the British interests rather than by purchase from Mary Pickford, Douglas Fairbanks and Charles Chaplin, the present owners.

Pledge Goldwyn-Korda Stock

The two-fifths stock interest in United Artists owned by Korda and Goldwyn is to be pledged as collateral for the British loan in addition to the three-fifths of Pickford, Fairbanks and Chaplin. Moreover, free assets of the United Artists British and American corporations are also to be pledged as collateral. The loan will be made by the British interests directly to the United Artists British Corp. and then will be made available by the latter for the exercise of the options.

Upon repayment of the loan, of course, Goldwyn and Korda become equal owners of United Artists.

As reported by this publication earlier, the $1,500,000 of new short-term United Artists preferred stock being issued in equal amounts to Pickford and Fairbanks, in addition to $1,250,000 in cash to each, is guaranteed first call for redemption. Then the $4,500,000 British loan is to be repaid before any dividends are paid on the United Artists common.

Final closing of the deal is expected well in advance of Dec. 23, the expiration date of the option, although a large amount of detail work which may even necessitate drastic changes in the manner of executing the agreement, has yet to be done.

Lever arrived here yesterday from New York on the *Queen Mary*.

UMPTO Has 6-Pt. Policy For "Peace"

(Continued from page 1)

tion declares that "of the 500 or 600 pictures released annually not more than one or two justify a 40 per cent gross. . . . In nearly all cases the 40 per center after being played must be adjusted downward to 35 per cent or 30 per cent, sometimes even to 25 per cent."

It declares that the exhibitor resents the annual increase in the number of pictures which must be played on percentage and calls for a reduction in the total number, asserting, however, that the "resentment" is directed primarily against the "interference" with the exhibitors' business involved in the playing of percentage pictures.

Treats Overselling

Of "oversold" situations the bulletin says, "So long as distributors continue to sell 'numbers' instead of pictures adjustments in oversold spots will be a necessary prerequisite to peaceful relations in the industry. Every exhibitor is entitled to a legitimate profit on his contract. . . ."

The bulletin argues for a greater voice in company sales policies for branch managers, on the ground that the men in the field know their customers and their problems as home office executives cannot know them. It warns against distributors making circuit-inspired changes in clearance and run affecting independent theatres and argues for a differential in percentages between last runs and advanced runs, pointing out that, "in most cases the overhead of the last run is the same as that of the prior run and it would seem only fair to take this factor into consideration when deals are made."

Sunday Ban Upheld

ATLANTA, Nov. 23.—The Georgia Supreme Court has affirmed an interlocutory injunction granted by Thomas County Superior Court restraining the Rose Theatre, Inc., from operating on Sunday.

Warners Seek Eyston

HOLLYWOOD, Nov. 23.—Captain George Eyston, who drove his special car 311 m.p.h. on the Bonneville Salt Flats in Utah, is being sought by Warners for a picture.

Complete "Over Moon" Cast

LONDON, Nov. 23.—Alexander Korda has completed casting for "Over the Moon," Merle Oberon's second Technicolor film. Incidental roles will be played by Ursula Jeans, Peter Haddon, Louis Borell, David Tree, Zene Dare, Meriel Forbes, Herbert Lomas, Billy Shine and Morton Selten.

Postpone U. A. Meeting

HOLLYWOOD, Nov. 23.—The United Artists stockholders' meeting scheduled for tomorrow has been postponed indefinitely. No reason was given.

Insiders' Outlook

(Continued from page 2)

with her family for the first time in years.

D. A. Doran—Harry Cohn and stage plays.
Rube Jackter—Jerry Safron.
Jerry Safron—Rube Jackter.
Al Lichtman—The Loew board.
John D. Clark—Zanuck.

▼

T. L. Tally—The Fox West Coast bankruptcy.
Leopold Friedman—Bridle paths in the Park.
Lou Brecher—His health.
Charlie Moskowitz—Carnations.
Gene Picker—Likewise.
E. B. Hatrick—"Alcatraz Island" and "Submarine D-1."
Bob Rubin—That Junior is an assistant to an assistant director at M-G-M.
John Abbott—Jock Whitney.
Jock Whitney—Horses, Technicolor, Dave Selznick.
Dave Bernstein—Baden-Baden.
Oscar Doob—Festivals.
Billy Ferguson—Ballyhoo.

Bank Night Is Ruled Lottery in Alabama

(Continued from page 1)

decisions by the courts dealing with the application of lottery statutes similar to ours.

"The hazarding of money with the hope of obtaining by chance a larger sum is the essence of the scheme."

The chance game was ruled a lottery by the Georgia Court of Appeals on Nov. 11, and the Supreme Court of Nebraska ruled Bank Night illegal and a violation of that state's lottery law on Oct. 22. Thus the decision of the Court of Appeals of Alabama is the third recent decision by a state's highest tribunal outlawing the use of the Bank Night within the boundaries of a state.

May License Games

Chicago, Nov. 23.—Latest reports are to the effect that the City Council will consider a plan to license games of skill in the city. If this plan goes through Screeno and other similar games as well as pin games and the like will be able to operate.

Loew Will Sail on Five-Month Survey

(Continued from page 1)

way in a few weeks on a 1,300-seat unit at San Juan, Puerto Rico.

Sam Burger, traveling representative now in Johannesburg, will go to Bombay in a month.

Jacqueline Laurent to Sail

Paris, Nov. 23.—Jacqueline Laurent, French actress, will sail Wednesday on the *Queen Mary* for New York and Hollywood. Anthony Novatny, who sailed on the *Manhattan* last week, is due in New York on Thursday. He will leave for M-G-M studios shortly after his arrival in New York.

Para. Signs Harmon

Paramount yesterday signed as a film producer Sidney Harmon, producer of Broadway plays. Harmon left at once for the coast.

The Newsreel Parade

Movietone News
Vol. 20, No. 21
(20th Century-Fox)

The continuity sheet for this and every issue reads "News, action, thrills and entertainment." The advance word is justified.

Lowell Thomas narrates the World Events division, as usual. His comment amplifies scenes of the devastation of the Sino-Japanese fighting in Chapei, the Memorial Day services in London with King George standing imperturbed as the police hush up a loud-mouthed objector. His yells can be heard on the sound track. General Franco looks over his army in Pamplona. General Gouraud, French World War commander, receives the salute of his officers as he retires. Captain George Eyston drives his car to a record-breaking 311 M. P. H. The flying boat made for Soviet Russia is launched in Maryland and Australians attempt to ride wild horses. "Buck-jumping" they call it.

Lew Lehr gets himself humorously involved with his script as a troupe of girls emerge from a transport plane in bathing suits. The dirigible *Los Angeles* is shown at Lakehurst, N. J. It is now a training ship. Ed Thorgersen comments on the Harvard-Yale, California-Stanford and Dartmouth-Columbia games.

Running time, 10½ mins. P.

News of the Day
Vol. 9, No. 219
(M-G-M)

A variety of subjects of minor importance make up this more or less routine release which, despite its lack of an outstanding news event, manages to maintain an impression that it is reporting events of significance and action.

The release is comprised of six news or feature subjects and shots of three of the major football games of the last week end. In the order in which they appear in the reel the subjects are, glimpses of the Armistice Day observance in London with King George VI in the featured role; shots of the ruins of Chapei following its capture by the Japanese; the recapture of a pair of escaped kidnapers at Syracuse, N. Y.; shots of the Soviet's new distance flight plane, said to be the largest in the world; glimpses of the Jackie Coogan-Betty Grable wedding in Los Angeles; California bathing beauties posing at an airdrome in preference to a boardwalk, and the scoring plays in the Fordham-St. Mary's, Notre Dame-Northwestern and Harvard-Yale games.

Running time, 9 mins. K.

Paramount News
No. 32
(Paramount)

An interesting and well executed reel, this Paramount issue offers a satisfactory diversification of news material.

A splendidly cut highlight are the scenes of inevitable desolation which followed the fall of Shanghai to the advancing Japanese, with ruined buildings, torn streets and gutted homes recounting their own terrible table of the horrors of war when it strikes a great city. A secondary clip pictures the attempt to feed and succor the frightened refugees, many of them children, in the International Settlement.

The other impressive clip shows excellent angle shots of the latest completed work of the noted sculptor, George Grey Barnard, a 16-foot head of Abraham Lincoln, finished after 10 years, with an explanation by Barnard of the reason for the closed eyes on the figure. Likewise effective is the shift to slow motion to show two close plays in the weekend football highlights, the games between Harvard and Yale, and Fordham and St. Mary's. The revelations are clear and impart added interest to the fast clip.

For the rest, are seen the dirigible *Los Angeles* as a training ship, the visit to this country of Herman and Mrs. Rogers, an earth crack threatening a Los Angeles park, the wedding of Jackie Coogan and Betty Grable, the prediction of Maritime Commissioner Joseph P. Kennedy that air liners will replace ocean liners, and the tests of a new super plane at Baltimore.

Running time, 10 mins. A.

Pathe News
Vol. 9, No. 36
(RKO)

Plenty of meat to the latest in the news series with four football tussles winding up the reel with a good quota of action.

First, there is the parade in Paris honoring the nation's dead, followed by ceremoneis at the tomb of the Unknown Soldier. Then King George is shown at impressive services bespeaking peace and during which a lunatic breaks through police lines to heckle the royal chief. The Celtics take a trimming from the Philadelphia Sphas in the opening basketball game of the season here. The transmission of a newspaper facsimile via radio is interesting.

The launching of a new 63,000-pound airliner for the Russian Government at Baltimore gives some idea on the latest in aircraft. Jackie Coogan and Betty Grable as they emerge from a Los Angeles church after the wedding last weekend. Signor Filippo Di Paolo and his 22 children, presumably the largest family in Italy, and the four pigskin games round out the reel. The games are Fordham downing St. Mary's in New York, Harvard riding Yale for a 13-6 upset at Cambridge, Notre Dame blanketing Northwestern at Evanston, Ill., and Villanova trouncing Temple by a score of 33-0 at Philadelphia. For San Francisco release only is the match between California and Stanford at Palo Alto for a shutout by the former.

Running time, 9 mins. O.

Universal Newsreel
No. 617
(Universal)

The eight items in the makeup of this reel run reliably through the scale touching on war, novelty and sport, among other topics. On the whole the material is good.

The lead opens with scenes of the Sino-Japanese war, particularly stressing the plight of the non-combatants, injured and the charitable and humanitarian work of religious factions. The threatening landslide in Los Angeles follows with interesting shots of the slowly-moving and overlapping ground. The U. S. S. *Wichita* is launched in Philadelphia. In northern Italy the flood damage is filmed. That new Martin clipper plane made for Soviet Russia is launched in Baltimore. Dancing girls pose on an airplane's wings in Burbank, Cal., as they reveal next year's bathing suits. The reel concludes with scenes of the Fordham-St. Mary's and Harvard-Yale football games last weekend. They are caught with the usual effectiveness.

Running time, 9¼ mins. P.

Short Subjects

"The March of Time, No. 4"
(RKO)

The three topics of this issue treat respectively of the British passion for indulging in soccer pools; the ravages, treatment and mortal statistics of heart disease, and the problem of Japanese invasion of fruitful salmon fisheries off the coast of Alaska.

The first may not be found very interesting here. The tremendous turnover of the English gambling trusts is revealed. It is due to a loophole in the Gambling Act through which the combines can operate. The odds of 13,000,000 to one are shown in a mathematical equation which breaks the penny bets down. The bet takers operate through the mails and advertise in newspapers as they capitalize on the poorer classes who hope for a lucky break.

The second subject, "The Human Heart," reveals the strides scientific research has made in the treatment of heart disease. It offers scenes of case histories, statistics and a most encouraging message for the afflicted.

The salmon episode is well-documented film that depicts the inroads the Japanese floating canneries have made on the native industry. Fish canned in Yokohama is sold here. The Alaskan industry protests to Washington through its lone representative. It poses the question: What will happen since the Japanese are within their rights? The Alaskans await action by the State Dept. "presumably along suasion lines."

The film is done in the usual finished style and provides varied program fare.

Running time, 20 mins. "G."

Smith as Toastmaster

Albany, Nov. 23.—A. W. Smith, general sales manager of United Artists, will be toastmaster at the testimonial dinner for Si Fabian, to be held here Dec. 13 at the DeWitt Clinton Hotel. Reservations have been received from Joseph Bernhard, head of Warner Theatres, and William F. Rodgers, M-G-M general sales manager.

Delay Union Meetings

Further meetings between representatives of major circuits and Local 306 will await the outcome of a meeting of union members, it was stated yesterday. The union men will decide on definite proposals to present to circuit heads before conferring with them again.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 125 NEW YORK, FRIDAY, NOVEMBER 26, 1937 TEN CENTS

See Approval Of RKO Plan By January 1

Hearing on Atlas Order Set for Dec. 21

The probability of the RKO plan of reorganization being confirmed by Jan. 1 was increased when Federal Judge William Bondy on Wednesday set Dec. 21 for hearing on an order submitted by Atlas Corp., proponent of the reorganization plan, calling for confirmation of the plan as amended along the lines recommended in the final report of Special Master George W. Alger.

Whether or not the plan is confirmed by the end of the year is now seen as dependent entirely upon the amount of time which Judge Bondy will allow for arguments in opposition to the plan on either Dec. 21 or subsequently. Opposition to the plan is limited to minority stockholder groups. John A. Stover, attorney for Ernest W. Stirn of Milwaukee, a holder of old Class A shares of RKO, whose petition for special treatment in the plan for that class of shares

(*Continued on page* 18)

Agnew Will Address Allied Ohio Meeting

COLUMBUS, Nov. 25.—Neil F. Agnew, Paramount vice-president and general sales manager, is scheduled to address the regional conference of national Allied States Ass'n, to be held at the Neil House, here, Dec. 6 to 8. Agnew is expected to touch upon Paramount sales policies and the company's program for conciliating "buyers' strikes" against the company. Opposition to Paramount buying in this territory was led by the Ohio Allied unit.

Abram F. Myers, chairman of the

(*Continued on page* 18)

Pablo Colon, Editor Of 'Teatro' Is Dead

Pablo Colon, editor of *Teatro Al Dia*, Spanish export journal published by the Quigley Publishing Co., died at the Westchester Square Hospital in New York Tuesday night from complications following an appendectomy. He was 37 years old.

Born in Coamo, Puerto Rico, Colon had come to the United States 20 years ago and had remained in this country ever since, continuously associated with the export operations of publications and advertising agencies

(*Continued on page* 17)

Court Scores Censorship, Overruling Board in Pa.

PHILADELPHIA, Nov. 25. — The Pennsylvania censor board was overruled yesterday in their ban on "Spain in Flames," by Judge Louis E. Leventhal, in Common Pleas Court, who sustained Jesse H. Holmes and Anne M. W. Pennypacker, who hold distribution rights on the film here.

In an 11-page decision, the court directed the board to approve the film in its original form, and concluded that the film does not come under the censor board's jurisdiction because it is a film containing "current news events." He cited the important place of pictures as a medium of information, and declared they are entitled to the same freedom from restraint enjoyed by the press.

"Within this freedom, lest it be meaningless, must be encompassed all incidental comment essential to the intelligent understanding of the picture," the judge said.

Speaking generally of censorship, the court stated, "Censorship under our theory of government is presumptively bad and is tolerated only as a necessary evil. We are confident that the popular good sense will ultimately discover and prefer truth and that the general welfare can best be served by a free expression in opinion. It must not be forgotten that a censorship which today may be used to curb our enemies' opinions may be utilized tomorrow to supress our most cherished convictions."

See $1,500,000

Anticipated earnings of Warners for the quarter ending tomorrow, according to the management, will be in excess of $1,500,000, after all charges other than the surtax on undistributed profits.

Broadcasting Probe Is Off Until January

WASHINGTON, Nov. 25.—Administration hopes that Chairman Frank R. McNinch would be given an opportunity to reorganize the F. C. C. without the interference of a Congressional investigation were met in part

Additional developments in radio yesterday on pages 16-17

Wednesday when Senator Wallace H. White, Jr., of Maine, agreed to delay his proposed probe of the broadcasting situation until the regular session in January.

The Senator's resolution for an in-

(*Continued on page* 16)

Hollywood Studio Is Awarded to Talisman

HOLLYWOOD, Nov. 25.—Federal Judge Paul McCormick has ordered Hollywood Studios turned over to the Talisman Picture Co., its owners, following failure of Hollywood Studios, Inc., leasing corporation, to fulfill terms set by the jurist to enable it to keep the lease under proceedings of 77 B of the Bankruptcy Act.

Judge McCormick said that Hollywood Studios, Inc., has failed to pay

(*Continued on page* 18)

Retention of Ticket Levy Is Expected

By BERTRAM F. LINZ

WASHINGTON, Nov. 25.—Indications that the Federal admissions tax will be retained and that it and other so-called nuisance levies will be made permanent were apparent here yesterday as the House Ways and Means Tax Sub-Committee met to consider what, if any, changes should be made and whether the taxes should be made a part of the permanent Revenue Law.

The sub-committee, considering all phases of the tax situation, is preparing to write a comprehensive revision

(*Continued on page* 18)

Ask Protection of Shorts in Commons

By AUBREY FLANAGAN

LONDON, Nov. 25.—Bruce Woolfe, John Grierson and representatives of the Teachers' Unions and Religious Film Society, pleaded the case for the protection of short subjects before the Strabolgi group in the House of Commons yesterday.

The chairman of the Strabolgi group claimed that production of educational pictures is dependent upon the revenue from documentary films.

Warners' Net For Year Is $5,876,182

Compares to $3,177,312 In Previous Period

Net profit from operations of Warners for the year ended Aug. 28 was $5,876,182.95, after deductions for Federal income taxes and all other charges including a surtax of $310,000 on undistributed profits. This is equal to $1.48 a share on the common stock, after deducting shares held in the treasury. These figures compare with an operating profit of $3,177,312.73 for the previous year, which amounted to 75 cents a share on the common stock, calculated on a similar basis.

In addition to the operating profit there was a net credit to deficit account of $404,920.73 and capital surplus has been increased by $269,812.08. No dividends have been paid on the preferred stock since March 2, 1932.

Warners' counsel believes that the company is not liable for any Federal surtax on more than $2,084,050.24 of its undistributed profits, which is the amount of accumulated and unpaid dividends to and including June 1, 1937, on outstanding preferred stock.

Application of revised rates of amortization has resulted in an increased charge of $83,015.55 for the

(*Continued on page* 17)

"Road Back" Banned By Brazil Officials

The totalitarian government of Brazil has banned "The Road Back," Universal has been informed. Granted a censor certificate, the distributor states indications are the ban will be lifted when Brazil formally terminates its martial law, slated for Jan. 2. In Chile, the army imposed deletions following the issuance of a censor certificate in that country, but the film is showing.

Universal to date has made no effort to release the film, based on the sequel to "All Quiet on the Western Front" by Erich Maria Remarque, in Germany, Japan and Italy.

Report Doyle London Theatre Plan Is Off

LONDON, Nov. 25.—Reports are current here that Stuart F. Doyle will not go through with plans for the building of two new theatres here. Structures on the sites of the proposed theatres have been demolished, but it is understood several hitches

(*Continued on page* 18)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Settle Fairhaven Suit

LONDON, Nov. 25.—The libel action of Lady Fairhaven against Warners, involving the comedy, "Trans-Atlantic Trouble," featuring Max Miller, has been settled. Lady Fairhaven had claimed the film included an odious character by the same name. The demand of withdrawal was complied with instantly, and the plaintiff will receive damages and costs.

File Condor Petition

LOS ANGELES, Nov. 25.—Ben Pivar, Frank Gay and Albert Wentzel yesterday filed a petition for involuntary bankruptcy against Condor Pictures, Inc., in Federal Court, listing claims of $1,000, $250 and $500, respectively. The case was referred to Federal Judge George Cosgrave for a hearing at an unnamed date. Paul Ziegler is attorney for the petitioners.

Colvin Brown Weds

Mrs. Regina Louise Hvass of New York is the bride of Colvin W. Brown, vice-president and treasurer of the Quigley Publishing Co. The couple sails on the *Vulcania* tomorrow morning on a honeymoon trip abroad.

Insiders' Outlook

By RED KANN

THE onslaught on radio versus films, exactly one week old today, has been creating comment. This is the post-Thanksgiving report from your humble servant. As a matter of fact, verbally and by mail, the commendation has been mounting so steadily that it becomes positively embarrassing to mention it. Culled from the batch, for this day anyway, is one letter which struck as extremely interesting. It is from Abram F. Myers, general counsel of Allied, who resorts to economics, psychiatry and elementary logic in his approach and, by so doing, makes it far more comfortable for us to repose within the confines of his own quotes. . . .

▼

Myers says:

Recent developments in radio are so menacing to the motion picture business that I am surprised they received so little attention. Consider the facts in the form of a problem in first year economics:

The producers are engaged in making motion pictures which cost a lot of money. They hope to get back this money and more from admissions paid in at theatre box-offices. To insure the success of the enterprise, the producers lend their support to a rival form of entertainment which encourages the public to remain away from the theatre. Point out the fallacy.

That is one aspect of the problem. Our second problem is directed to a class in psychiatry:

Motion pictures are visual entertainment and the industry has spent hundreds of millions in developing pictures to their present perfection. The stars who have been developed in the process are the industry's chief asset. They retain their popularity because they appear only a few times a year and always to the best advantage. To perpetuate their popularity and value the industry encourages them to perform in a different medium in which their main talents cannot be utilized and with poorly written scripts or badly chosen excerpts from current pictures.

▼

Myers addresses his final problem to "the class in elementary logic." He does that, writes he, to illustrate the *non sequitur,* or, possibly, the *reductio ad absurdum.* But he is not going to get us groping for our Latin, after all these years. He will have to do his own explaining, i. e.:

The motion picture industry being disturbed by reports of scandals in Hollywood engaged the services of a cabinet officer and set up a vast and expensive organization to quiet public indignation. Certain radio commentators are making a living—and a good one—by broadcasting all the smut and scandal concerning Hollywood and the players that they can unearth or imagine. To discourage this, the industry permits its stars to appear on the programs of these commentators, thus heightening the public interest therein.

Viewing the subject from every angle, I can see only one possible justification for the course that the motion picture industry is pursuing. It must be that the chief executives have concluded that pictures will inevitably lose out in their competition with radio and that the smart thing to do is to get in on the ground floor of the new business. I note that some of our leading trade papers are now devoting considerable space to radio. Is that a straw in the wind?

You can now go ahead and razz the heck out of us, but for once, and solely from the standpoint of the picture business, you will have to admit that we are "constructive."

▼

Being in a sort of last-word position now comes opportunity for comment:

On First Year Economics—This department largely agrees with the position. Producers are fallacious, however, in the support of radio only as to the extent of their wooing of the air medium. Radio can help in the exploitation of films. Agreement on that point is generally acknowledged. The heavy-handed, whole-hog swoop on the air waves—this is where the current difficulty arises. Couple with that lack of good judgment in editorial supervision of the material which the Hollywood talent equation is allowed to perform. The result is what you have today.

On the Class in Psychiatry—Largely answered above, and in accord, too. Stars, it is, of course, correct to conclude, retain their popularity by limited appearances in vehicles best suited for their talents. The care usually afforded them before studio mike and camera, definitely, has been largely abandoned in their appearances before the broadcasting mike. It is being a case of a newly discovered Yukon and a frenzied rush to pan the gold before the vein runs dry. The future? *Manana,* on that score.

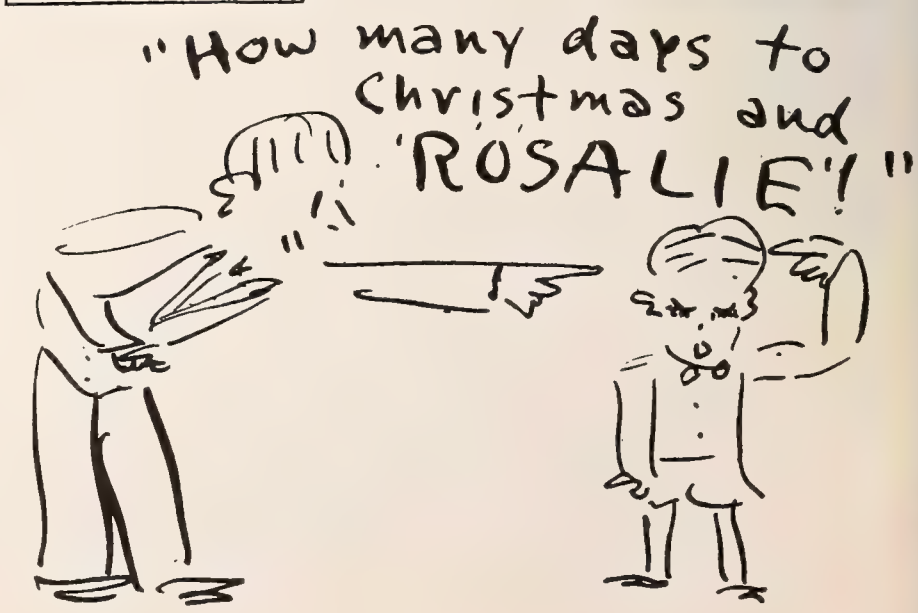
The Class in Elementary Logic—Indiscriminate appearance of stars on programs of screen commentators who dish the dirt cannot be explained away, certainly cannot be excused. That major film interests are eyeing radio with a view to ultimate abandonment of their first love strikes as illogical and without foundation. A combination enterprise with films dominant always, conceivably, could be sound business provided judgment and a resistance to large and quick radio money can be maintained.

When Myers notes "that some of our leading trade papers are now devoting considerable space to radio" and asks "is that a

(*Continued on page* 15)

NOVEMBER 1937						
S	M	T	W	T	F	S
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28	29	30				

DECEMBER 1937						
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19	20	21	22	23	(24)	25
26	27	28	29	30	31	





I CONFESS!

What does Carole Lombard Confess?

That she's pulling for Fordham for the Rose Bowl?

That she put money on a Crosby nag?

NO...NO...NO...SEE NEXT PAGE FOR CAROLE'S "TRUE CONFESSION"

Paramount Pictures

WE CONFESS THIS IS AN AD TO TELL YOU PARAMOUNT'S TRUE CONFESSION" WILL BE RELEASED DECEMBER 24th

"I CONFESS FRED IS TERRIFIC . . .

AND 'TRUE CONFESSION' WAS THE MOST FUN OF ANY PICTURE I HAVE EVER PLAYED IN AND THAT INCLUDES 'HANDS ACROSS THE TABLE'"

Carole Lombard

Adolph Zukor presents

Carole Lombard
Fred MacMurray
John Barrymore

"TRUE CONFESSION"

A WESLEY RUGGLES PRODUCTION WITH **UNA MERKEL** • **LYNNE OVERMAN** • **PORTER HALL**

EDGAR KENNEDY • PRODUCED BY ALBERT LEWIN • DIRECTED BY WESLEY RUGGLES

SCREEN PLAY BY CLAUDE BINYON · BASED ON A PLAY BY LOUIS VERNEUIL AND GEORGES BERR · A PARAMOUNT PICTURE

Purely Personal

O. C. DOERING, Jr., of counsel to Irving Trust Co., RKO trustee, is in Wisconsin on a one-week hunting trip. He is due back in New York toward the end of next week.

•

ADELE GIRARD, vocalist and actress who has been tested by AL ALTMAN for M-G-M, has been signed to a term contract by LARRY SCHWAB of that studio. HERMAN BERNIE set the deal.

•

LILLIAN JEFFREY, secretary to JOE VOGEL, left last Wednesday by plane for Minneapolis to spend the holiday with her family. She will return Monday.

•

PEGGY CONKLIN arrived in town yesterday on the Commodore Vanderbilt. She has a role in RKO's forthcoming "Having Wonderful Time."

•

TEX RITTER will leave the coast Dec. 8 on a personal appearance tour which will include stopovers at Texas, Arkansas, Missouri and Illinois.

•

IRVING ASHER, LAURA LA PLANTE, CHILI BOUCHIER, BRUCE LISTER and JAMES STEPHANSON left for the Warner studios by train yesterday.

•

WALTER GOULD, assistant to ARTHUR W. KELLY, will leave next week for South America. He expects to be gone about three months.

•

HERBERT J. OCHS, western and southern sales manager for Warners, will add another candle to his birthday cake tomorrow.

•

RUDY VALLEE, who arrives from the coast Tuesday, will open at Loew's State, Dec. 23. The picture will be "The Awful Truth."

•

RUBE JACKTER is due back from the coast today. A. MONTAGUE is remaining in Hollywood for several days before returning east.

•

ARTHUR GREENBLATT, G. B. eastern division manager, will return today from a two-week trip through his territory.

•

JON HALL, star of "The Hurricane," will be a guest at Marion Colley's weekly party at the Pierre, Sunday night.

•

HERB CROOKER, director of publicity for Warners, will leave today for the Coast to confer with S. CHARLES EINFELD.

•

WELDON HEYBURN is vacationing in New York with his wife, and will return to Monogram studios soon.

•

ANTHONY NOVATNY arrived yesterday from England on the *Manhattan* en route to the M-G-M studios.

•

I. A. R. WYLIE'S short story, "Champion Luck," has been purchased by M-G-M.

•

ELEANORE WHITNEY has left the coast for a vacation in Cleveland, her home city.

•

WILLARD C. PATTERSON, Warners' labor contact, will leave Dec. 8 for Palm Springs.

•

BILL JAFFE is endeavoring to clear up his desk. Then a couple of weeks in Miami.

•

AL SHERMAN sailed Wednesday on the *Carinthia* for an 11-day vacation cruise.

•

RUSSELL BIRDWELL got in from the coast yesterday via American Airlines.

•

KETTI GALLIAN is aboard the *Normandie* bound for a vacation abroad.

•

LORETTA YOUNG has left for the coast after a New York vacation.

•

BINNIE BARNES left for the coast yesterday.

•

. . . Indianapolis

ROBERT G. HESSELDENZ, manager of Bair's Uptown, is recovering in the Methodist Hospital from an operation.

CHARLES OLSON, owner of the Lyric, is in California on a vacation that will continue until mid-December.

JOE GOLDBERG has established a supply house and show room on Film Row, with Roy Boomer as manager and Joe Bommerscheim on the staff.

•

. . . Oklahoma City

PAT MCGEE, general manager of Standard Theatres, has been named to the policies and projects committee of the Oklahoma City Chamber of Commerce for 1938.

L. C. GRIFFITH, president of the Griffith Circuit, and Eddie Kadane, Frederick, Okla., exhibitor last week brought in a good oil well in the Wichita, Tex., field.

EARL (POP) SETTLE, manager of the Orpheum at Okmulgee, Okla., is now known as "Grandpop" after a new branch came to the family tree.

EARL GAFFANEY, Griffith electrician injured recently while working at the Greer, new Griffith house at Mangum, will be confined to bed in Oklahoma City hospital for several additional weeks.

•

. . . Omaha

A. "TED" MENDENHALL, Paramount exchange manager in Omaha, is home from the hospital following an operation.

SOL FRANCIS, owner of the American Distributing Co., has been passing out cigars because it's a boy, named GEORGE WALTER FRANCIS.

REGINA MOLSEED, RKO booker, and D. V. MCLUCAS, United Artists manager, co-chairmen of the Omaha Community Chest's drive, report 100 per cent response from the Universal exchange.

EVA KATZMAN, Fox booker in Omaha, who will leave soon for Minneapolis to become private secretary to the Fox district manager, gave a party the other evening at her home.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Adventures of Chico"

(*Woodward Bros.*)

HOLLYWOOD, Nov. 25.—As an odd novelty, "The Adventures of Chico" possesses that peculiar quality which heretofore has attracted considerable attention to similar films. Although it tells a human-interest and dramatic story, the primary characteristic of the feature is that of a lecture-travelogue. Its characters are nature's grandeurs, two Mexicans and wild animal life of Mexico.

Produced, directed and photographed by Stacy and Horace Woodward, who will be remembered for "Fang and Claw," with camera work of superior caliber, the film combines natural comedy, drama and suspense. Against vivid glimpses of a Mexico that probably has never been photographed before, the continuity is intelligently followed to make for easy and complete understanding.

With his father, who wrests a living from the country, the boy, Chico, is the hero. Although he is a friend of all the animals, he encounters many adventures. Most thrilling of these is one in which his pet rooster saves the boy's life in a fight with a rattlesnake. This particular incident held the preview audience in a vice-like grip and promises to thrill any who see it. As the narration is carried through expertly, the quality of the musical accompaniment provided by Edward Kelenyi accentuates the picture's moods. If only considered from the standpoint of unusual entertainment, "The Adventures of Chico" has a chance of fitting well on any program.

Running time, 60 minutes. "G."

(Additional Reviews on Page 8.)

Three Named by G. B.

Three new appointments have been made in G. B. offices in the field John Dickson has been appointed salesman at the Los Angeles exchange. Grant Lovegren has been named booker in Seattle. Leonard Raatz, formerly booker in the latter office, has been promoted to salesman.

Book "Dr. Syn" in Boston

"Dr. Syn" has been dated into the Paramount and Fenway, Boston, for simultaneous runs, starting Dec. 9. The film is now in its second week at the Globe on Broadway. "Non-Stop New York" will start an engagement at the Globe tomorrow.

"Nothing Sacred" Opens

"Nothing Sacred" opened yesterday in 35 key cities, including the Music Hall.

Short on Paris Fair Plan of FitzPatrick

James A. FitzPatrick, who returned earlier in the week from England with 5,000 feet of Technicolor film of the Paris Exposition, is preparing to assemble the footage for a three-reel special short for M-G-M distribution. A special musical arrangement will be added to the film.

FitzPatrick plans to leave for Hollywood shortly to confer with Fred C. Quimby on the subject in addition to a number of other short subject ideas he has in mind.

Macauley to Handle Korda U. S. Publicity

HOLLYWOOD, Nov. 25.—Thurston Macauley, American newspaper man and writer, who has been in Hollywood for the past six months as the first Hollywood correspondent of the *London Times,* is leaving shortly to become associated with Alexander Korda's London Films studios at Denham, England, handling Korda's American publicity from the Britain end. The appointment was arranged during Korda's Hollywood visit.

Macauley has been in newspaper and publishing work for 15 years, the last eight in the London bureau of the *New York Times.*

Lloyd Starts Shooting

HOLLYWOOD, Nov. 25.—Harold Lloyd will begin active shooting on Saturday for his next picture for Paramount release, "Professor Beware." The film has been in preparation for a year and a half. He will play opposite Phyllis Welch, who is making her screen debut in the film. Elliott Nugent is directing.

Delay "Ecstasy" Plea

ALBANY, Nov. 25.—The motion of Eureka Prod., Inc., for the right to appeal to the Court of Appeals the Appellate Division's confirmation of the ban on "Ecstasy," returnable Wednesday, probably will be heard on Jan. 3. The court also will hear the argument on the ban of "Tomorrow's Children," probably on Jan. 11.

Wall Street

Stock Losses Continue

	Open	High	Low	Close	Net Change
Col.	14½	14½	14½	14½	— ½
E. K.	149¼	149⅜	144	144¾	—6¼
E. K., pfd.	161	161	161	161	+1
G. T. E.	14¼	14¼	14⅛	14⅛	+ ⅜
Loew	46¾	48	45½	46	— ¼
Loew, pfd.	100	100	99¾	99¾	—1¼
Para.	11½	11¾	11⅛	11⅛	— ½
Para. 1.	91	91	89½	89½	— ½
Para. 2.	105⅝	105⅝	101½	101½	.....
Pathe	5½	5½	5½	5½	— ¼
RKO	5	5	4¾	4¾	— ⅛
20th Fox	20¾	20¾	19¾	20	— ½
20th, pfd.	25½	25½	25	25	.....
Univ., pfd.	31	31¼	31	31¼	+ ¼
W. B.	7⅛	7¼	6¾	6¾	— ¼

G-N Lone Curb Rise

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1⅛	1⅛	+ ⅛
Monogram	1½	1½	1½	1½	.....
Sonotone	1⅝	1⅝	1⅝	1⅝	.....
Tech.	17	17⅝	16½	16½	—1
Trans-Lux	3	3	3	3	.....
Univ. Corp.	1½	1½	1½	1½	.....

Little Bond Activity . .

	High	Low	Close	Net Change
Loew 3½s '46	97	96½	96½	— ¾

(Quotations at close of Nov. 24)

It Will Be Publicly Demo

"THE

WITHOUT

IS A SHORT WITH

Please see it if you can. But even if you can't, these brief quotations should be sufficient to prove that every theatre on the face of these United States owes its patrons the opportunity to see this stirring short.

★ "I hope that this picture can be made available to the people in all localities throughout our nation." —*Daniel C. Roper*
Secretary of Commerce

★ "A short which deserves a place on the screens of all American theatres. A splendid two-reeler produced with all the finesse of a big feature!"—*Film Daily*

★ "I hear Warners' 'The Man Without A Country' is the probable winner of the Academy's best short of the year."
—*Walter Winchell*

★ "It should be displayed throughout the entire country!"—*Charles A. DuBois, Sons of the American Revolution*

★ "A 'must' for any program!" —*Boxoffice*

★ "We are not only glad to highly recommend this picture but we want to commend Warner Bros."—*Mrs. Leon A. McIntire—Sec'y., Daughters of the American Revolution*

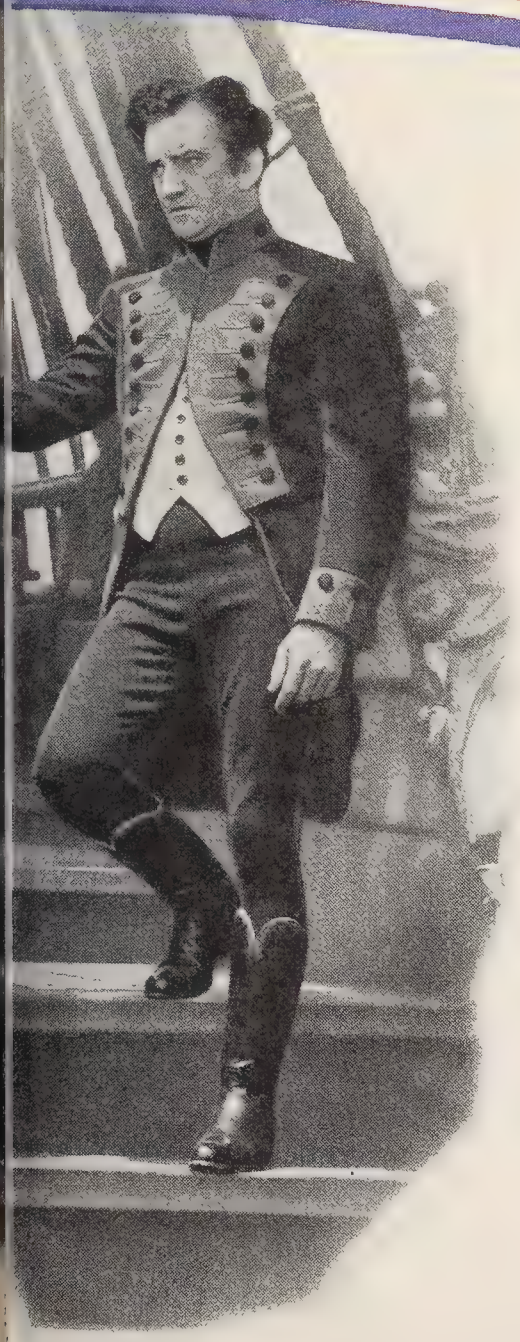
★ "An extraordinary creation that will dignify any program upon which it is shown. It is history made entertaining."
—*Hollywood Spectator*

trated This Week That

MAN

A COUNTRY"

OUT AN EQUAL



with

JOHN LITEL • GLORIA HOLDEN
DONALD BRIAN • THEODORE OSBORNE
HOLMES HERBERT

Directed by Crane Wilbur • Screen Play by Forest Barnes
Adapted From The Story by Edward Everett Hale

★

Warner Bros. believe sincerely that this two-reel ***TECHNICOLOR*** subject will attract an even greater amount of prestige than 'Give Me Liberty' to those exhibitors who properly promote and advertise it. It is the latest of the series of patriotic short features offered with pride by

VITAPHONE

Short Subjects

"Popeye the Sailor Meets Ali Baba's 40 Thieves"

(Fleischer-Paramount)

Here are 20 minutes of Popeye presented in Max Fleischer's stereoptical process and chock full of those situations that are too condensed in their usual form, but which in practically every case provide sure-fire entertainment. It is done in effective Technicolor. For the approaching holidays it makes a "must" addition for children's programs. But it also will fit very well with any other presentation.

The scenario is cleverly animated with imaginative execution in the building up of its situations. The familiar Bluto plays Ali Baba. His gang of terrorists are reported to Popeye's coast guard station in the middle of a desert and the sailor takes off in pursuit. He catches up with the villain in a cafe, but is knocked unconscious. Bluto and his gang make off with Olive Oyl. Popeye follows on a camel. He comes to the well-known cave and using his pipe as a torch burns an entrance. He is soon discovered by the bandits, beaten up and offered as a lure to a shark. The spinach is on hand and is introduced refreshingly. The whirlwind action follows, as usual, but it is presented with remarkable, new twists. The conclusion has Bluto and his 40 cohorts towing Popeye, Olive and Wimpy across the desert along with a wagon-load of loot.

Running time, 20 mins. "G."

"Hooray for Hooligan"

(Educational)

The customary Tom Patricola-Buster West type of painful comedy is again apparent in this comedy. The boys inherit a prizefighter named "Horizontal Hooligan" and proceed to get him a match. They gamble their shirts, do their well-known style of dancing and at length win a great deal of money when their fighter goes on a rampage after seeing beards. It seems he can only fight when he is mad and gets that way when he sees the chin foliage. Running time, 17 mins. "G."

"Pigskin Palooka"

(Roach-M-G-M)

Childish excitement on the gridiron prevails in this session of the Gang's activities. There are many clever twists to the slight scenario and, on the whole, the short should measure up quite satisfactorily. Running time, 11 mins. "G."

"Laughing at Fate"

(20th Century-Fox)

An issue of The Adventures of the Newsreel Cameraman series. It is just that. The film is composed of the usual collection of thrilling shots that in many cases have been seen before, but which may still be found novel. The material is well photographed and presented. Running time, 9½ mins. "G."

"Calling All Crooners"

(Educational)

An alderman, urged by his wife, persuades the police department to provide entertainment in between their crime broadcasts. The force tries it. Lester Cole and his octette sing a few numbers as do The Orchids, a girl trio. Buddy Page supplies music with his orchestra. The commissioner is deluged with calls praising the program and it becomes a permanent affair to the chagrin of the local police official. The singing is fair. The Orchids render an entertaining number concerning piglets. Running time, 10½ mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Quick Money"

(RKO)

Hollywood, Nov. 25.—A strictly formula plot saved by slapstick novelty embellishments, "Quick Money" is an entertaining picture which met approval of a small neighborhood house in which it was previewed. There apparently wasn't a major step made in the development of the story that the audience could not guess beforehand, but the method of arriving at the climax via the slapstick method, aided and abetted by a boy who is an amateur chemist, provided most of the laughs. Edward Killy did a competent job of directing the screenplay of Arthur T. Horman, Franklin Coen and Bert Granet, who adapted Horman's original.

The cast is composed of Fred Stone, Gordon Jones, Berton Churchill, Dorothy Moore, Paul Guilfoyle, Harlan Briggs, Dorothy Vaughan, Sherwood Bailey, Frank M. Thomas, Jack Carson, Kathryn Sheldon, Dick Elliott, James Farley, William Franey and Fuzzy Knight.

Fred Stone, as mayor of Sherwood, is suspicious of Berton Churchill, who returns to the town as a big time financier. With Churchill is Paul Guilfoyle, posing as his secretary but actually the brains in a confidence racket. Stone refuses to let the town council use the $47,000 school fund for bonds in a resort which Churchill announces he is to build. Pressure is brought to bear on Stone by his fellow townsmen and his wife, but he is adamant. A recall election is scheduled, and Stone, aided by his son, played by Sherwood Bailey, delays the voting in various ludicrous ways until Gordon Jones, newspaperman, and Stone's daughter, Dorothy Moore, return from a nearby Federal Bureau of Investigation office with evidence to effect the arrest of Churchill and Guilfoyle.

Running time, 60 minutes. "G."

Looking 'Em Over

"Devil's Saddle Legion"

(Warners)

Lincoln, Nov. 25.—Warners carried the chain gang touch to this western and did a good job of inserting it for a different angle in the general run of open-spaces stories. The setting is the Texas-Oklahoma boundary dispute caused by the cagey channel changing of the Red River.

It's a Dick Foran picture, with less singing than has been the quota, but there are three M. K. Jerome and Jack Scholl tunes with average results. Besides Foran, the principals include Anne Nagel, daughter of a rancher; Willard Parker, her foster brother and menace, and George Chesebro, prison camp supervisor.

In order to steal a big chunk of Texas land by establishment of the river as a boundary, a dam is being built over the channel forcing it to take a new course. Being built by prison labor, every husky who comes into the area is arrested and on trumped up charges railroaded to the prison camp and put on the grind. Foran wins the friendship of Miss Nagel and she gets him leave from the camp to break a horse for her. It gives him the opportunity to find some guns and plan a break, which he does in time to convince officials of his rights about the boundary.

The picture should be all right for its spots. It was directed by Bobby Connolly, from a screenplay-story by Ed Earl Repp.

Running time, 52 minutes. "G."

"Playboy Number One"

(Educational)

Willie Howard's brand of comedy in this two-reeler will be good for many laughs. He plays Pierre Ginzberg, a fake French professor, who sails for Paris accompanying a family. They disengage him soon after the ship sails and he takes up with a pair of tough Chicagoans. His ability to talk French makes him tops with them. They provoke him into getting a girl for himself in order to attend a party. He annoys the wife of one of the men, is thrown in the brig and, after the third annoyance, is tossed overboard by the irate spouse. But all the intermediate business is comical and the farce packs plenty of chuckles. Running time, 15½ mins. "G."

Short Subjects

"Going Places No. 40"

(Universal)

This short should be found pleasing by the entire audience. In its three sequences, respectively, it offers a chemical farm in Berkeley, Cal., where produce is grown experimentally without soil; the descendants of the *Bounty* mutineers on Pitcairn Island and shots of the strange sculptures on Easter Island, in the Pacific Ocean. The latter, too, are very well filmed and, although the Pitcairn Island is not exceptionally new, it offers a different treatment. Running time, 9 mins. "G."

"Italian Libya"

(20th Century-Fox)

In this Magic Carpet the audience will be treated or annoyed, as the case may be, with the repetition of the fact that Italy is giving her colony in Northern Africa, self rule. Lowell Thomas does the narration as scenes of the country, the armed forces, studies of the natives at their primitive agricultural pursuits and occupations are seen. There are also some good shots of the ruins of a once important city dating from the time of the first Roman invasion. It seems rather jingoistic, but in other ways is good travel fare. Running time, 10 mins. "G."

"Stranger Than Fiction No. 43"

(Universal)

A better-than-average collection of interesting items makes up this reel. They include the raising of hop toads for pets by two men in Roy, Wash.; an armless negro who has remarkably overcome his handicap, a system for taking the excess pep out of bulls, the gathering of knees used in the construction of boats, a Deschutes, Ore., man who makes better arrowheads than Indians, a Marylander who is trying to raise a piglet for a pet and an expert with a slingshot. It's good. Running time, 9 mins. "G."

Freed of Discrimination

Cincinnati, Nov. 25.—A jury in Municipal Court has acquitted Norman Linz, manager of the RKO Capitol, of a charge of having violated the equal rights law, in a suit brought by a colored patron, who claimed to have been refused admission. Linz contended there was no discrimination, but that the refusal was based on a disturbance which the patron created in the lobby.

To Change Game Method

Des Moines, Nov. 25.—The Tri-State Theatre Corp. plans to handle special Bank Night in a different manner, following disturbances at several of their theatres caused by impatient patrons protesting the length of time required for the draw one night recently.

DEFINITELY . . .



THE FOUR

STAND-OUT

PICTURES OF

THE SEASON



from the New Universal

"Bad Guy" Is Chicago Hit With $17,300

CHICAGO, Nov. 25. — "Bad Guy" topped business in Chicago's Loop with a gross of record proportions at the State-Lake. The take was $17,-300, which is $4,300 above average and the highest figure this house has hit in months. The gross is significant when the low admission is considered.

"Double Wedding" was off to a good start at the United Artists, with $18,000, well over average. "The Life of Emile Zola" took $6,800 at the Apollo, which is better than average. Other attractions were below average. "Live, Love and Learn" was pulled after six days of very poor business. Grosses in the Loop were among the lowest in months.

The weather was cold and clear

Total first run business was $113,-600. Average is $118,000.

Estimated takings:

Week Ending Nov. 18:

"IT'S LOVE I'M AFTER" (W.B.)
CHICAGO — (4,000), 35c-55c-75c, 8 days. Stage: "Around the Town" Revue. **Gross:** $26,000. (Average, $33,000).

"ALCATRAZ ISLAND" (W.B.)
GARRICK—(900), 35c-55c-75c, 7 days, 3rd week. **Gross:** $5,200. (Average, $6,500)

"LIVE, LOVE AND LEARN" (M-G-M)
ORIENTAL—(3,490), 35c-55c-75c, 6 days. Stage: Vaudeville Revue. **Gross:** $12,000. (Average $18,000)

"MERRY GO ROUND OF 1938" (Univ.)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Chick Webb and Revue. **Gross:** $17,200. (Average, $19,000)

"BAD GUY" (M-G-M)
STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $17,300. (Average, $13,000)

Week Ending Nov. 19:

"LIFE OF EMILE ZOLA" (W.B.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,800. (Average, $6,500)

"ALI BABA GOES TO TOWN" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. 3rd week. **Gross:** $11,000. (Average, $11,000)

"DOUBLE WEDDING" (M-G-M)
UNITED ARTISTS — (1,700), 35c-55c-75c, 7 days. **Gross:** $18,000. (Average, $15,000)

"Firefly" Winner In Oklahoma City

OKLAHOMA CITY, Nov. 25.—"The Firefly," at the Criterion, led the way here in a fair week, which was damaged considerably by a sudden turn to freezing weather. It did $5,600 against a house average of $4,500.

The only other attraction to better par was the second week of "Stella Dallas" at the Tower, which went only $400 over the $2,000 average.

Total first run business was $18,350. Average is $17,750.

Estimated takings for the week ending Nov. 20:

"THE FIREFLY" (M-G-M)
CRITERION—(1,700), 10c-35c-40c, 7 days. **Gross:** $5,600. (Average, $4,500) Jack Denny and Orchestra one day at 55-cent top.

"LIVES OF A BENGAL LANCER" (Para.)

"FIGHT FOR YOUR LADY" (Radio)
LIBERTY—(1,500), 10c-20c-25c, 7 days. **Gross:** $2,250. (Average, $2,250)

"ALI BABA GOES TO TOWN" (20th-Fox)
MIDWEST—(1,500), 10c-20c-40c, 7 days. **Gross: $4,400.** (Average, $5,000)

"STAND-IN" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days. **Gross:** $3,700. (Average, $4,000)

"STELLA DALLAS" (M-G-M)
TOWER—(1,100), 10c-25c-40c, 2nd week. **Gross:** $2,400. (Average, $2,000)

"Awful Truth" Is Buffalo Sensation

BUFFALO, Nov. 25.—The Lafayette, with "The Awful Truth," on the same card with "Criminals of the Air," was just what the customers ordered with a take of $13,500 and a third week ahead of it. Par at the house is $6,500.

The Hippodrome had another over-average stanza with "52nd Street" and "Torchy Blane" which drew $8,-800 to beat normal figures by $1,200. "Madame X" and "Annapolis Salute" came in at $7,900 at the Century where $6,300 is average. Ice and snow blanketed the streets most of the week and the stage show, "Barchester Towers," along with the Ballet Russe dancing two performances at the Consistory Auditorium supplied plenty of competition.

Total first run business was $54,700. Average is $42,400.

Estimated takings for the week ending Nov. 20:

"SECOND HONEYMOON" (20th-Fox)
BUFFALO — (3,000), 40c-60c, 7 days. **Gross:** $11,300. (Average, $14,000)

"THE FIREFLY" (M-G-M)
GREAT LAKES—(3,000), 35c-50c, 8 days. **Gross:** $13,200. (Average, $8,000)

"52ND STREET" (U.A.)
"TORCHY BLANE" (W.B.)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $8,800. (Average, $7,600)

"MADAME X" (M-G-M)
"ANNAPOLIS SALUTE" (RKO)
CENTURY — (3,000), 25c-35c, 7 days. **Gross:** $7,900. (Average, $6,300)

"THE AWFUL TRUTH" (Col.)
"CRIMINALS OF THE AIR" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $13,500. (Average, $6,500)

Austria-Reich Film Deal Expires Dec. 31

WASHINGTON, Nov. 25.—The present film agreement between Austria and Germany will expire on Dec. 31, 1937, the office of the commercial attache at Vienna has advised the U. S. Dep't of Commerce here.

This agreement originally provided, among other things, that during the year 1937 an amount of 50,000 reichsmarks should be transferred monthly to the Austrian National Bank for payment to the Austrian film industry.

This amount was increased to 100,-000 reichsmarks monthly for the second half of 1937, and it is reported that payments are coming through regularly.

At the end of October, an Austrian delegation went to Berlin to negotiate for a new special agreement regarding transfers to the Austrian film industry in 1938.

The question of establishing an Austrian film chamber, which has been discussed for some time, is expected to be definitely decided upon in the near future.

Close Theatre in K.C.

KANSAS CITY, Nov. 25. — The Brookside, new 1,200-seat theatre opened early this year by W. D. Fulton and Stanley Schwartz, has been closed "permanently," according to officials of Mutual Theatres. Officials said operation had been unprofitable.

Sunday Shows Defeated

JACKSON, Tenn., Nov. 25.—By a vote of 716 to 463, citizens of Jackson defeated a measure to legalize Sunday pictures at hours which would not conflict with church services.

Pastry Publicity

Metro's latest publicity gag, directed, but not thrown, at trade papers Wednesday in view of Thanksgiving Day, was a large and slightly overworked custard pie, via Mrs. Wagner. The message which accompanied the tidy bit of slightly squashy pastry had reference to M-G-M's short subject lineup, vaguely worded.

There was no coffee with the pie.

Judell Is Planning 44 Films Next Year

CHICAGO, Nov. 25.—Plans for independent production have been disclosed by Ben F. Judell, Chicago exchange owner who plans to produce 44 pictures in Hollywood next year.

For the past 14 months Judell has been making plans for his production debut. He has organized the Progressive Pictures Corp. and has established offices in Hollywood. At the present time Judell is making a tour of the country to establish exchange contacts to handle his product. Judell owns five exchanges in the midwest and plans to open others.

"There will be six roadshow specials, eight westerns and 30 dramas," Judell said. "The pictures will be made by unit producers who will make from six to eight pictures a year. Studio space will be leased after the first of the year when production starts. I have several producers ready to start work after Jan. 1, with stories, casts and production plans entirely prepared."

Judell will leave the first of next week for New York to arrange for distribution there. He intimated he might start his own exchange there if necessary.

Judell is on exchange tour in the Middle West and is due in New York Nov. 26.

See Stage Shows as Trend in Australia

SYDNEY, Oct. 20 (*By Air Mail via London*).—Re-introduction of overseas headline vaudeville acts in picture houses is seen as a major development here for 1938. The Snider and Dean management has been experimenting successfully though spasmodically with "big-time" acts in its first run theatres for some time and is now on the lookout for suitable acts with which to extend the policy. Hoyts also is dickering for overseas talent, and Greater Union Theatres is unofficially interested.

Opinion among the circuit executives is that acts must be really top-notch to mean anything to the box-office.

Talk on G.N. Product

HOLLYWOOD, Nov. 25. — D. Russell Rankin, managing director, and L. C. Stevens, chairman of Action Pictures, Ltd., of Australia and New Zealand, are in town discussing distribution of Grand National productions in the Antipodes. They leave this week for New York to continue conferences with Grand National executives, headed by Edward Alperson.

"Truth" High In Dull Week In Washington

WASHINGTON, Nov. 25.—"The Awful Truth," in its third week, did $4,-900 at the Metropolitan, which exceeded average by $600, in a week in which first runs were extremely weak.

"Conquest," at Loew's Palace, took $16,400, topping average by $500. Although that is normally not a hold-over gross, the film was held. Loew's Columbia, with a return engagement of "Heidi," grossed $4,000, over the line by $400. The weather was fair, with occasional rain.

Total first run business was $59,-900. Average is $73,700.

Estimated takings:

Week Ending Nov. 17:

"MERRY-GO-ROUND OF 1938" (Univ.)
RKO-KEITH'S—(1,836), 25c-55c, 6 days. **Gross:** $5,000. (Average, 7 days, $10,600)

"HEIDI" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,000. (Average, first run, $3,600)

"CONQUEST" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,400. (Average, $15,900)

Week Ending Nov. 18:

"THE GREAT GARRICK" (W. B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Ted Lewis and orchestra, with complete show. **Gross:** $15,600. (Average: $18,400)

"STAND-IN" (U.A.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Al Trahan & Lady Yukona Cameron, Little Jackie Heller, Johnny Barnes, Lia Roun Chinese Troupe, Janette Hackett & Dancers. **Gross:** $14,000. (Average, $20,900)

"THE AWFUL TRUTH" (Col.)
METROPOLITAN—(1,591), 25c-40c, 7 days (continuation run, third week). **Gross:** $4,900. (Average, first-run: $4,300)

MGM Sets "Balalaika"

HOLLYWOOD, Nov. 25.—"Balalaika," London musical success by Eric Maschwitz, will be filmed by M-G-M with Nelson Eddy and Ilona Massey in the leading roles assisted by Ray Bolger, Edna May Oliver and Una Merkel.

Roach Signs Ed Sullivan

HOLLYWOOD, Nov. 25.—Ed Sullivan, newspaper columnist, has been signed to a long-term writing contract at the Hal Roach Studios.

Is Named Head Booker

KANSAS CITY, Nov. 25.—W. H. Gaffney, who has been with Warners 10 years, the last five as booker, has been made head booker to succeed Elmer Dillon. Dillon resigned last week to join the Glen W. Dickinson circuit as manager at Clinton, Mo. Chet Borg, brother of Russ Borg, Grand National exchange manager here, moves up to Gaffney's former post as booker.

Va. Censor Rejected Two

RICHMOND, Nov. 25. — The Virginia state censor rejected two features entirely and ordered 112 deletions during the fiscal year ended June 30, last, the annual report of the board indicated. The board showed a profit of $16,733, after all expenses, which compares with $14,-840 for the previous year. The gross intake was $35,443, the largest in the board's 15-year history.



The Sing-Swingiest
Girl in Hollywood
... Now flashes to her
fullest Star-Magnitude

THE NEW UNIVERSAL

presents

ALICE

FAYE

in

"YOU'RE A SWEETHEART"

with

GEORGE MURPHY · KEN MURRAY and his
stooge OSWALD · CHARLES WINNINGER
ANDY DEVINE · WILLIAM GARGAN
FRANCES HUNT · FRANK JENKS · CASPER REARDON

Screen Play by Monte Brice and Charles Grayson

Directed by **DAVID BUTLER**

Produced by **B. G. DeSYLVA**

CHARLES R. ROGERS

Executive Vice-President in Charge of Production

Songs and Music mostly by Jimmy McHugh and Harold Adamson

THE NEW UNIVERSAL PRESENTS



DEANNA

DURBIN

in "MAD ABOUT MUSIC"

HERBERT

MARSHALL

Directed by **NORMAN TAUROG**

Produced by **JOE PASTERNAK** who produced "3 Smart Girls" and "100 Men and a Girl"



with

EDGAR BERGEN

and his

CHARLIE McCARTHY



THE NEW UNIVERSAL

presents

IRENE DUNNE

in a Screen Play by

VINA DELMAR

who wrote "The Awful Truth"

A JOHN M. STAHL PRODUCTION



DANIELLE DARRIEUX

in

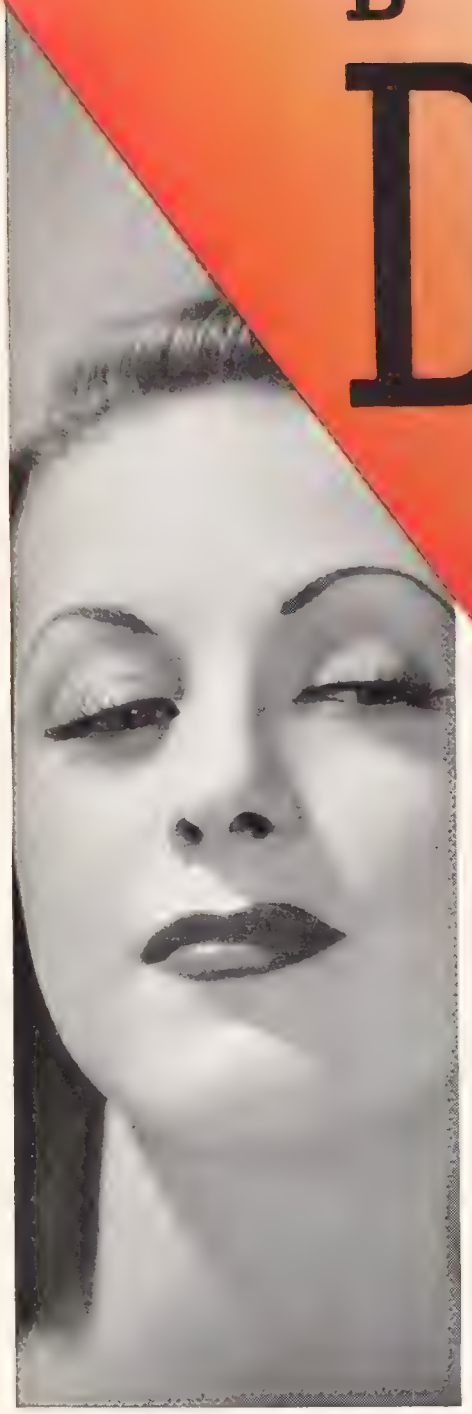
"THE RAGE OF PARIS"

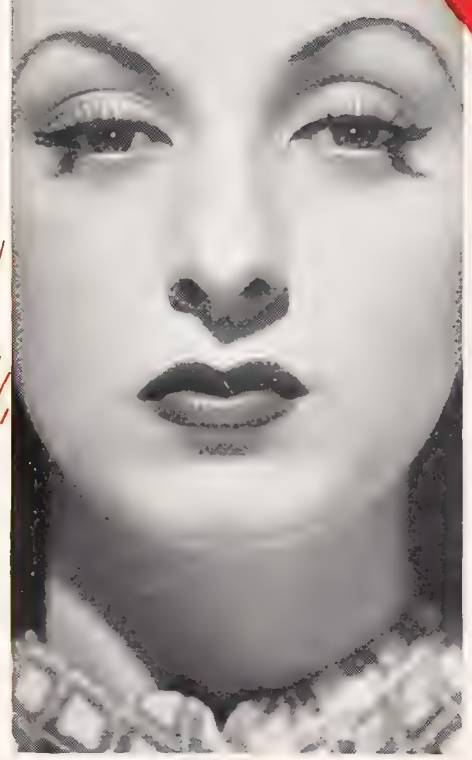
Directed by

HENRY KOSTER

who made "3 Smart Girls", "100 Men and a Girl"

Story by Felix Jackson





"She is unbelievably lovely"

N. Y. TIMES



PRINTED IN U.S.A.

"Ebb Tide" Is San Francisco High Grosser

SAN FRANCISCO, Nov. 25.—"Ebb Tide," dualled with "Expensive Husbands" at the Warfield, took top honors for the week here, grossing $17,000 to better average by $4,000, in a week of fair weather and not so fair grosses.

"Awful Truth" and "Man Who Cried Wolf," at the Orpheum, took second place with $11,000, over average by $3,000, while "Hurricane," on a road show at the Geary, went $2,000 over the $10,000 average. "Alcatraz Island" paired with "Adventurous Blonde," at the Fox, barely beat par by $400, taking $17,400.

Total first run business was $97,000. Average is $98,000.

Estimated takings:

Week Ending Nov. 16:

"HURRICANE" (U. A.)

GEARY — (1,400), 55c-87c-$1.10-$1.65, 7 days, roadshow. **Gross:** $12,000. (Average, $10,000)

"FIGHT FOR YOUR LADY" (RKO)

GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $15,500. (Average, $16,000)

"CONQUEST" (M-G-M)
"LOVE IS ON THE AIR" (W. B.)

PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 6 days, 2nd week. **Gross:** $8,500. (Average, $13,000)

Week Ending Nov. 17:

"ELEPHANT BOY" (U. A.)
"DARK JOURNEY" (U. A.)

EMBASSY — (1,400), 15c-35c-40c-55c, 7 days, 3rd week. **Gross:** $4,500. (Average, $6,000)

"ALCATRAZ ISLAND" (W. B.)
"ADVENTUROUS BLONDE" (W. B.)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $17,400. (Average, $17,000)

"AWFUL TRUTH" (Col.)
"MAN WHO CRIED WOLF" (Univ.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 4th week. **Gross:** $11,000. (Average, $8,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
"DANGEROUSLY YOURS" (20th-Fox)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 3rd downtown week. **Gross:** $5,100. (Average, $7,000)

"DEAD END" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 5th week. **Gross:** $5,000. (Average, $7,000)

"EBB TIDE" (Para.)
"EXPENSIVE HUSBANDS" (W. B.)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $17,000. (Average, $13,000)

Week Ending Nov. 19:

"ORPHAN BOY OF OLD VIENNA" (Vienna Films)

CLAY—(400), 15c-35c-40c, 7 days, 2nd week. **Gross:** $1,000. (Average, $1,000)

RKO Set in Baltic

A contract covering distribution in Lithuania, Latvia and Esthonia has been closed by RKO Radio Films International, Ltd., with Ligo Film K/G. The new distributor replaces Lietfilmas, which formerly distributed the product in these territories.

Valadez Out of RKO

Alfonzo Valadez, manager of the Seville office of Radio Films, S. A. E., which is Radio's Spanish branch, has resigned. His successor has not been named.

Eisenberg Opens House

COLD SPRINGS, N. Y., Nov. 25.—Phil Eisenberg, who operates the Academy, Wappinger Falls, and the Lyceum, Red Hook, has reopened the Hudson, here.

"Breakfast," Waring Smash In Pittsburgh

PITTSBURGH, Nov. 25.—The combination of Fred Waring's Pennsylvanians on the stage and "Breakfast for Two" on the screen literally drained the town last week, getting $29,000 to establish a new house record for band shows at the Stanley. Its effect was felt by both the Penn and Alvin, where "Conquest" and "Ali Baba Goes to Town" were confidently expected to last two weeks but barely made the one-week grade.

The Fulton got back into the money again after several bad weeks, doing $6,700 with "Merry-Go-Round of 1938" and getting a holdover, while in six days "The Women Men Marry" and "Dance, Charlie, Dance" did fairly well at the Warner at $4,800.

Total first run business was $63,250. Average is $45,000.

Estimated takings for the week ending Nov. 18:

"ALI BABA GOES TO TOWN" (20th-Fox)

ALVIN—(2,000), 25c-50c, 7 days. **Gross:** $10,000. (Average, $6,500)

"MERRY-GO-ROUND OF 1938" (Univ.)

FULTON—(1,750), 25c-40c, 7 days, 1st wk. **Gross:** $6,700. (Average, $4,500)

"CONQUEST" (M-G-M)

PENN—(3,300), 25c-50c, 7 days. **Gross:** $12,750. (Average, $11,000)

"BREAKFAST FOR TWO" (RKO)

STANLEY — (3,600), 25c-60c, 7 days. Stage: Fred Waring's band. **Gross:** $29,000. (Average, $18,000)

"WOMEN MEN MARRY" (M-G-M)
"DANCE, CHARLIE, DANCE" (F.N.)

WARNER — (2,000), 25c-40c, 6 days. **Gross:** $4,800. (Average, for 7 days, $5,000)

"Conquest" Leads Houston, $11,000

HOUSTON, Nov. 25.—"Conquest," at Loew's State, was the real money maker in a week of good attractions. The picture had a take of $11,000. Average is $7,000. "The Awful Truth" playing five days of the second week made a good $5,000 at the Majestic. Average for seven days is $7,000. "Angel," playing at the Metropolitan, fell $1,500 under par, taking $5,500.

"Tobacco Road" played on the Majestic stage in three performances to standing room. Estimated take on the road show was $9,000.

Total first run business was $26,000. Average is $26,000.

Estimated takings for the week ending Nov. 18:

"THIS WAY PLEASE" (Para.)

KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $2,600. (Average 7 days, $5,000)

"LONDON BY NIGHT" (M-G-M)

KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,900. (Average 7 days, $5,000)

"CONQUEST" (M-G-M)

LOEW'S STATE (2,700), 25c-50c, 7 days. **Gross:** $11,000. (Average, $7,000)

"THE AWFUL TRUTH" (Col.)

MAJESTIC (2,250), 25c-50c, 5 days, 2nd week. **Gross:** $5,000. (Average 7 days, $7,000)

"ANGEL" (Para.)

METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $5,500. (Average, $7,000)

Form Service Company

PORTLAND, Nov. 25.—H. McLeod, formerly manager of National Theatre Supply, and Bill Stober have organized Theatres Utilities Service here.

Insiders' Outlook

(Continued from page 2)

straw in the wind," we brashly conclude he includes MOTION PICTURE DAILY. That, after all these months, seems to call for, if it does not make it necessarily so, a policy explanation again. This publication is active in reporting radio for a reason, simple and clear. The affinity has been growing, not entirely to the film industry's best interests. But growing it is and the weaving, in and out, of the one entertainment form with the other, makes it obvious that to completely report developments in films there also must be reported the highlights in radio which bear upon the other. . . .

Accept Kromocolor Bid

PATERSON, Nov. 25.—The tentative bid of $60,000 for the Kromocolor Laboratory at Paramus by Border Realty Co. has been finally accepted by the court, no other offers having been presented for Vice-Chancellor Vivian M. Lewis to consider. Title will pass to the new owners on Nov. 30.

Brandt Ordered to Appear

Harry Brandt, president of the I. T. O. A., and John Manheimer, one of the secretaries, were ordered by Justice Aaron Steuer in the N. Y. Supreme Court on Wednesday to appear for an examination before trial on Nov. 29 in connection with the suit of the Gotham Amusement Corp. and six other independent theatre owners against the Allied M. P. Operators' Union, Local 306 and the I. T. O. A. to set aside the Jan. 29 contract between the unions and I. T. O. A.

Lose Infringement Case

TORONTO, Nov. 25.—Twentieth Century-Fox and Famous Players Corp., Ltd., have been ordered to pay to an English publishing house $1,046.35 for infringing on the copyrighted title of a 45-year old song, "The Man Who Broke the Bank at Monte Carlo," written in 1892.

Mannix En Route East

CHICAGO, Nov. 25.—Edgar Mannix, Spencer and Mrs. Tracy and Howard Strickling passed through here yesterday en route to Boston with the body of Mrs. Mannix, who died following an automobile accident in California last Saturday. Mrs. Mannix will be buried tomorrow in Somerville, Mass.

20th-Fox Dividends Set

Twentieth Century-Fox has declared a quarterly dividend of 37½ cents a share on outstanding preferred stock, payable Dec. 15 to stockholders of record Dec. 3. A dividend of $1 per share has also been declared on the common stock payable on the same date.

Fieltz Recovering

HOLLYWOOD, Nov. 25.—Wylann Fieltz, Paramount makeup artist, is recovering from an emergency operation for a ruptured appendix performed on Tuesday.

"Wedding" In First Place In Cleveland

CLEVELAND, Nov. 25.—With nearly everybody in town going to the Auto Show to see and hear Dick Powell and Joan Blondell who accompanied the star in an unofficial capacity, the theatres managed to get by with close to normal business.

"Double Wedding" at Loew's State shot into first place with $20,000. This is $5,000 better than average. Pictures moved to the Stillman for another week downtown. "The Awful Truth" for the fourth week at Warners' Lake, took $3,000, where $2,500 is average.

"It's Love I'm After" also went over the goal line at Warner's Hippodrome to score $500 better than the average $12,000. A second week at the Allen follows the opening week at the Hippodrome. "Hold 'Em Navy" at Loew's Stillman finished with a par gross of $4,000.

The weather was stormy, with the first heavy snow of the season. The Auto Show played to biggest crowds in its history. And Maurice Evans played to SRO business at the Hanna in "Richard II."

Total first run business was $61,000. Average is $61,500.

Estimated takings for the week ending Nov. 19:

"ALI BABA GOES TO TOWN" (20th-Fox)

ALLEN—(3,000), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $5,500. (Average, $6,000)

"DOUBLE WEDDING" (M-G-M)

LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $20,000. (Average $15,000)

"HOLD 'EM NAVY" (Para.)

LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days. **Gross:** $4,000. (Average $4,000 for B pictures)

"ALCATRAZ ISLAND" (F. N.)

RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: James Melton. **Gross:** $16,000. (Average, $20,000)

"IT'S LOVE I'M AFTER" (W. B.)

WARNERS' HIPPODROME—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $12,500. (Average, $12,000)

"THE AWFUL TRUTH" (Col.)

WARNERS' LAKE—(800), 30c-35c-42c-55c, 7 days, 4th week. **Gross:** $3,000. (Average, $2,500)

Fawcett, Paramount In Publicity Tieup

The Fawcett Publications, publishers of the magazine, *True Confessions,* will join with Paramount in an exploitation campaign for the Carole Lombard-Fred MacMurray co-starring vehicle, "True Confession." Playdates in local theatres throughout the country will be featured in Paramount exploitation material while simultaneously the Fawcett magazines will conduct an advance publicity campaign for the film.

"True Confession" will be released nationally during Christmas Week.

Plan Warner Parties

Warner social organizations are planning two parties for the near future. On Friday, Dec. 17, the Brooklyn unit of the Warner Club will hold a Grand Masque and Civic Affair at the Hotel St. George and on the following day the Warner Club will hold its annual Christmas Kiddie Party at the home office club rooms.

Broadcasting Probe Deferred to January

(Continued from page 1)

vestigation was favorably reported by the Interstate Commerce Committee last session and is on the Senate calendar.

In the House, similar resolutions are pending before the rules committee, which has consistently refused to give them favorable consideration and which is expected to maintain its attitude of opposition through the current session, at least.

"Actor" Series NBC Sustaining Feature

Haven MacQuarrie's "Do You Want to Be an Actor?" series, formerly heard on the networks under Chase & Sanborn sponsorship, will return to the air this Sunday as a sustaining feature.

The series will be offered over the NBC-Red web at 10:30 P.M., and will originate in the Radio City studios.

20th-Fox Asks Details

A breach of contract action filed by Rockie Prod., Inc., against 20th Century-Fox was revealed in the N. Y. Supreme Court on Wednesday when the film company filed a motion for a bill of particulars. The plaintiff alleges that a contract was made in May for a series of 26 weekly broadcasts to be known as "Morning Matinee." The film company allegedly agreed to furnish five minutes of the sound track from a current picture without charge. It is alleged that the plaintiff agreed to find sponsors who would arrange a full half-hour broadcast. The amount sued for was not given. The defendants' motion will be heard on Dec. 7.

Song Writer Sues Ascap

Ira B. Arnstein, a song writer who has been picketing the local Ascap offices, filed suit in the U. S. District Court on Wednesday against Ascap, the Music Publishers' Protective Ass'n, the Song Writers' Protective Ass'n, NBC, CBS, Warners and various music publishers and song writers. He asks that Ascap be compelled to admit him to membership and to pay his alleged share of all fees collected and that music publishers who allegedly have pirated his songs be compelled to account for the profits. He filed suit without the aid of an attorney.

Files Suit Against KVOO

TULSA, Okla., Nov. 25.—David Fowler, district president of the United Mine Workers of America, has filed suit in District Court here against the Southwest Broadcasting Corp., operators of KVOO, seeking judgment of $273.02, alleging breach of contract. The petition charges the station cancelled his scheduled address on Nov. 14.

Elmer Dressman to Marry

CINCINNATI, Nov. 25.—Elmer H. Dressman, continuity editor of WCKY, is in Miami, where he will be married Saturday to Miss Sidney Christie. They will spend several weeks in Miami Beach and Havana before returning to take up residence in Covington, Ky.

Radio Personals

IRVING REIS, CBS producer, off to Chicago on a short business trip. He sails for Hollywood Dec. 18 to launch himself as a writer for Paramount . . . Dr. James Angell, NBC education counsellor, returned from an extended European visit aboard the *Manhattan* yesterday . . . Lou Little will have as his guest on Mutual tonight Stanley Woodward, the *Herald-Tribune* sports writer.

✚

Jim Sauter of Airfeatures, Inc., and producer of the Philadelphia Orchestra series for a group of banks, is reaping credit in the trade for putting on an operatic broadcast, unusual on a sponsored program because of the heavy quality of the music. The broadcast clicked well . . . Lawrence Tibbett will make his first radio appearance of the season when he sings on the Ford program Dec. 5 . . . Geraldine Nickson, formerly of the U. S. Trade Mark Ass'n, has joined the Mutual program department, succeeding Martha Juley, who will work for Phil Lord . . .

✚

Fernando Germani, Italian virtuoso, will make his American appearance for the first time when he plays as soloist with the Philadelphia orchestra, Monday . . . Louise Fazenda and Basil Rathbone will be on the "Seein' Stars" show Sunday.

✚

Des Moines Town Pump

DES MOINES, Nov. 25.—Bud Roberts, cowboy violinist, has returned to WHO as a member of Al Clauser's "Oklahoma Outlaws" . . . Lyle Flanagan, head of WHO's continuity department, has been elected president of the Des Moines poetry society . . . H. R. Gross, news editor of WHO, is the father of a baby boy . . . The Morton Salt Co., Chicago, has opened a series of musical broadcasts over WHO. The quarter-hour programs are broadcast at 6:45 A.M. on Tuesdays, Thursdays and Fridays. Agency, Wade Advertising Co., Chicago.

✚

Montreal Town Pump

MONTREAL, Nov. 25. — Madam Pierre Casgrain's program, "Femina," comprised of songs, instrumental music and a French sketch, which was heard over CBM, has shifted its spot from 8 P. M. Mondays to 9 P. M. Fridays. It will probably be shunted to station CBF shortly. . . Ferdinand Biondi, announcer at CKAC, has been made program producer of that station and assistant to Program Director Yves Bourassa. . . George Young's "National Sing Song," which this fall toured the Maritime after successful seasons at Toronto and in the west, will end its series shortly in Montreal. Station CBM will handle it here in a few weeks. . . Two new bilingual announcers, Pierre Normandin and Alain Gravel, have been added to CKAC staff and Flavius Daniel has been attached to the traffic department of that station.

✚

Oklahoma City Town Pump

OKLAHOMA CITY, Nov. 25.—Wayman Ramsay, program director, is now coordinating departmental activities at KOMA, directing traffic sales and program production . . . Winifred Ramsey has been placed in charge of stenographic copying of all radio continuity at WKY. Maxine Clark has been promoted to front information desk evening and Billie Speed presiding at desk on Sundays at WKY . . . The Oklahoma City advertising club recently unanimously recommended Neal Barrett, KOMA general manager, as southwestern regional vice-president of the Advertising Federation of America, a newly created office . . . Lee Norton, first rank vocal artist, now is entertaining WKY listeners at 12:30 every afternoon, Monday through Friday for Approved Laundries of Oklahoma City. He has made records for Victor and Decca . . . Sybil Wharton, KOMA traffic department, is on the sick list . . . Wilbur S. Lukenbill, KOMA production manager, was married to Marjorie Eslick . . . Wayman Ramsay, KOMA program director, just celebrated his fourth wedding anniversary.

✚

Omaha Town Pump

OMAHA, Nov. 25.—Lon Lawrence, formerly connected with the Iowa network, is now on the KOIL announcing staff . . . Luana Search, KOIL typist and PBK operator, has left for New York and Washington on a three-week vacation . . . KOIL has started tearing down the old 135-foot twin towers at the Hilltop transmitter in Council Bluffs. Burt Davis, transmitter engineer, is directing the demolition . . . R. Bruce Wallace, promotion manager for the Central States Broadcasting System, now operates a speakers' bureau as a free service for Nebraska gatherings.

✚

San Francisco Town Pump

SAN FRANCISCO, Nov. 25.—After 10 years at NBC here, Helen O'Neill former head of Artists' Service, more recently in production, has been released . . . Alex Petry of NBC's music library, New York, has been transferred here to head the same division at KPO-KGO, replacing Russell McNeill . . .

Renew Oil Company Air Show Over KPO

SAN FRANCISCO, Nov. 25.—Signal Oil Co.'s "Carefree Carnival," a half-hour variety show, has been renewed for 52 weeks on KPO and 11 western stations of the Red network.

Cardinet Candy Co.'s "Night Editor," a narrative show with Hal Burdick, has been extended 13 weeks over the same chain.

Other new NBC accounts here (all on KGO) include Railway Express Agency, Oxo, Ltd., E. Foukera, Drackett Co., Stewart-Elliott, RCA.

Humphrey Signs for New Mutual Program

The Humphrey Co. has signed for a new Mutual network program, starting Nov. 28. The series will be offered three times weekly, Sundays from 11 to 11:15 A. M., and Wednesdays and Fridays from 9:45 to 10 A. M.

Featured will be Martha and Hal, and Andy Sanella's orchestra. The network will include WFIL, WBAC, WGR, WNAC, WSPR, WSYR, WNBF and WOR. Biow & Co. is the agency.

General Motors to Cancel Radio Shows

General Motors will not renew contracts for the programs broadcast in behalf of Chevrolet, Pontiac and Oldsmobile. The Sunday night institutional "Good Neighbor" series will be canceled also, it has been learned.

The Chevrolet program cancellation refers to the "live" Sunday night offering on CBS. The transcribed "Melody Moments" Chevrolet broadcasts will be continued. The Pontiac program is the "Varsity Show" now broadcast over NBC, while the Oldsmobile show is transcribed.

The General Motors Concerts will end Dec. 26. The expiration dates for the other programs have not been definitely determined, but they will not go beyond their present contractual commitments. The Campbell-Ewald agency handles all the above accounts.

To Air Christmas Party

HOLLYWOOD, Nov. 25.—Mutual nationally and KHJ, its affiliate here, as well as KFWB locally, will air the opening Saturday of "Santa Claus Lane," which will be Hollywood Boulevard decorated in Christmas clothes by the merchants. Among the personalities assisting in the festivities of the annual event will be Charlie McCarthy, Joan Blondell, Bobby Breen, Bob Burns, Frances Dee, Florence George, Sheriff Eugene Biscailuz, Tom Mix, Buck Jones, Lewis Stone, Leo Carrillo, Gene Autry. The parade starts at 7:30 P. M., P. S. T.

Pollock Joins CBS Show

Channing Pollock's talks and the music of Mark Warnow's orchestra will become new features of the afternoon portion of the Heinz "Magazine of the Air" program over CBS effective Dec. 2. The broadcast is from 3:30 to 4 P. M. The morning Heinz program, "Carrol Kennedy's Romance," will remain unchanged. Maxon, Inc., is the agency.

Sign for Christmas Series

SAN DIEGO, Nov. 25.—Sears Roebuck & Co., has been signed by John Babcock of KFSD, local NBC-Blue outlet, to sponsor 15 Christmas programs, effective immediately. The series is a five-minute script show, titled "Santa Claus" and features Fritz Fields.

Houdini Life on Air

A dramatization of the life of the late Harry Houdini will be offered by WPA Radio Project players on WBNX Saturday evening at 8:15 P. M. The production was directed by Vernon Radcliffe.

Special Web for "Experience"

The "Voice of Experience," it develops, will not broadcast over the Mutual network, but instead will be heard over a special network of stations devised by the Mutual sales department.

Vapex Show Adds WGN

"Let's Play Games," sponsored by the Vapex Co. and currently broadcast Fridays over WOR and WAAB, will add another Mutual station, WGN, for the broadcast of Jan. 7 and thereafter.

Radio

CBS to Be Agent on Jaffe Coast Shows

Under the terms of a contract signed Wednesday, CBS will become the selling agent in the cast of radio programs written, cast and produced by the Sam Jaffe agency of Hollywood. The Jaffe organization is one of the largest talent agencies on the west coast, having under contract many well known screen and radio players, writers and producers.

Jaffe radio programs already completed and available to sponsors are "Hollywood News," "Candid Camera of the Air," "Radio Fashion Previews," "Behind the Date Line," with Alan Dinehart, and "After Such Pleasures," with Dorothy Parker.

Cites New Sales Approach

SAN FRANCISCO, Nov. 25.—A new slant on future radio sales was given 300 radio dealers of Oakland by Phillip G. Lasky, manager of KSFO here, at a general "Christmas sales campaign" meeting. Lasky urged dealers to become better acquainted with broadcasters, so they can "sell entertainment" as well as radio sets.

"Forget tubes and condensers. Sell your customers drama, comedians, symphonies," said Lasky.

More Accounts to WCKY

CINCINNATI, Nov. 25.—New accounts on WCKY include a Christmas series for Alms & Doepke Co. starting Dec. 1, a direct contract; Charles E. Smith & Sons, 26 programs "News for Executives"; Lawrenceburg Roller Mills, 100 spot announcements, direct; Nu-Enamel Stores, 300 announcements, direct, and Kentucky Sales & Service Co., 104 quarter-hour programs, direct.

WFBM Has Mobile Unit

INDIANAPOLIS, Nov. 25.—A new mobile unit, mounted in a truck and using a Gates transmitter, RCA and other equipment, has been placed in service by WFBM here. Included in the equipment is a recording device enabling the roving announcer and engineer to pick up interviews and other material for use at will.

Wester Resigns from NBC

CHICAGO, Nov. 25.—Carl Wester, veteran NBC sales representative, has resigned and will form his own producing company here. The new firm will be known as Carl Wester & Co. and will produce radio shows. While at NBC Wester handled many of the company's largest accounts.

Place New Sport Program

PROVIDENCE, Nov. 25.—Consolidate Cigar Corp., has placed a 15-minute program of sports news, "Views, Reviews and Previews" over WJAR. Arthur Markey, local commentator, is featured. Erwin Wasey & Co., of New York, placed the contract.

Charter Texas Company

KILGORE, Tex., Nov. 25.—Oil Capitol Broadcasting Ass'n, capitalized at $15,000, has been chartered here. Incorporators were James G. Ulmer, Roy G. Terry and Tom E. Foster.

Three CBS Officials To Address Teachers

Three CBS executives, headed by President William S. Paley, have accepted invitations to address the second National Conference on Educational Broadcasts at Chicago, Nov. 29 to Dec. 1. The other two speakers are Arthur T. Jersild of Columbia University, who is CBS consultant on children's programs, and Irving Reis, producer of the "Workshop" series.

In addition to the above speakers, CBS will be represented at the conference by Vice-President Fred A. Willis, Dr. Frank L. Stanton, Sterling Fisher and Eloise Daubenspeck.

New "Vox Pop" Show Clicks

PHILADELPHIA, Nov. 25. — With Philadelphia's Arcadia-International Restaurant as a locale, the A. Schoenhut Co. is using a twist of the familiar "vox pop" interview broadcast to introduce its new "Fan Tel" game in a series over WFIL. Each day, during the luncheon rush, James Willard, local radio "em cee," aided by Don Martin, announcer, circulates among the tables, quips with diners and inveigles them into a game of "Fan Tel." On the air three weeks now, the show nearly died the first week because of the frostiness of the diners. The chill has worn off since, and now the idea is the talk of the town, with the patrons accepting it as a highlight of the floor show. The program has developed into a real novelty, so much so that the Schoenhut Co. plans to center a big exploitation campaign around its "Arcadia Interviews."

Wire Rules Aid Reception

OKLAHOMA CITY, Nov. 25.—Rural radio listeners in Oklahoma will get a "break" for clear reception under a new set of regulations adopted this month by the State Corporation Commission on the installation of electric, telegraph and telephone lines and equipment. The regulations outline general rules for companies to follow so as to eliminate much outside interference in radio reception. The growth of rural electrification prompted the commission to draw up the regulations.

Montreal to Have Short Wave

MONTREAL, Nov. 25.—Broadcasts from Paris are to be made available to short wave listeners in Montreal and eastern Canada shortly by the opening of a new transmitter at Essarts-le-Roi, just outside the French capital. Experimental broadcasting has started and tests are bearing on a frequency range. Call letters for the new post are TPB (1-16), frequencies range from 21,490 to 6,040 kilocycles and wave lengths from 13.96 to 49.66.

Young Returns to WOL

WASHINGTON, Nov. 25.—Frank W. Young, for many years announcer at the American Broadcasting Co.'s station WOL, the now Mutual outlet locally, will return to that station after a year's absence, as announcer and staff pianist.

Warners' Net For Year Is $5,876,182

(*Continued from page* 1)

year ended Aug. 28, it was pointed out.

Current and working assets are listed at $28,213,963.80; net current assets of subsidiaries operating in foreign territories having exchange restrictions, $214,558.90; investments in affiliated companies, $1,572,429.91; fixed assets, $135,877,157.84; other assets, $2,233,265.98; deferred charges, $1,133,726.98; goodwill, $8,299,502.97.

Current liabilities, which include notes payable to banks and others, $23,099,815.18; net current liabilities of subsidiaries and branches operating in foreign territories having exchange restrictions, $49,025.53; funded and other long term debt, $73,392,221.22; deferred credits, $1,960,736.56; reserve for contingencies, $1,270,000; proportion of capital stock and surplus of subsidiary companies applicable to minority stockholders, $238,913.87; capital, represented by 7,500,000 shares of common stock of $5 par value, 103,107 shares of no par preferred stock and outstanding common and preferred stock without deducting shares held in the treasury, $77,533,894.02.

Deficit Decreased

The deficit of the company as of Aug. 28 was $4,188,0+4.47 as compared to $10,469,148.15 for the year ended Aug. 29, 1936.

Net income for the fiscal year ended Aug. 28, last, was $16,718,576.56. Deductions for amortization and depreciation of properties, other than $991,453.13 in respect to studio properties charged to film costs, was $4,772,132.11. Interest expense is listed at $4,573,743. Provision for investments in affiliated companies is down at $290,874.24 and provision for contingencies is listed at $200,000.

Interest and discount earned amounts of $251,122.42; dividends received, $237,473.93; additional proceeds under settlement made in 1934, $44,400; miscellaneous income, $27,484.78.

Profit before minority interests' share of profits and losses and Federal income taxes amounted to $7,442,308.34. The net proportion of loss applicable to minority stockholders, $3,874.61. Provision for Federal income taxes, including normal income taxes of $1,260,000 and surtaxes on undistributed profits of $310,000 totaled $1,570,000.

Capital surplus of Warners for the 12 months ended Aug. 29, 1936, was $56,774,518.66. This compares with $57,044,330.74 on Aug. 28, 1937.

Filmarte Starts Poll

The Filmarte, here, is conducting a questionnaire survey among patrons to determine preferences, comparisons with American product, value of reviews, language interference with enjoyment, if any, and similar reactions among audiences of foreign films.

Rogers Wed 25 Years

BALTIMORE, Nov. 25.—Martin H. Rogers and Mrs. Rogers celebrated their silver wedding anniversary today. Rogers operates the Casino.

"Zola" Starts Big At Popular Prices

After garnering $239,000 in 12 weeks at two-a-day prices at the Hollywood, "The Life of Emile Zola" opened at the Strand Wednesday with a take of approximately $8,000 for the day. The picture is definitely set for two weeks and is expected to be held a third. At 2:15 P. M. Wednesday, the gross was $3,000. Byron F. (Dinty) Moore has decided on eight shows a day for the first week at popular prices.

"Hurricane," in its second week at the Astor, finished with $15,800. For the last 11 days of "52d Street" at the Rivoli, the tally was $22,000. "Murder on the Diamond" took in about $7,500 at the Rialto and "Night Club Scandal" ended a week at the Criterion with $4,500. "Live, Love and Learn" at the Capitol got about $20,000.

Article on Warners In December Fortune

A study of the Warner Brothers, as individuals, and as their personalities are reflected in the business they built up into one of the leading companies in the industry, is a feature of the December issue of *Fortune*, out today.

The history of the company, as well as personal histories of the three brothers who operate the business, and the late Sam Warner, who was one of the founders, are included.

Pablo Colon, Editor Of 'Teatro', Is Dead

(*Continued from page* 1)

in New York. He was an executive in the media department of the New York office of Lord & Thomas at the time of his death.

Teatro Al Dia being a quarterly publication, Colon retained his position with Lord & Thomas with whom he has been associated the past 12 years, upon being appointed editor of that new member of the Quigley group early in 1936. The first issue was published in July of that year and under his editorship immediately won enthusiastic response from theatre operators of the Spanish-speaking countries.

In Puerto Rico, Colon's family has long been identified with the sugar industry and a sister is mayoress of a small municipality near the city of his birth. The remains, according to plans immediately following his death, will be sent there for burial beside his mother.

In addition to his relatives in Puerto Rico, Colon is survived by his widow and three children—Adele, 12 years old; Paul, 10, and Emile, 15 months.

Hold Rites for Meanley

RICHMOND, Nov. 25.—Funeral services were held here Wednesday for Blair Meanley, 67, identified with the Jake Wells circuit for several years, who died after an illness of several months.

Approve Sunday Films

IRETON, Ia., Nov. 25.—Sunday films were approved here by a vote of 164 to 116 in a special election called by the City Council. The matter had been in dispute for a long period.

See Approval Of RKO Plan By January 1

(*Continued from page* 1)

was denied by Alger in his final report, indicated on Wednesday that he would carry his fight to Judge Bondy and, possibly, to the U. S. Circuit Court of Appeals.

Moreover, Joseph M. Cohen, attorney for George L. Schein, an RKO common stockholder, declared that he would oppose the plan before Judge Bondy on the ground that better provision should be made for common shareholders than that now made in the plan. Common stockholders receive one share of new common for every two shares of old under the plan.

Opposition from these sources possibly could delay consummation of the plan but its confirmation prior to Jan. 1 still would be discretionary with Judge Bondy.

The Atlas Corp. order submitted on Wednesday by H. C. Rickaby, counsel, provides that the amendments to the plan proposed by Alger will be mailed to creditors and security holders whose consents to the plan already have been received. In the event their consents have not been withdrawn by Dec. 16, all such creditors and security holders shall be deemed to have assented to the plan in its amended form. All of the major creditors, such as the principal bondholders' and stockholders' committees, Rockefeller Center, Atlas Corp. and Lehman Bros. whose assents to the plan constitute a sufficient number to permit its confirmation, indicated on Wednesday that they will not oppose the proposed amendments.

Alger Suggests Amendments

Only four principal amendments have been suggested by Alger. They are, that stockholders be given prior right, rather than general creditors, to subscribe for any additional common stock which may be issued for additional working capital or other authorized purposes; that cumulative voting for members of the board be employed in order to provide representation for minorities, and that it be optional with the company whether three-year sinking fund provisions for retirement of debentures be left intact.

Arrested for Bank Night

NEWARK, O., Nov. 25.—Frank King, manager, and Joseph Hockenberry, assistant, of the Midland, a Shea unit, were arrested and held under $100 bond each to appear in Municipal Court for operation of Bank Night. They are charged with violating an anti-gambling order issued last July by Common Pleas Judge Slabugh.

Halt Florida Bank Night

SANFORD, FLA., Nov. 25.—The operation of Bank Night at the Ritz, here, was halted when operatives of the county sheriff's office seized all the material connected with the chance game at the theatre. It was contended the game is in violation of gambling laws.

Agnew Will Address Allied Ohio Meeting

(*Continued from page* 1)

board and general counsel of Allied; Nathan Yamins, Allied president, and Walter Mitchell, member of the Ohio tax commission, are also scheduled to address the conference. Allied delegates are expected at the meeting from western Pennsylvania, West Virginia, Kentucky, Michigan, Indiana and Ohio. Non-members are also invited to attend with the association promising in its general bulletin issued today over the signature of P. J. Wood, secretary of the I.T.O. of Ohio, that "there will be no appeal for dues or other funds."

Martin G. Smith of Toledo, regional vice-president of Allied, will preside at the meeting. The first business session of the conference will be held Dec. 7, and the annual banquet will be held that night with Gov. Davey of Ohio scheduled to attend. A meeting of the board of directors of the Ohio organization will be held Dec. 6. In addition to an elaborate entertainment program scheduled for the three-day session, there will be theatre equipment exhibits and displays of theatre building and remodeling materials.

Leading Spirit

Southbury, Conn., Nov. 25.—Neil F. Agnew, vice-president of Paramount, Inc., and one of the leading citizens of this town, has been the moving spirit in protesting the establishment of the proposed Camp Gen. von Steuben by "friends of new Germany" in the town.

Out Hollywood Way

HOLLYWOOD, Nov. 25.—Shooting on "Arsene Lupin Returns" at M-G-M has been re-routed because of the illness of MELVYN DOUGLAS. . . . IRVING RUBINE, who was associated with BOB TAPLINGER in his radio publicity organization, has joined the Warner studio publicity staff. . . . All of CAREY WILSON'S future shorts at M-G-M will carry the subtitle "What do you think?" . . . "Swiss Cheese," Laurel and Hardy feature, gets under way Jan. 2 as the first under STAN LAUREL'S new contract . . . ED SULLIVAN, columnist, has been signed to a term writing contract by HAL ROACH. He will do film work in addition to the syndicate . . . JON HALL, accompanied by JOHN PEERE MILES, SAMUEL GOLDWYN publicist, has left this week for a trip through the country . . . *Radio Guide* and *Screen Guide* readers will be asked to write additional lyrics for "Hooray for Hollywood," song featured in "Hollywood Hotel" in a contest to exploit the Warner musical . . . JOAN BLONDELL gets the top spot in Warners' "Men Are Such Fools," originally announced for BETTE DAVIS . . . BARBARA RUTH ROGERS, under Paramount contract, from Spokane, has arrived in town. . . .

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ELEANORE WHITNEY has left for Cleveland and a vacation . . . The next JACK HOLT film LARRY DARMOUR will produce for Columbia will be "A Dangerous Affair." LEWIS COLLINS will direct. . . . HARRY SAUBER'S second production for Republic will be "Outside of Paradise," starting this week with PHIL REGAN and DOROTHY MCNULTY, borrowed from Warners, in the top spots. JOHN AUER will direct the original screenplay written by SAUBER. It was formerly titled "Mavoureen." Although Warners announced plans for DOROTHY MCNULTY to change her screen name to PENNY SINGLETON, the actress will be billed as DOROTHY MCNULTY in this . . . Another picture based on pure food and drug laws, of which heretofore there were four, is Republic's "Legal Murder," being written by CARLTON SAND . . . By borrowing MARY ASTOR from Columbia, M-G-M has completed the casting of principals for "Three Men in the Snow." Other players are FRANK MORGAN, ROBERT YOUNG, FLORENCE RICE, REGINALD OWEN and EDNA MAE OLIVER.

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Casting — BARNETT PARKER to "Love Is a Headache," M-G-M. . . PHYLLIS KENNEDY in "Vivacious Lady," RKO. . . HARRIET HILLIARD, LUCILLE BALL, GORDON JONES, PARKYAKARKUS and BRADLEY PAGE to "Broadway After Midnight," RKO. . . FRANK MORGAN to "Three Men in the Snow," M-G-M. . . JOHN BARRYMORE gets his sixth consecutive role at Paramount in "Bulldog Drummond Interferes." . . HARRY OWENS and his Royal Hawaiian orchestra in "Night Spot," Paramount.

Complete cast of Monogram's "Telephone Operator" is GRANT WITHERS, JUDITH ALLEN, ALICE WHITE, WARREN HYMER, PAT FLAHERTY, GRETA GRANDSTEDT and WILLIAM HAADE. . . JOHN CARRADINE, screen villain, has been borrowed by M-G-M from 20th Century-Fox to portray Abraham Lincoln in "Benefits Forgot." . . GAIL PATRICK in "Dangerous to Know," ANNA MAY WONG feature. . . J. CARROL NAISH to "Her Jungle Love," Paramount. . . E. E. CLINE to "Arsene Lupin Returns," M-G-M. . . Warner placements: ALLEN JENKINS and MARCIA RALSTON to "Food for Scandal," ROBERT WARWICK to "The Adventures of Robin Hood," FRANK CRAVEN and SPRING BYINGTON to "Penrod's Double Trouble." . . LARRY DARMOUR has borrowed BEVERLY ROBERTS from Warners for the lead opposite JACK HOLT in "Dangerous Affair."

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Title Changes—"Too Much of Everything, Warners, has been retitled "Girls on Probation." . . M-G-M's "A Matter of Pride" is now named "Beg, Borrow or Steal." . . "A Family Vacation," M-G-M, is to be released as "Catch of the Season.

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Contracts—The contracts of IRVING RAPPER, dialogue director at Warners, has been extended. . . M-G-M has signed GALE SONDERGAARD to a term contract.

Retention of Ticket Levy Is Expected

(*Continued from page* 1)

of the present statute for introduction in Congress at the beginning of the regular session.

Should the present admissions and nuisance taxes be made permanent the effect of such action would be to relieve Congress of the necessity of extending the life of the taxes every so often, since it would offer no barrier to their repeal at any time the Administration felt that any or all of them were no longer necessary.

Report Doyle London Theatre Plan Is Off

(*Continued from page* 1)

have occurred which will preclude erection of the houses.

Doyle plans to sail Dec. 1 on the *Aquitania,* arriving in New York a week later. After a few weeks in New York he will head for the coast from where he will sail for Sydney, Australia.

Little credence is given here to reports Doyle will tie in with U.A. on a plan for the construction of new theatres in South Africa. It is understood U.A. is having difficulty selling the Schlesinger interests there. Loew's recently closed a deal for two Walter Wanger films in Johannesburg, but further than that U.A. is said to be having difficulty in disposing of its product in that country.

Hollywood Studio Is Awarded to Talisman

(*Continued from page* 1)

$4,500 due in rental from Feb. 6 to April 6, as ordered. With Talisman returning in charge, John L. Meehan again takes over his position as studio manager, and representative of L. A. Young, principal owner of the corporation.

A meeting of creditors of Hollywood Studios, Inc., has been called for Dec. 6. The Hollywood studio is operated as a rental lot, housing Monogram, Crescent and other independents.

Kincey Seeks Theatre

CHARLOTTE, N. C., Nov. 25.—North Carolina Theatres, Inc., headed by H. F. Kincey, has been negotiating to buy the Criterion, here, to replace its State, the lease of which expires Jan. 1. A decision is expected shortly.

To Open House Christmas Day

ASHEVILLE, N. C., Nov. 25.—The Isis, new theatre in West Asheville, will be formally opened Christmas Day, according to Carl R. Bamford, of the Publix-Bamford Theatres, Inc.

Preview at Waldorf

Monogram will preview "Boy of the Streets," with Jack Cooper, at the Waldorf next Wednesday and will follow the screening with a luncheon. About 300 are being invited.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 126 NEW YORK, SATURDAY, NOVEMBER 27, 1937 TEN CENTS

Broadcasting Spending at $891,000,000

Includes $440,000,000 for Receiving Sets

By CLARENCE LINZ

WASHINGTON, Nov. 26.—The American public last year, directly and indirectly, spent $891,000,000 on broadcasting, it is revealed by an analysis of the industry just completed by the electrical division of the Dep't of Commerce.

The largest item in the total was $440,000,000, spent for the 8,000,000 receiving sets sold in 1936, while $150,000,000 was spent for electricity, batteries, etc., to operate the 33,000,000 sets in use.

Sale of time by broadcasters accounted for $114,000,000, it was said, and talent costs for the year aggregated $36,000,000.

Other items going into the $891,000,000 total were $75,000,000 for the servicing of sets, $45,000,000 for parts,

(*Continued on page 4*)

Additional developments in the field of radio yesterday on page 4.

Music Hall Thankful For "Sacred" Intake

"Nothing Sacred" chalked up a new Thanksgiving Day record for the Music Hall with a take of $21,400 on the day as compared to $20,100 for "Garden of Allah" last Thanksgiving Day. "Stand-In" finished a week at the theatre with $79,500. The Roxy on the last six days of a two-week run with "Second Honeymoon" tallied $33,000.

United Artists stated not only was a Thanksgiving Day record established for the Music Hall, but a new high

(*Continued on page 3*)

Film Council Plan Attacked in London

By AUBREY FLANAGAN

LONDON, Nov. 26.—A significant article, published today in the *Telegraph,* unofficial Government organ, criticized the alleged inadequacy of the plan for a Film Council as provided for the new Films Bill, and sponsored by Oliver Stanley, president of the Board of Trade.

Exhibitors are expected to fight the

(*Continued on page 2*)

Gross Tax Faces Chicago Theatres

CHICAGO, Nov. 26.—Chicago exhibitors are faced with a three per cent tax on gross receipts in place of the present license fees, if measures proposed by Alderman Roger Riley and Deputy City Collector George Lohman are approved by the City Council, which will meet Monday to discuss means of getting $1,000,000 in revenue instead of the $130,000 which is now received from license fees on theatres.

At a session last summer the council considered a plan for a similar tax but the idea was abandoned. Since then numerous plans have been discussed but none decided upon.

The theatre owners of the city intend a vigorous fight on the proposal to tax grosses or impose higher license fees. It is reported that if the tax plan is adopted the theatre owners will seek the return of chance games. It is rumored that the city may license various games of skill like Screeno as a method of raising revenue.

RKO Southern Sales Heads Meet Sunday

Southern division branch managers of RKO will hold a one-day meeting tomorrow at the Peabody Hotel, Memphis, with Cresson E. Smith, western and southern sales head, and Herb McIntyre, southern district manager, conducting the session. Smith left for Memphis last night.

Attending the meeting will be the following branch managers; H. M. Lyons, Atlanta; S. M. Sachs, Dallas; R. C. Price, Charlotte; C. W. Allen, Jacksonville; P. M. Baker, Memphis; G. C. Brown, New Orleans; R. B. Williams, Oklahoma City.

$2.50 This Year

Twentieth Century-Fox is paying $2.50 in dividends on its common this year, as compared with $2 last year. Unheralded, the increase comes with routine announcement of a dividend declaration of $1 for the final quarter of 1937 in place of the customary declaration of 50 cents.

Kuykendall Suggests Meet Before Dec. 14

COLUMBUS, Miss., Nov. 26.—Ed Kuykendall, M.P.T.O.A. president, wrote to Harry Brandt, I.T.O.A. president, today, suggesting that the proposed meeting of exhibitor leaders to discuss means of obtaining distributor recognition for an industry trade practice program be held in New York prior to Dec. 14, the date suggested by Brandt. Kuykendall indicated a preference for a date between Dec. 8 and 11.

The M.P.T.O.A. president will be in Pinehurst, N. C., Dec. 6 and 7, for the convention of the I.T.O. of

(*Continued on page 4*)

Zukors Affected by Revised Settlement

Federal Judge Alfred C. Coxe yesterday authorized a change in the $2,150,000 settlement of former officers and directors of the Paramount Publix mismanagement suit brought by Charles D. Hilles, Paramount reorganization trustee. The amendment affects only Adolph Zukor and Eugene Zukor.

Under the arrangement Adolph

(*Continued on page 4*)

Warners Raise Kalmenson, Schnitzer Succeeding Him

In a realignment of the Warner sales staff by Gradwell L. Sears, general sales manager, Ben Kalmenson, eastern district manager, with headquarters at the New York exchange, has been promoted to western division sales manager, succeeding Herbert J. Ochs, it was learned yesterday.

Edward M. Schnitzer, eastern district manager for Republic, has resigned to join Warners in a similar post, starting Jan. 1. He will assume the duties of Kalmenson under Roy H. Haines, eastern division sales manager. Ochs, it was unofficially stated, will have one or two offices under his supervision in the shift.

Other changes in the field sales staff also are being made and will be announced in a few days. No successor to Schnitzer has been named by J. J. Milstein, general sales head of Republic, and none will be made until the first of the year, by which time the retiring district sales executive will clean up impending deals.

Schnitzer started in the business in 1922 when he worked at Commonwealth Pictures Corp. He remained

(*Continued on page 2*)

Capra Returns To Columbia; Dispute Ended

Will Withdraw His Suit To Invalidate Pact

HOLLYWOOD, Nov. 26.—In a brief, joint statement today from the Columbia studio, signed by Harry Cohn and Frank Capra, was disclosed the complete settlement of the differences between the two and the return to the studio of Columbia's ace producer.

The statement declared that all differences and the litigation arising therefrom have been completely and satisfactorily adjusted. Capra returned to the Columbia lot today and will withdraw the suit filed in Superior Court, Los Angeles, some time ago to invalidate the contract he held with the company.

The very brief studio announcement of the settlement made no mention of the picture will be the first on Capra's new schedule.

Several months ago, Capra sued, first in Hollywood and latterly in London, to abrogate his contract which had several pictures to go. The basis for the action was credited to "Lost Horizon" which the Columbia studio is said to have edited contrary to Capra's wishes and prior to its release.

New Long-Term Pact Reported for Mayer

HOLLYWOOD, Nov 26.—Louis B. Mayer, according to reliable sources here, will receive a new long-term contract as studio head at M-G-M. The pact, it is reported, will assure him augmented authority over Metro production.

Although official announcement of the new Mayer contract has not been forthcoming it is understood that details have been worked out to the entire satisfaction of both Mayer and Nicholas M. Schenck.

Skouras Off Monday On Regional Meeting

Spyros Skouras, operating head of National Theatres, will leave for the coast Monday for the first of a series of meetings with divisional operating heads of the circuit throughout the country. He will be accompanied by A. S. Gambee, Edward Zabel and John Healy.

The initial session will be held in Los Angeles next week with subse-

(*Continued on page 3*)

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Union Deal Closed For K. C. Theatres

KANSAS CITY, Nov. 26.—Felix Snow, I.A.T.S.E. representative for this district, has completed deals whereby members of the theatre employes' local will receive increases in wages, effective Dec. 1. Ushers will receive a minimum of 35 cents an hour, all other employes (excluding, of course, operators) an additional $2 a week. The contracts are with the first run Tower and Uptown, Fox houses; Midland, Mainstreet and Newman, and with the Fox Plaza, suburban run, and Fox Downtown, downtown subsequent.

Refused Union Writ

KANSAS CITY, Nov. 26.—The restraining order sought by Frank Mountjoy of the Circle here against Operators' Local 170, I.A.T.S.E., has been denied by Judge Brown Harris of the Circuit Court. Three weeks ago Mountjoy filed a lengthy petition in which he alleged that members of the union had threatened him and members of his family, that union pickets had been unpleasant to patrons, and that union officials had attempted to coerce him into hiring a union operator, union cashier, and others.

Warners Raise Kalmenson, Schnitzer Succeeding Him

(*Continued from page* 1)

at Commonwealth one year, joined Producers Dist. Corp., then moved over to the local 20th Century-Fox exchange as branch manager for Brooklyn and New York for eight years. His next job was with World-Wide as local sales manager, and on March 20, 1933, became New York manager for Columbia. Early last year he was appointed to the Republic post.

Kalmenson has been with Warners and affiliated companies for more than 10 years. He joined the First National branch at Pittsburgh in 1927 and later was made Albany manager. Then he was transferred to Omaha and Kansas City in similar posts, returning to Pittsburgh Jan. 1, 1932. On March 15, 1934, he resigned as branch manager for Warner-First National in Pittsburgh to become chief booker for the Warner string of theatres operated out of the Smoky City.

Early this year Haines promoted Kalmenson to eastern district sales head. The move followed shortly after Haines was elevated by Sears to eastern division sales head, a post he now holds.

Carl Leserman continues as assistsistant to Sears at the home office.

Schnitzer is widely known in the local territory. He is a brother-in-law of Sam Rinzler, partner of Louis Frisch in the Randforce circuit of more than 50 Brooklyn theatres.

Following the meeting with Kalmenson yesterday in connection with the Sears Sales Drive, Norman Ayers, Boston, R. S. Smith, Buffalo, and John Pavone, New Haven, returned to their territories.

Film Council Plan Attacked in London

(*Continued from page* 1)

move for an independent commission and party loyalty is considered likely to carry the present provision for Stanley. Further developments on the matter are expected at the next meeting of the House of Commons Films Act Committee on Tuesday. A further amendment has been sought calling for a full commission with an independent personnel which would have the power of overruling the Board of Trade.

The committee failed to reach an agreement on the council amendment after a lengthy discussion yesterday. Stanley claimed labor support, but Tom Williams, Labor M. P., demanded a commission of five salaried independents. He was supported by Sir William Wayland, Conservative.

MGM Re-signs Miss Loy

HOLLYWOOD, Nov. 26.—Myrna Loy has been given a new contract at M-G-M. The actress's next two starring vehicles will be "Test Pilot" and "The Thin Man Returns."

Otto Kruger Injured

LONDON, Nov. 26.—Otto Kruger was painfully injured today when his car collided with another in a fog. The actor was on his way to the Elstree studios.

One-Day Slump

London, Nov. 19.—British film houses suffered their severest one-day slump in years on Nov. 15 when the vaudeville show "commanded" by King George VI and held at the London Palladium, was broadcast over the national radio network. It is estimated the box-office dropped more than £100,000.

Theatre Sues Majors For Faster Delivery

PHILADELPHIA Nov. 26. — The Garbo Amusement Co., operating the Garbo Theatre in Darby, a suburb of Philadelphia, today filed an injunction suit in U. S. District Court under the Sherman Anti-Trust Laws against RKO, Universal, 20th Century-Fox and Warners to secure faster delivery of films. Melvin Koff, president of the company, stated, that quicker delivery is necessary because the Parker, a Warner house in the territory, gets films three or four weeks ahead of the Garbo.

Koff admitted he had signed an agreement with the distributors allowing for a time lapse but now, he contends, the agreement has been found to be unfair and he is asking the court to invalidate it.

Kill Theatre Operator

CHICAGO, Nov. 26.—Fred Blacker, 42, projectionist at a small theatre in suburban Summit, and under indictment in New York for theatre stench bombings, was killed yesterday. Police expressed the belief that his assailants were enemies he had made in years as an organizer of projectionists.

Hold Rites for Colon

Private funeral services for Pablo Colon, editor of *Teatro Al Dia*, Quigley equipment journal, who died Tuesday, were held Thursday and the body will be shipped to Puerto Rico this morning.

Services for Iraci Today

The funeral of John Iraci, who was president and general manager of WOV and WLWL, both in New York, and president-owner of WPEN, Philadelphia, will be held this morning from his home in Brooklyn, where he died last Wednesday. Burial will be in Cypress Hill Cemetery, Brooklyn.

Burlesque Spots Close

The Oriental and Apollo, former burlesque houses in the Broadway district, will cease presenting stage shows on Sunday. It is reported that the theatres will reopen with films. Harry Brandt has leased the Apollo.

Joan Castle Is Signed

Joan Castle, a child actress in films eight years ago, yesterday was signed to a long term contract by 20th Century-Fox.

Purely Personal

TINO ROSSI, Continental stage and screen star, recently signed by ROBERT T. KANE to a New World contract, has arrived in New York for several months' study of English before returning to make his English-speaking film debut.

•

MARY DEES, who is being accompanied on her personal appearance tour by MONTE BLUE, has left for Troy, Schenectady and Boston. They are due back Christmas week. F. & M. is handling the dates.

•

SAM RINZLER, who has been hitting a divot further than a golf ball, has something to be thankful for now. Last Thursday he came through and for the first time beat JOE HORNSTEIN on 18 holes at Glen Oaks.

•

SHEPPARD STRUDWICK and his wife, HELEN WYNNE, will sail today aboard the *Pennsylvania* for the coast. STRUDWICK is under contract to M-G-M. MRS. CLARENCE BUDINGTON KELLAND will sail on the same ship.

•

NATE J. BLUMBERG, A. W. SMITH, JR., RICHARD A. ROWLAND, JOHN J. O'CONNOR, BOB MOCHRIE and TOM SPRY got together for lunch yesterday at the Tavern.

•

JULIAN JOHNSON, story editor for 20th Century-Fox, is in New York from Hollywood. A short stay, about 10 days' worth.

•

RUDY VALLEE, due next Tuesday from the coast, will report back on the Warner lot Jan. 12 for "Golddiggers in Paris."

•

WESLEY RUGGLES is in from the coast. In 10 days, he sails for Europe on a scouting expedition for Paramount. Also a vacation.

•

TED BERKMAN, who completed a script for London Films, left for the coast yesterday.

•

GEORGE and MRS. BANCROFT, visiting New York, and stopping at the Warwick.

•

MARIA GAMBARELLI arrived on the *Vulcania* Thursday after completing "Doctor Antonio" in Rome.

•

CARL F. and MRS. DIXON, of the Paramount Theatre, Paris, in town, at the Warwick.

•

MOE SIEGEL will leave for Hollywood on Monday.

•

MARLENE DIETRICH left yesterday for the Paramount coast studio.

•

NEIL F. AGNEW left for the coast yesterday.

Exceeds Fund Quota

CLEVELAND, Nov. 26.—Under the leadership of I. J. Schmertz, chairman, Henry Greenberger, vice-chairman, and Mrs. Georgia Moffett, field captain, the film division of the entire industrial division went over the top in its Community Fund Drive, by five per cent. The quota was double that of last year.

Music Hall Thankful For "Sacred" Intake

(Continued from page 1)

for an opening day as well at the theatre.

Business along Broadway was unusually good Thursday with all theatres partaking of the holiday spirit.

Claims S. R. O. in 6 Cities

U. A. reported late yesterday that "Nothing Sacred" had hung out S.R.O. signs in six theatres on Thanksgiving Day and broke house records in each instance for a single day. These figures were supplied: At the Aldine, Philadelphia, $4,200; Penn, Pittsburgh, $4,700; Loew's, Houston, $3,900; Albee, Cincinnati, $4,200; Loew's, Syracuse, $3,000, and the State, Oklahoma City, $2,200.

Additionally, the distributor stated that Friday's take at the Music Hall had reached $9,546 by 6 P.M. and that $17,500 was expected for the full day.

"A Damsel in Distress" was reported by RKO yesterday to have bettered its opening day gross at the Rivoli by 40 per cent. The picture went into the Rivoli on Thursday with a four-week guarantee. It is playing day and date runs in 200 theatres throughout the country.

Skouras Off Monday On Regional Meeting

(Continued from page 1)

quent sessions slated for Denver, Seattle, Kansas City, Milwaukee and other operating points. The home office group will be away from two to three weeks.

Skouras is making it a point to visit division offices at least twice a year to keep abreast of local conditions and problems.

Set Variety Club Vote

KANSAS CITY, Nov. 26.—E. C. Rhoden, chief barker of Variety Club, has issued a call for the annual election of Tent No. 8, which will be held Dec. 6. Dinner will be free to barkers.

Club Plans Xmas Party

CLEVELAND, Nov. 26.—The Cleveland Variety Club is planning a Christmas party for 500 underprivileged children, to be held in the ballroom of the Allerton Hotel. All expenses of the party will be borne by the members through contributions. There will be a big Christmas tree, presents for all and a complete Christmas dinner.

Cohn Dinner Sellout

PITTSBURGH, Nov. 26.—It's a sellout for the banquet being tendered for Ira Cohn, local 20th Century-Fox exchange manager, on Dec. 6 at the William Penn. The affair is being given by Cohn's friends in honor of his long service in the business and on his ninth year with the local 20th Century-Fox office. Several home office executives will attend the banquet.

Special for Fabian Party

The committee in charge of the testimonial dinner for Si Fabian at the DeWitt Clinton Hotel in Albany on Dec. 13 has arranged for two special cars on the Commodore Vanderbilt, which will leave New York for Albany that afternoon.

The Newsreel Parade

Movietone News
Vol. 20, No. 22
(20th Century-Fox)

The material in this issue, while not exciting or particularly outstanding, is given lively treatment making refreshing news presentation. The topics range far and wide and are interesting.

Lowell Thomas and his World Events division open with scenes and comment about Peiping, which is now under Japanese control. A linoleum factory in Sydney, Australia, goes up in flames. In France, Sir Malcolm Campbell presents the Wales Trophy for the fastest transatlantic crossing to the capain of the *Normandie*. Thomas also follows with the aviation sequence. The first shipment of 176 new bombers fly over San Diego and new buildings at Le Bourget are seen. Lew Lehr, attired in a Viking headdress, does his familiar and funny comment with scenes in a toy factory where many fine train models are filmed.

Industry offers glimpses of a silver fox farm. Vyvyan Donner's department presents the latest traveling fashions with easy-on-the-eyes models. The Giants and Green Bay Packers battle to a 10-0 closeout in favor of the former. The Melbourne Cup closes the reel with excellent scenes of a final winning dash by a long shot. The run across the line is shown in slow motion. It's good stuff.

Running time, 12 mins. P.

News of the Day
Vol. 9, No. 220
(M-G-M)

That fleet of blimps that flew over New York earlier in the week provide the lead for this issue. The craft are photographed from a number of unique angles in various locations about the city and also from the air, where the camera catches the ships over the waterfront and the departing *Normandie*. This sequence is a refreshing departure as an opener.

The reel continues with good shots of a roller skating marathon and the infectious gymnastics of the Big Apple in El Morocco. The snapshots group offers glimpses of the mountain in Los Angeles showing widening fissures, and George Grey Barnard's giant head of Abraham Lincoln.

The Sporting Page division reviews the champions of the year. Here are shown War Admiral, the Davis Cup matches, Glenn Cunningham, the winning Yankee team, big time golf matches, Marjorie Gestring diving, Mike Vanderbilt and the Ranger-Endeavor yacht races, Clint Frank of the Yale football team, Joe Louis and a pair of chimpanzees slugging away for a spot of comic relief.

In all its divisions it is snappy, interesting and diversified.

Running time, 11 mins. P.

Paramount News
No. 33
(Paramount)

The newsreel's all-American football team selection features this issue of Paramount News, contributing more than half of the reel and equaling in interest anything contained in the other half, which consists of just three additional subjects, to be exact. All three are of the "feature," rather than spot news type.

The schools represented in the reel's all-American selections present a good cross-section of national interest. They are Villanova, Pittsburgh, Alabama, Fordham, Texas A. & M., Mississippi, Notre Dame, Yale, Colorado and California.

The three additional subjects include a glimpse of Mexico's provisions for the care of Spanish war orphans, tests of a new open-work, non-skid bridge pavement at Toledo, O., and John D. Rockefeller, Jr., addressing the first alumni meeting at International House, New York.

The reel was released one day ahead of the usual schedule because of the Thanksgiving holiday.

Running time, 9 mins. K.

Pathe News
Vol. 9, No. 37
(RKO)

A fair assortment of clips highlighted by the dedication of Le Bourget Field, Paris, where Lingbergh landed on his historical flight in 1917, as the European terminal for air travelers. The latest airport supersedes anything of its kind in this country and marks a new step in furthering air travel.

Melbourne's turf classic with the Trump coming from behind to win the coveted cup is excitingly described by Clem McCarthy.. The camera also takes the spectator to War Armiral's training quarters at Berlin, Md., where his owner supervises daily exercises for the son of Man o' War.

Other topical news includes a new type of football team with six men in practice at Manhasset, L. I., a threatening landslide in Los Angeles with mountain roads cracking and indicating imminent danger for home owners below, New Rochelle College girls protesting the use of silk hose in a move against war, Walter Johnson's golden birthday celebration in Washington, and Nicky Arundel, nine-year old editor of *Nickey's News*, interviewing Secretary of War Woodring with the entire news staff on hand for support.

Running time, 9 mins. O.

Universal Newsreel
Vol. 9, No. 618
(Universal)

Here is a lively and interesting reel, which contains no outstanding news event of the moment, since there was none which was adaptable to the newsreel, but compensates for that with a peppy combination of diverse items, with seven out of nine claimed as exclusive by the reel.

Of significance, plus excellent sky photography, is the start of the flight of French air bombers from France to French Indo-China. A Kansas City merchant is seen in his annual and charitable disposal of 1,000 overcoats to the needy, which clicks as a Thanksgiving feature. An amusing throwback of history shows Uncle Sam paying an ancient and continuing debt, giving six yards of cloth to all the Indians on the Tuscarora Reservation in New York State, in accordance with a treaty signed in 1794. The world's largest oil tanker slides down the ways at Chester, Pa., made by a new process of welding, entirely without rivets.

A dried milk byproduct, hardened into bricks, fired the boilers of a Chicago locomotive, a front bumper police car pincer in Portland, Ore., hooks the tail bumper of a speeding car for an effective "pinch," excellent angle shots picture skaters in Rockefeller Plaza, bathing girls in California use a chocolate milk spray as a sun tan cream, and a fast-moving exciting sequence pictures the gridiron professional battle between the Green Bay Packers and Giants, which literally was a battle, with fists—and no punches barred.

Running time, 9 mins. A.

Added Attractions

London, Ont., Nov. 26.—A fire and attempted robbery, neither on the program, provided excitement at the Grand here very recently. The fire caused $10,000 damage and caused cancellation of the matinee. Later in the day a man attempted to hold up the cashier, Pauline Saunders, but she set off a burglar alarm. The man was captured by James McDonagh, the manager.

Sunday Films Defeated

JACKSON, Tenn., Nov. 26.—A measure to legalize Sunday pictures at hours which would not conflict with church services has been defeated here, 716 to 463. The move was opposed by the Protestant Pastors' Ass'n. as a "further step in the breakdown of Sabbath observance."

Howard to Co-Direct

LONDON, Nov. 26.—Leslie Howard will co-direct, with Lee Garmes, George B. Shaw's "Pygmalion," and "The Fool," by Ernest Pascal.

McGrady RCA Director

Edward F. McGrady, director of labor relations for RCA, yesterday was elected a director of RCA Manufacturing Co. at Camden.

Wall Street

Light Gains Break Stock Slumps

	Open	High	Low	Close	Net Change
Col.	15½	15½	15½	15½	+1
Cons., pfd.	6¼	6½	6¼	6½	— ⅛
E. K.	145½	149½	145½	148	+3¼
G. T. E.	13⅞	13⅞	13⅞	13⅞	— ¼
Loew	46	48⅜	46	48⅛	+2⅛
Loew, pfd.	99¾	101	99¾	101	+1¾
Para.	11¼	12⅛	11¼	12⅛	+1
Para. 1.	90	90	90	90	+ ½
Para. 2.	10½	11⅛	10½	11	+ ½
Pathe	5⅞	6	5⅞	6	+ ½
RKO	4⅞	5⅛	4¾	5	+ ¼
20th Fox	20½	21¼	20½	21	+1
Univ., pfd.	31¼	32½	31¼	32½	+1¼
W. B.	7⅛	7¾	7⅛	7⅝	+ ⅞
W. B., pfd.	40	40	40	40	+1½

Technicolor Best Curb Rise

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1⅛	1⅛	.....
Monogram	1⅝	1⅝	1⅝	1⅝	+ ⅛
Sonotone	1¾	1¾	1⅝	1⅝	.....
Tech.	17⅜	18	17	18	+1⅛
Trans-Lux	3	3	3	3	.....

Little Bond Activity

	High	Low	Close	Net Change
Loew 3½s '46	96½	96	96	.....
W. B. 6s '39	78	77	78	—2

(Quotations at close of Nov. 26)

Three Elected NBC Officers By Directors

Three NBC executives were elected vice-presidents of the broadcasting organization at a meeting of the NBC board of directors yesterday afternoon. They are William S. Hedges, O. B. Hanson and Marks Woods. With the present incumbents, the number of NBC vice-presidents now totals 11, the highest in the history of NBC.

Hedges, director of station relations, is now vice-president in charge of relations with stations. He recently rejoined NBC after serving for more than a year as a vice-president of the Crosley Radio Corp. At the time of his resignation from NBC he was head of the network's traffic division.

Hanson is NBC's chief engineer. He has been with the company since 1922 when he joined as assistant plant superintendent of WEAF. When NBC was formed some years later he was made manager of technical operations, and became chief engineer in 1934.

Woods also is a veteran with the company, joining WEAF in 1922 as assistant treasurer. He had a great deal to do with the development and operation of the network's policy when the chain was formed and established NBC offices in Chicago, Washington, Cleveland, Pittsburgh and San Francisco. He became treasurer in January, 1937, following the resignation of David Rosenbloom.

Lutheran Hour Adds 13 Stations to Web

The Lutheran Hour broadcast Sundays over Mutual, will add 13 stations to its network coverage Dec. 19. The new additions will give the program 49 outlets, making it the largest radio enterprise sponsored by a religious group. The sponsor is the Lutheran Layman's League. Kelly, Stuhlman of St. Louis is the agency.

WDEL Plans New Facilities

WILMINGTON, Nov. 26. — Purchasing 3.6 acres of city-owned land, WDEL, Wilmington outlet for the NBC Red network, today revealed plans for a higher-powered station through a new 235-foot tower and a new transmitter. The station will erect the tower immediately and expects the F.C.C. to extend its power from 500 watts daytime and 250 night to 1,000 watts at all times. J. Gorman Walsh is manager of WDEL.

Seek New Camden Station

WASHINGTON, Nov. 26.—Application for authority to build a new broadcasting station at Camden, N. J., has been filed with the F. C. C. by the Hal Broadcasting Co., Inc. The proposed station would operate on 1,500 kilocycles with 100 watts power night, 250 watts day.

Change "Sundial" Time

Arthur Godfrey's "Sundial" programs, originally scheduled to be heard over WABC at 8 A. M. beginning Dec. 2, instead will begin Nov. 30, at the same hour.

Radio Personals

J. VANCE BABB, manager of NBC's press department, is back at work following a month's sojourn in Florida for his health . . . Margaret Kennedy will celebrate a birthday today. She is Lester Gottlieb's secretary at Mutual . . . Ed Hitz of the NBC sales department has returned to work following an absence of a month due to illness . . . Freddie Martin opens at the Ritz Carlton here Dec. 7 with a Mutual wire, succeeding Rudolph Friml, Jr., in the spot . . . Mutual today will mail a promotional piece to agencies, clients, etc. The book emphasizes the award given the network by *Radio Stars* magazine for distinguished service . . .

✚

Benny Friedman and Sally Rand will be guests on the "For Men Only" program over WHN Monday. . . Ken Sisson, American musical conductor now broadcasting in Canada, is learning how to ski, he informs. . . Clark Gable will make a guest appearance on "Silver Theatre" Dec. 5.

Contest Wage Seizure

MONTREAL, Nov. 26.—The Canadian Broadcasting Corp. was in the Appeal Division of the Court of the King's Bench trying to save one of its employes from wage seizure for debt and at the same time trying to uphold its own status as a department of the Federal Government. A previous lower court judgment held the employe's wages seizable but the company contends that as an adjunct of the Crown, its employes have the same rights as other Crown workers in that their wages cannot be seized by ordinary court procedure.

Reagin Represents KFRO

LONGVIEW, Tev., Nov. 26.—John H. Reagin of Atlanta has been named station representative of KFRO for the southeastern section of the nation.

Mae West Dec. 12

Hollywood, Nov. 26. — Mae West's first commercial broadcast will take place Dec. 12 when the actress will appear on the Chase & Sanborn program.

Broadcasting Total Reaches $891,000,000

(*Continued from page* 1)

supplies, etc., and $31,000,000 for 46,000,000 replacement tubes.

The division figured that the number of American homes equipped with radios increased during 1936 from 22,869,000 to 24,500,000, while the number with two or more sets increased from 3,000,000 to 4,000,000, and the number of automobile radios jumped from 3,000,000 to 4,500,000 at the present time.

It was estimated that the total number of homes in the country was 31,471,000, leaving but approximately 7,000,000 still to be supplied with sets. The number of receiving sets in use was greater than the number of homes having electricity (21,800,000) and more than the total of automobiles (18,000,000) and telephones (11,500,000) together.

Cuba Meet Moves to End Radio Disputes

HAVANA, Nov. 26.—A major step toward permanent solution of broadcasting disputes on the American continent has been taken by the delegates to the Inter-America radio conference now in session here, by the technical commission's decision to fix a national coverage range for six countries.

The announcement by the commission states that Nicaragua, Honduras, Guatemala, Costa Rica, El Salvador and Panama shall be permitted to broadcast in the 2,300-2,350 kilocycle band, and that no country shall use more than two frequencies.

New Shows on the Air

"Good News of 1938"

Now in its fourth week on the air, the M-G-M-General Foods Corp. program, "Good News of 1938," remains one of the major disappointments of the rapidly ebbing season. Thursday night's airing, it is true, registered on our seismograph as a slight improvement over the opening appraisement, but the improvement is hair-line fine and almost doesn't register at all.

M-G-M still is making its original mistake of trying to jam too many personalities into 60 minutes. Without meaning to be facetious, we would like to remind the producers of the program that time is inelastic; if the minutes could be stretched so as to permit all the players who get into each other's way on "Good News" time in which to really strut their talents, the program might be better than good; it might be as colossal as the producers are evidently trying to make it. As it stands now, however, the program is a hodge-podge of confusion; the players suffer, the producers suffer, the program suffers and the listeners suffer, too.

Opening the show were Rosalind Russell and James Stewart in a neat little comedy skit. Followed Sigmund Romberg leading the Meredith Willson orchestra playing Romberg tunes, a rather pointless operation; a monologue by Helen Cross, good; several duets by a baritone, whose name we did not catch, and Betty Jayne, and loosely presented scenes from the picture, "Thoroughbreds Don't Cry," with Judy Garland, Ronald Sinclair and Mickey Rooney playing the leads. Fannie Brice didn't even bother to have re-written a "Baby Snooks" characterization which she formerly has presented, word for word, on her "Ziegfeld Follies of the Air" and "Revue de Paree" commercials. Miss Garland offered some delightful comedy songs.

"Good News of 1938" is presented Thursday nights from 9 to 10 P. M. on the NBC-Red network, and over WHN.

BANNER

Zukors Affected by Revised Settlement

(*Continued from page* 1)

Zukor will pay $45,000 in cash and $202,500 in nine notes which fall due annually begining Dec. 31, 1938. In addition both Adolph Zukor and Eugene Zukor will sign nine notes jointly for $202,500 with the notes falling due on the same date. The petition sets forth that the original settlement provided for both Zukors to share equally in the payment of $450,000 and that it was "misworded."

Seattle Orpheum Files Data

The Seattle Orpheum Corp. which filed a voluntary bankruptcy petition several weeks ago, yesterday submitted schedules showing liabilities of $2,117,855 and assets of $10,474. The Orpheum Theatre in Seattle, owned by the bankrupt, was foreclosed in June, 1935, but no sheriff's sale has been held. According to the schedule, assets consist of a $6,831 debt allegedly owed to the bankrupt by the RKO Service Corp. and $3,643 cash on hand. Principal liabilities are $1,026,666 on the first mortgage, $51,333 on the second mortgage, $40,476 for taxes and $999,379 for general creditors. Largest of the unsecured creditors is Orpheum Circuit, Inc., which holds a note for $989,095 and the Electrical Products of California which has an alleged claim for $5,316. The theatre and land are carried on the books at $1,007,738 and equipment at $70,252.

File Test on Para. Release

A test case to determine whether Paramount Pictures should have released "Artists and Models" during the season ending July 31, 1937, was filed in the N. Y. Supreme Court yesterday by the Newark Amusement Co., Inc., operators of the Rivoli, Newark. The exhibitor will ask Justice Peter Schmuck on Monday to appoint an arbitrator. Newark Amusement claims that the picture was completed before the end of the season and should have been released under that year's contract.

Kuykendall Suggests Meet Before Dec. 14

(*Continued from page* 1)

North and South Carolina and indicated that he would prefer to go directly from there to New York for the exhibitor meeting.

Kuykendall will not call a meeting of the M.P.T.O.A. board of directors during December to hear a report on his recent national visit to the organization's regional units, as he had planned to do earlier. Indications are, however, that the board meeting may be set for some time during January.

London Color Film Ready

LONDON, Nov. 26.—"Mutiny in the Mountains," Technicolor film produced by Alexander Korda, is in final stages of cutting and editing. The film stars Sabu, of "Elephant Boy" fame. U.A. will release the picture.

Defeat Ban on Games

JACKSONVILLE, Fla., Nov. 26.—The City Council, by a vote of 13 to 7, has rejected a proposed ordinance to prohibit the holding of Bank Night contests in the city.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 127 NEW YORK, MONDAY, NOVEMBER 29, 1937 TEN CENTS

U. S. Weekly Attendance at 85,000,000

1937 Total Shows Small Gain Over 1936

Average weekly theatre attendance in the United States runs to 85,000,000 for 1937 on the basis of industry computations now being completed, it was learned yesterday. The computations indicate little, if any, gain over 1936.

Although the Dep't. of Commerce early this year estimated the average weekly attendance for 1936 at 88,000,000, this figure was never accepted in industry quarters. Industry estimates for last year were approximately 5,000,000 under the department's figures.

Industry computations are based on the known total of film rental revenue, which is indicated for this year at approximately $300,000,000. Theatre receipts, on the average, are computed at between three and one-half

(*Continued on page* 10)

Oppose Ear-Marking Of Ohio Ticket Tax

COLUMBUS, Nov. 28.—Ear-marking of Ohio's admission tax receipts for unemployed relief is proposed by Gov. Davey in his call message for a special session of the legislature, opening here today.

Ohio exhibitors are organizing a move to oppose the proposal on the ground that it would permit the legislature to increase the present three per cent tax rate from time to time as relief needs required. Fear that the rate may ultimately be advanced to the old 12 per cent tax level is expressed

(*Continued on page* 10)

Kalmenson to Take Post in Two Weeks

Ben Kalmenson, who has been appointed by Gradwell L. Sears to succeed Herbert J. Ochs as Warner southern and western sales manager, will assume his new duties in two weeks, it was officially stated by the distributing company Saturday in confirming MOTION PICTURE DAILY'S exclusive story on the changes that day. Kalmenson, former eastern district manager, left Saturday for a fortnight's vacation.

Kalmenson will be succeeded in the eastern district by Edward M.

(*Continued on page* 10)

Radio—Page 11

Signatures on Erpi Contracts to Be Affixed Today or Tomorrow

Signatures are scheduled to be affixed to the deal whereby Erpi disposes of its theatre sound equipment servicing and installation business to a Wall Street financing group today or tomorrow. The deal becomes effective on Wednesday.

As previously reported, the new servicing organization is headed by L. W. Conrow, with other officials of the Erpi operating department and field staff in executive posts.

C. W. Bunn, Erpi general sales manager for many years, has concluded his association with the company. He is reported to be in the midwest at the present time conferring with theatre supply dealers on the formation of a new national supply company, although there are no official indications at this time that the proposal has advanced beyond the idea stage.

All other Erpi home office executives are scheduled to remain with the company, which continues as a licensing agency for Western Electric at home and abroad. Erpi plans to withdraw from the theatre sound equipment field completely by Jan. 1, by which time, it is expected, all of its current inventories of equipment and parts will have been disposed of.

Japanese Ban Seen Extended Until Spring

By TETSUYA MORI

TOKYO, Nov. 8.—It is the general belief in foreign film circles here that the recent ban by the Japanese Government on the importation of foreign pictures until the end of the current year, actually will extend well into 1938. The move was part of the restrictive legislation governing all types of trade in the emergency caused by the so-called "China Incident." Admittedly, this is the most serious blow the film industry in this country has ever suffered.

There are about 120 features stored in the vaults of the 15 foreign companies who have headquarters here and it is believed that this product will serve to handle release demands of first run houses in Tokyo and the

(*Continued on page* 10)

Perkins Para. Sales Manager in Far East

James E. Perkins, Paramount sales representative in the Orient since 1924, was named general sales manager for the Orient on Saturday by John W. Hicks, Jr., Paramount vice-president in charge of foreign distribution. Perkins succeeds the late Tom Cochrane, who occupied the Paramount Far Eastern sales post for many years.

Perkins left yesterday for the coast where he will remain with his family until late December when he is scheduled to return to Tokyo, his head-

(*Continued on page* 10)

Fair Practice Group Planned For Dominion

TORONTO, Nov. 28.—Following the presentation of a petition signed by 65 independent exhibitors of Quebec to Premier Maurice Duplessis of the Quebec Provincial Government asking for an investigation into the picture business in behalf of the independent theatre owners, a move has been made at Toronto for the establishment of a committee of conciliation, representing all branches of the industry, for the purpose of hearing all grievances of theatre owners and studying the procedures of the business with a view to straightening out differences, such as arbitration practices, block booking, subsequent run clearances, score charges and other matters.

One angle that encouraged the step

(*Continued on page* 10)

See National Labor Unity for England

By AUBREY FLANAGAN

LONDON, Nov. 28.—A national labor agreement in England was foreshadowed here today with the announcement of recognition by the Cinematograph Exhibitors' Ass'n., of the National Ass'n. of Theatrical Kine Employes.

The union officially approved an employes' body for the negotiation and consummation of district agreements. Also, conciliation machinery for national and district matters has been agreed upon.

Tax Liability May Result in UA Deal Shift

Formal Closing Held Up Pending Study

A re-casting of the Samuel Goldwyn-Alexander Korda agreement for the exercise of the options on the outstanding three-fifths of the United Artists common stock may be required as a result of tax liabilities which the deal, in its present form, imposes upon the company. The possibility has been shown by a study of the agreement now under way by New York and Washington tax experts, MOTION PICTURE DAILY learned authoritatively on Saturday.

Formal closing of the deal, originally expected this week, will be held up pending the outcome of the study.

Unofficial indications are that the source of the difficulties uncovered by the tax experts is the agreement's provision that no dividends be paid on the United Artists common stock until the $6,000,000 obligation accruing from the exercise of the option

(*Continued on page* 10)

Dallas Appeal Plan Will Be Made Today

Finals plans for preparing the defendants' appeal from the Government's Dallas anti-trust action decision will be made here today with the arrival from Dallas of George Wright, trial attorney for the defendants, and John Moroney of the Hoblitzelle-Interstate circuit.

The two will confer with Thomas D. Thacher, former U. S. Solicitor General, who has been retained for the appeal to the U. S. Supreme Court, and Austin Keough and Louis Phillips of Paramount. At the same time, a decision will be made by the defendants as to whether or not an application will be sought for a writ of supersedeas to suspend enforcement of Federal Judge W. H. Atwell's Dallas decree pending the appeal to the Supreme Court.

Resume Depositions In Anti-Trust Case

BOSTON, Nov. 28.—The taking of depositions in the anti-trust action of the Morse & Rothenberg circuit against major distributors, Maine & New Hampshire and M. A. Shea circuits is scheduled to be resumed in New York on Tuesday.

George S. Ryan, attorney for the

(*Continued on page* 10)

MOTION PICTURE DAILY
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Lewis to Head CBS Group at Ampa Meet

W. B. Lewis, vice-president in charge of programs, will headline the group of C. B. S. personalities at the Ampa meeting Thursday at the International Casino. He will speak on "Radio in Relation to Motion Pictures."

Ted Husing will introduce the personalities and act as master of ceremonies. Among those scheduled to appear are Kate Smith, Al Pearce and Arline Harris of the Ford program, and Buddy Clark. The session will begin at 12:45 P. M.

Claim "Sacred" Big

"Nothing Sacred" is playing in 15 key city first runs, having gotten under way Thanksgiving Day and Friday. A cross-section of the group, according to Russell J. Birdwell, reveals the gross is between 20 and 25 per cent ahead of both "A Star Is Born" and "The Prisoner of Zenda."

Les Therkauf to "U"

SEATTLE, Nov. 28.—Les Therkauf, formerly representing Warners here, has joined Universal as Oregon salesman.

Insiders' Outlook

By RED KANN

HE is a theatre manager, an old and experienced one, and he operates a New York neighborhood house for one of the circuits. His typewriter—it's a pungent one—in hand, this correspondent, unnamed, this morning tells his reactions to radio versus films. Embroidered with a homely and practical slant, the business philosophy of efficient theatre management, as this man sees it, runs something like the following:

In your neighborhood and some others where the people are sort of blase and also make it a regular habit to be out all the time, radio may not mean a damn thing, but where I am, for instance, we have an awful lot of real radio-minded people. And when the show is made up of a couple of palookas, as many of the shows are, can you blame the old man for lighting his pipe, putting on his slippers and listening to some of the air shows you mention? Then again, even if the show is O.K. and the weather looks a little lousy, they look out the window and say "To hell with the movies, let's listen to so-and-so tonight." And they do.

Besides the regular programs you have listed there are always others that keep them in, like big fight broadcasts, Mr. President's fireside chats and the other night, the "Night of Stars" from 8:30 P.M. to 1 A.M. which I even enjoyed after I got home from a short 14-hour day around the theatre. Anyhow, I think you wrote a swell argument and, no doubt, no one will pay any attention to it.

▼

Then, having warmed up along his own whooping warpath, this manager goes into several other matters pertinent to his operation and, perhaps, to yours:

You might also be interested in the type of circuit operation which double featured "The Good Earth" and kept patrons in the theatre until 1 A.M. five nights a week in neighborhoods where they take in the sidewalks at 9 P.M. and where most people have to get to bed early so as to get to work on time in the morning. Or theatres which open at 11 or 11:30 A.M. in neighborhoods where the women have housework to do, noon lunch to get for the kiddies and where there is practically no male business or transients to draw from and where the show sometimes starts without a customer in the house. Or maybe with two or three of them or where the shows run to midnight and after, when the box-office might close at 9:30 P.M. without losing anybody.

Just a few other evils besides radio that no one has the guts to correct. They won't play single features because the guy down the street plays doubles. They play games and have giveaways because the other guy does it. The manager has to chisel turkeys to bolster the turkeys on his screen for Thanksgiving and other gifts for Screeno and other nights to help the box-office and make himself a panhandler with his neighborhood merchants.

It's a great business, show business today. Nuts. If we spent more time running our own individual theatre and didn't worry what the second or third run house is doing, we could keep mighty busy.

Nuts, it is. . . .

▼

A grab into the bulging mailbag brings to light another letter. This time, on the ubiquitous radio problem still again. T. Wilson Erwin, who runs the Central Texas district, ten houses strong, for Texas Consolidated Theatres, Inc., has something to get off his sensible chest. Here he goes:

I have just finished reading your very timely and impressive editorial in the issue of November 19 [The Technicolor Is Ours].

Your approach to this problem was most ably handled and there can certainly be no doubt in the minds of those in control of talent Hollywood must as certainly take some steps to curb the situation that is now out of control.

There is one thought in connection with the whole subject that I am sure you have considered, but it was not included and for that reason I would like to recall it. Isn't it a truism (if there be such things in this business) that an entertainer can quickly wear himself out with that part of the public that constitutes our audiences? Constant appearances before a radio mike, week in and week out, are certain to dissipate the drawing power of any star no matter how great he or she may be. It is a conviction that has come to me after only infrequent visits with the radio hours, and it must be more apparent to people who are constant listeners to these periods of air shows.

Again may I thank you for your thoughts that crystallized in my own mind convictions that I have had for some time.

▼

The New Yorker reports this memo was found in a wastepaper basket over at the Paramount Building. Decorated with "Home Office Inter-Communication" it was addressed to:

N. F. Agnew, J. J. Unger, C. M. Reagan, G. Knox Haddow, Sara Lyons, Lou Notarious, Henry Anderson, R. M. Gillham, Al Wilkie, Alec Moss, Hal Danson, Tom Waller, Herb Berg, Russell Holman, Hiller Innes, Leon Netter, George Weltner, Al Deane, Owen McClave, J. E. McDermott, Arthur Leonard, R. F. Murray, E. H. Fay, J. J. Fuchs, H. B. Elliott, C. W. Schabacker, Sam Palmer, Don Velde, Vincent Trotta, J. F. Sweeney, Irene F. Scott, Roberta Arlidge, Leslie Roush, Milton Hocky, Henry Cohen, Sidney Cohen, H. B. Cuthbert-

(*Continued on page* 11)



187 feature pictures have played the

RADIO CITY MUSIC HALL

in its six year history

The 188th,

DAVID O. SELZNICK'S

sensational comedy in Technicolor

Nothing Sacred

SHATTERED EVERY EXISTING
HOLIDAY AND REGULAR OPENING DAY
RECORD FOR CASH RECEIPTS!

$21,400

FOR THE DAY

Released thru UNITED ARTISTS



"Hilarious! Had preview audience completely captivated!"
(M. P. Daily said it)

"Sure to keep audiences on the edge of their seats!"
(Variety Daily, too)

Thank you critics, thank you Hugh,

SH! the O

starring

Hugh H







Woo-woo – –a star is hatched! It's proved by the previews and it'll be proved by your laugh-checker again! There's a nutsy new name for your grade-A star list when Hugh comes thru in his first top-billing show!

"Solid, haywire entertainment! A rapid succession of laughs!"
(Hollywood Reporter's report)

"A comedy for top billing everywhere!" *(The National Exhibitor's exclamation)*

! thank you WARNER BROS. for

etOpus

bert

with

ALLEN JENKINS · MARCIA RALSTON

Directed by William McGann • Screen play George Bricker Adapted from play by Ralph Spence · Play by Ralph Murphy and Donald Gallaher • A First National Picture

Short Subjects

"Rhythm Saves the Day"

(*Educational*)

Classical music is not drawing so well at a free concert. The charitable sponsor's investigating committee is aware of this. So are the Cabin Kids and the professor's son. They arrange a popular recital and the audience pours in. The professor's contract is renewed and all's well again. The Cabin Kids sing in their customarily entertaining style. It should get fair reception. Running time, 11 mins. "G."

"The Dog and the Bone"

(*Educational*)

A Terry-Toon cartoon. It is entertainingly animated and likely to find favorable reception. The dog involved, after fooling around with a mere bone, invades a restaurant where he is pursued no end by an irate Italian who tries unsuccessfully to annihilate him. After many comic sequences the pup outwits his pursuer, gets a good feed and returns to his bone. Running time, 6½ mins. "G."

"Magic on Broadway"

(*Fleisher-Paramount*)

A few animated cartoon gags introduce Jay Freeman and his orchestra. The band promptly plays "Blossoms on Broadway" and Johnny Russell sings as the bouncing ball bounces. The cartoon stuff has its humorous moments. The music is smooth and the audience may find itself singing with the agitated sphere. Running time, 8 mins. "G."

"Chile, Land of Charm"

(*Fitzpatrick-M-G-M*)

From scenes of shipboard life on the way to this South American country to the colorful aspects of the lake country and mountain peaks, this is another first-rate travel item. It is done in the usual fine Technicolor. The comment is good and the pictorial compositions are pleasant. Running time, 9 mins. "G."

Harris Takes Ohio House

SALEM, O., Nov. 28.—The Harris Amusement Co. interests, Pittsburgh, have taken over the State and Grand here. Since March, 1931, the two houses have been owned and operated by the Walken Theatre Co. N. L. Walken will remain in charge of them and in addition will become district manager for the Harris-directed theatres in Ohio.

In Australian Deal

Morris Goodman, Republic vice-president in charge of foreign sales, has closed a deal with British Empire Films, Ltd., of Sydney, for distribution of Republic product in Australia, New Zealand and Tasmania. The company is a subsidiary of Greater Union Theatres.

To Start Five Shorts

HOLLYWOOD, Nov. 28.—Setting a new all time record for short subject production at M-G-M, Jack Chertok Monday will start five shorts—"The Life of Dr. Carver," "Penny's Party," "Too Many Laws," "What Do You Think" and "Captain Kidd's Treasure."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Beg, Borrow or Steal"

(*M-G-M*)

HOLLYWOOD, Nov. 28.—Down New Orleans way they have a custom called "lagniappe." In the north it is known as the baker's dozen. Both mean the purchaser gets an extra doughnut or cookie. In either place it is a gracious gesture. It is not recalled that any great emphasis was placed on "Beg, Borrow or Steal" in the company's annual announcement. But it seems that M-G-M has adopted the "lagniappe" practice. Like "Navy Blue and Gold" and "You're Only Young Once," it is first rate, audience pleasing entertainment. Like a doughnut it is not very much, but there is a whole lot around it. As it delivered one emotion-stirring sock in the climax it had no difficulty in causing the preview crowd to smile, giggle and guffaw from opening frame to fadeout.

Based on a William White story, the screenplay by Leonard Lee, Harry Ruskin and Marion Parsonnet is a frothy, bubbling concoction of clever dialogue and intriguing situations that make sparkling character performances automatic. Actors like Frank Morgan, Janet Beecher, Herman Bing, Erik Rhodes, George Givot, E. E. Clive, Cora Witherspoon, Reginald Denny, Vladimir Sokoloff and Harlan Briggs know exactly how to handle that type of material and the way they handle it, in this instance, leaves nothing to be desired. As this group indulges in its round of tomfoolery, Florence Rice and John Beal, the second leads in "Double Wedding," with the aid of Tom Rutherford, a newcomer, take excellent care of the romantic angle.

Morgan, a gentle grafter, the pal of Bing, Rhodes, Givot, Denny and Sokoloff who prefer to live otherwise than by laboring, persuades Beal to loan him a chateau as a wedding place for his daughter, Miss Rice. The deception is carried out in grand style to the amazement of suitor Rutherford and his parents, Briggs and Miss Witherspoon. All goes well until Beal falls in love with Miss Rice and the gang refuses to believe that Clive is a real nobleman. At the point where one of his shady deals and the police catch up with him, Morgan reveals his true identity to Beal. It would not be real romance did not the latter also prove to be a Prince Charming to take Miss Rice into his arms after Miss Rutherford, Briggs and Miss Witherspoon depart homeward.

Showmen have a show here that they can present to their patrons with the full confidence that it will meet with their approval. If "Beg, Borrow or Steal" is anything but a class A attraction the alphabet is all wrong. Producer Frederick Stephani and Director William Thiele here have given a conclusive demonstration that only a good story, capable players and the application of a little common sense are necessary to make a good film, high in entertainment and commercial value.

"Running time, 72 minutes. "G."

"You're Only Young Once"

(*M-G-M*)

HOLLYWOOD, Nov. 28.—This unostentatious production is pointed straight at the great middle class which still pays most of the nation's taxes and does practically all of its voting. It strikes the common people, the number of which the Great Emancipator is said to have commented upon eloquently, right where they live—in their homes, hopes, ideals and emotions. If this preponderant majority of the population has undergone no vital change since compilation of last week's grosses there can be little question that the film will give an excellent box-office account of itself, more than possibly embarrassing most of the costlier productions alongside which it may be programmed.

The central character, a small town judge, is played by Lewis Stone in a manner arguing long and prosperous employment for the widely beloved veteran if this turns out, as expected, to be the first of a series built around the affairs of the Hardy family, plain people. Fay Holden plays the wife, Mickey Rooney and Cecilia Parker, the adolescent children, and Sara Haden, their aunt. The screenplay, by Kay Van Riper, using characters accredited to Aurania Rouverol, takes the family from a small town somewhere in mid-America to Catalina Island on vacation. At that place both youngsters incur romantic attachments of dubious promise and are rescued, so to speak, by their father's common sense counsel. Later, he extricates himself from a financial difficulty.

As directed by George B. Seitz and played by those named, plus Eleanor Lynn, Frank Craven, Ann Rutherford and others, "You're Only Young Once" moves smoothly along from plausible cause to logical effect, employing situations, dialogue and relationships snugly within the experience of perhaps 80 per cent of the 90,000,000 Americans who, unless the figure be down a bit just now, attend picture shows weekly. It's a pretty fine piece of plain bread-and-butter product.

Running time, 76 minutes. "G."

Variety Club

Cincinnati

CINCINNATI, Nov. 28.—JOSEPH J. OULAHAN, Paramount branch manager, has been elected chief barker of Cincinnati Variety Club, Tent No. 3, succeeding H. J. WESSEL. Others elected at the annual election are: ARTHUR M. FRUDENFELD, division manager RKO, first assistant, and JAMES J. GRADY, 20th Century-Fox branch manager, second assistant chief barker. JOE KOLLING was reelected property master, and RALPH KINSLER dough guy, both without opposition. WESSEL and ALLAN S. MORITZ, past chief barker, automatically became canvassmen. New canvassmen are: JOHN M. ALLEN, ELMER SHARD, BILLY BEIN and SAM FRANK.

Cleveland

CLEVELAND, Nov. 28.—At the first recent King-for-a-Day Variety Club luncheon of the season "kings" were AL SUTPHIN, head of the recently opened 8,000-seat sports Arena and ED BANG, sports editor of *The News*. In addition to the usual door prizes, SUTPHIN and BANG presented everyone in attendance with a ticket for a hockey game.

I. J. SCHMERTZ, chairman of the Variety Ball ticket committee, reports tickets are selling rapidly for the affair to be staged Dec. 3 at the Mayfair Casino.

Columbus

COLUMBUS, Nov. 28.—The Ladies' Variety Club, composed of wives of members of Tent No. 2, will furnish a new wing of Nightingale Cottage, a local "preventorium." A series of social affairs will be given to provide funds necessary to furnish clothing for the wards, as well as continue to help needy families, especially those connected with the amusement business.

Washington

WASHINGTON, Nov. 28.—The following new resident members have been added to Variety Club, Tent No. 11, here:

FREDERIC WILLIAM WILE, editorial writer and political commentator, sponsored by SIDNEY B. LUST and A. JULIAN BRYLAWSKI; CHARLES E. KURTZMAN, manager of Loew's Capitol, sponsored by CARTER T. BARRON and HARDIE MEAKIN; JAMES H. OWENS, salesman for RCA Manufacturing, sponsored by BARRON and MEAKIN; WILLIAM H. KELLEY, Baltimore district manager for the RCA Manufacturing, sponsored by BARRON and MEAKIN.

"Road" Scores in Mexico

MEXICO CITY, Nov. 26.—Another long exhibition record, the second this year, has been hung up here by Universal with its "The Road Back" which ran for six solid weeks at the Cine Regis, a select first-run house. Universal scored a solid six weeks at this house with "Three Smart Girls."

Set Astaire-Rogers Film

HOLLYWOOD, Nov. 28.—The next Fred Astaire-Ginger Rogers picture has been titled tentatively "Change Partners." Mark Sandrich will direct.

Purely Personal

MYRON SELZNICK is in Cincinnati for the premiere of "Your Obedient Servant," stage vehicle in which FREDRIC MARCH and FLORENCE ELDREDGE are co-starred. The play comes into New York in about four weeks.

•

RUSSELL J. BIRDWELL, director of publicity for Selznick International, has a cold and, therefore, is seeking to return to Hollywood early this week. He may be stymied, however, by company business.

•

SPYROS SKOURAS and ED ZABEL took a plane to the coast yesterday. A. S. GAMBEE and JOHN HEALY will leave by train today to attend the first of a series of National Theatres' division managers' meetings.

•

JACK SANDERS, son of CHARLES, projectionist at the local 20th Century-Fox exchange, was Bar Mitzvahed Saturday and later in the evening was tendered a confirmation dinner and dance at the Astor Hotel.

•

BEN N. JUDELL, head of Progressive Pictures, plans to remain in town two or three weeks lining up franchise deals for 44 pictures.

•

ANTHONY NOVATNY, Czechoslovakian actor signed by M-G-M, flew to the coast Saturday via American Airlines.

•

BARRET MCCORMICK is due from the coast today.

Green, Miss Furness Wed

HOLLYWOOD, Nov. 28.—Betty Furness and Johnny Green were married here over the weekend.

Ross-Anderson Nuptials Set

HOLLYWOOD, Nov. 28.—Shirley Ross, actress, and Edgar Anderson, director, stated on Saturday that they would marry within a month.

Wall Street

Board Gains Hold

	Open	High	Low	Close	Net Change
Col.	16½	16½	16½	16½	+1
Cons.	1½	1⅝	1½	1⅝	+ ⅛
Cons., pfd...	6¾	7	6¾	7	+ ½
E. K.....	149¾	150¾	149½	150	+2
E. K., pfd..	160	160	160	160	—1
G. T. E....	13¾	14½	13¾	14½	+ ⅝
Loew	49½	51	49½	50¾	+2⅝
Para.	12½	13¼	12½	13⅛	+1
Para. 1.....	95	95	95	95	+5
Para. 2.....	11¾	12⅞	11¾	12⅛	+1⅛
Pathe	6⅛	6½	6⅛	6½	+ ½
R. K. O....	5	5¼	5	5⅛	+ ⅛
20th Fox....	21¾	23	21¾	23	+2
Univ., pfd..	33	33	33	33	+ ½
W. B.....	8	8⅜	8	8⅜	+ ¾
W. B., pfd..	40	40	40	40	.....

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
G. N.....	1⅛	1⅛	1⅛	1⅛	.....
Technicolor.	17⅞	18⅛	17⅞	18½	+ ½
Univ. Corp..	1½	1½	1½	1½	.....

Bonds Hold Levels

	High	Low	Close	Net Change
Keith 6s '46.....	85½	85½	85½	.....
Para. Pict. '47....	74	74	74	.....

(Quotations at close of Nov. 27.)

"Truth" Smash $19,500 Take Denver Leader

DENVER, Nov. 28. — "The Awful Truth" piled up sensational business at the Denver, to break the box-office record held at the house by "Lost Horizon" and lead the town. The film took $19,500 against a house average of $8,500, and was moved to the Aladdin.

Otherwise the grosses were nothing to become excited about. "Ali Baba Goes to Town" did $4,500 at the Aladdin to top average by $1,000, and "The Life of Emile Zola," paired with "Paid to Dance," took $3,000, bettering par by $500.

Total first run business was $41,850. Average is $33,500.

Estimated takings for the week ending Nov. 24:

"ALI BABA GOES TO TOWN" (20th-Fox)
ALLADDIN—(1,500), 25c-40c, 7 days, after week at the Denver. **Gross:** $4,500. (Average, $3,500)

"LIFE OF EMILE ZOLA" (W. B.) "PAID TO DANCE" (Col.)
BROADWAY—(1,500), 25c-40c, 7 days. Third week for "Life of Emile Zola," following week each at the Denver and Aladdin. **Gross:** $3,000. (Average, $2,500)

"BLOSSOMS ON BROADWAY" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $4,750. (Average, $5,500)

"THE AWFUL TRUTH" (Col.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $19,500. (Average, $8,500)

"VICTORIA THE GREAT" (RKO) "FIGHT FOR YOUR LADY" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 5 days. **Gross:** $4,600. (Average, $7,000)

"THE GREAT GARRICK" (W.B.) "COUNSEL FOR CRIME" (Col.)
Paramount—(2,600), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"BACK IN CIRCULATION" (F. N.) "BEHIND THE MIKE" (Univ.)
RIALTO—(900), 25c-40c, 7 days. "Back in Circulation" following a week at the Paramount. **Gross:** $1,500. (Average, $1,500)

"Awful Truth" Is Omaha Sensation

OMAHA, Nov. 28. — "The Awful Truth," on a dual, drew $8,100 at the Brandeis, breaking all house records for a double feature in the theatre's four-year existence. The gross was only $200 less than the Brandeis' all time record for a single. The bill was held.

"Conquest" and "She Asked for It" drew $6,000 at the Omaha, a gain of $500 over average of $5,500 "Live, Love and Learn," with "The Women Men Marry" at the Orpheum, grossed $8,200. Average is $7,200.

Total first run business was $23,200. Average is $16,700.

Estimated takings:

Week Ending Nov. 17:

"CONQUEST" (M-G-M) "SHE ASKED FOR IT" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

Week Ending Nov. 18:

"LIVE, LOVE AND LEARN" (M-G-M) "WOMEN MEN MARRY" (M-G-M)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,200)

Week Ending Nov. 17

"THE AWFUL TRUTH" (Col.) "TRAPPED BY G-MEN" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $8,100. (Average, $4,000)

Hold Your Hats

Mexico City, Nov. 26.—A racket that has long annoyed patrons of front line theatres here, that of systematically stealing men's hats during shows by grabbing them from under seats, has been beaten, police say, with the arrest of the chief of the thieves.

"Tide" Takes Detroit Lead With $23,600

DETROIT, Nov. 28.—In a week of fair grosses, "Ebb Tide," at the Michigan, took the lead, grossing $23,600, against a house average of $20,000, aided by a stage show. Thanksgiving Day helped generally.

"Second Honeymoon," with a stage show at the Fox, closed with $22,000, over par by $2,000. "Double Wedding" took a good $12,500 at the Madison, bettering average by $2,500.

Total first run business was $75,400. Average is $70,000.

Estimated takings for the week ending Nov. 25:

"ALI BABA GOES TO TOWN" (20th-Fox)
"TROUBLE AT MIDNIGHT" (U.)
ADAMS—(1,770), 15c-50c, 7 days. (2nd wk.) **Gross:** $5,200. (Average, $5,000)

"SECOND HONEYMOON" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage, Walter C. Kelly, Milton Douglas, Two Eileens, Wen Hai troupe, Gae Foster girls. **Gross:** $22,000. (Average, $20,000)

"EBB TIDE" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage, Little Jack Little & Radio Bandits, Lillian Carmen, Fenwick & Cook, Noll & Nolan. **Gross:** $23,600. (Average, $20,000)

"BACK IN CIRCULATION" (F. N.) "THIS WAY PLEASE" (Para.)
STATE—(3,000), 15c-50c, 7 days. (2d wk.) **Gross:** $4,600. (Average, $5,000)

"THE FIREFLY" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days, 2d. wk. **Gross:** $7,500. (Average, (000'01$

"DOUBLE WEDDING" (M-G-M)
MADISON—(2,000), 15c-75c, 7 days. **Gross:** $12,500. (Average, $10,000)

Assign Warner Roles

HOLLYWOOD, Nov. 28. — Warners have made the following cast assignments: Thomas Mitchell, Dick Foran, John Litel, Barbara O'Neill and Mona Barrie to "Everybody Was Very Nice," and Margaret Lindsay to "Jezebel."

Change RKO U.K. Name

LONDON, Nov. 22.—Radio Pictures, Ltd., which is the title of RKO's English organization, will be known in the future as RKO Radio Pictures, Ltd. It will thus conform with other RKO units throughout the world.

Gets Selznick Post

HOLLYWOOD, Nov. 28. — Jackson Parks has been appointed by Russell Birdwell as eastern publicity man, temporarily, for Selznick International.

Weekly Changes Increase

PORTLAND, Ore., Nov. 28.—Equipment and poster men in this area report that many suburban houses are making two changes weekly instead of three as was formerly the case.

"Alcatraz" Is Wow in L. A. At Two Houses

LOS ANGELES, Nov. 28.—Dual bills, composed of "Alcatraz Island" and "Sh, the Octopus," playing at the Warner Downtown and Warner Hollywood, cracked long-standing records at both houses, taking $20,000 against a house average of $12,000 at the Downtown, and $18,500, against par of $14,000 at the Hollywood.

"Victoria the Great" grossed $6,371 at the 4 Star, to better par by $3,121. "The Firefly," dualled with "Wallaby Jim of the Islands," took $15,671 at Loew's State, topping average by $1,671. "Ebb Tide" went $1,000 over the Paramount average with $19,000.

Total first run business was $120,301. Average is $107,950.

Estimated takings for the week ending Nov. 24:

"THE HURRICANE" (U.A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 3rd week. **Gross:** $14,300. (Average, $17,000)

"THE FIREFLY" (M-G-M) "WALLABY JIM OF THE ISLANDS" (M-G-M)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $11,959. (Average, $12,500)

"VICTORIA THE GREAT" (RKO)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $6,371. (Average, $3,250)

"HEART'S DESIRE" (A.B.P.)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,700. (Average, $1,200)

"FIGHT FOR YOUR LADY" (RKO) "FIT FOR A KING" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,300. (Average, $8,000)

"THE FIREFLY" (M-G-M) "WALLABY JIM OF THE ISLANDS" (M-G-M)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $15,671. (Average, $14,000)

"FIGHT FOR YOUR LADY" (RKO) "FIT FOR A KING" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"EBB TIDE" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: Everett Marshall, Peter Sisters, Terrill & Fawcett, Ken Baker and his orchestra. **Gross:** $19,000. (Average, $18,000)

"ALCATRAZ ISLAND" (F.N.) "SH, THE OCTOPUS" (F.N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $18,500. (Average, $14,000)

"ALCATRAZ ISLAND" (F.N.) "SH, THE OCTOPUS" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

Has New Sound Device

WASHINGTON, Nov. 28.—The Dep't of Commerce reports that a patent has been granted in Germany for a device that will reproduce sound immediately after recording and at considerably less cost than at present. The invention is said to be the size of a portable radio and is equipped with electric cables, microphones and a separate loudspeaker.

Fox Shifts Saunders

DENVER, Nov. 28.—Si Saunders has been transferred from the Fox Intermountain headquarters here to Salt Lake City where he will become assistant to Max Goldstein, booker for Fox houses in Montana, Idaho and Utah. Saunders is succeeded here as short subject booker by Dan Driscoll.

Ted Gamble to Hospital

PORTLAND, Ore., Nov. 28.—Ted Gamble, manager of the Broadway, today was remanded to the hospital for a minor operation.

CRASHES TOP IN OPENINGS ALL
MONEY REVIEWS EVERYWHERE
—LIKE THESE IN NEW YORK

"Swell entertainment... Fred's drum dance rates the spontaneous burst of applause ... Burns and Allen have never been funnier on screen or radio."—*Kate Cameron, N. Y. Daily News*... "Refreshing! ... Captivating tunes and striking dance routines ... highly entertaining."—*Howard Barnes, N. Y. World-Telegram*... "Elements fresh, glib and agreeably presented ... What more can one ask of an Astaire show?" —*Frank S. Nugent, N. Y. Times* ... "Score includes hit material ... fans will cheer drum dance ... sportive and frolicsome ... highly entertaining."—*Bland Johaneson, N. Y. Daily Mirror*... "The whole thing moves with a lively and genial swing, its Gershwin tunes are among the best he ever composed ... wittily authored and extremely well acted against a superb production ... Ingratiating and charming."—*William Boehnel, N. Y. World-Telegram*... "This 'Damsel' is in no distress at all ... what with Astaire dancing, Gracie Allen and George Burns cutting capers, Reginald Gardiner and Ray Noble spoofing along, a Berman production and a Gershwin score."—*Regina Crewe, N. Y. Journal & American*... "A happy musical ... with a corking score —one of those certain to haunt the ballrooms for months ... Fred's tapping sparkling, delightful."—*Eileen Creelman, N. Y. Sun*... "Excellent ... Fred Astaire is at his nimble and most engaging best ... picture boasts the choicest musical score and the most truly amusing plot yet to be offered in an Astaire vehicle ... It's all O. K. with us ... Ultra, super O.K.!"

—*Irene Thirer, N. Y. Post*



RKO RADIO PICTURES

OVER THE COUNTRY!...



FRED ASTAIRE

GEORGE **BURNS** and GRACIE **ALLEN**

"A Damsel in Distress"

WITH

JOAN FONTAINE

REGINALD GARDINER • RAY NOBLE

CONSTANCE COLLIER • MONTAGU LOVE • HARRY WATSON

MUSIC BY **GEORGE GERSHWIN** • LYRICS BY **IRA GERSHWIN**

From the story by P. G. WODEHOUSE

A PANDRO S. BERMAN PRODUCTION

DIRECTED BY GEORGE STEVENS

SCREEN PLAY BY P. G. WODEHOUSE, ERNEST PAGANO, S. K. LAUREN

Fair Practice Group Planned For Dominion

(*Continued from page* 1)

toward the formation of the committee was the fact that four representatives of the Independent Theatres Ass'n. of Ontario joined with the independents of the Province of Quebec in placing the petition before the Quebec premier, the cooperation of the organized owners in Ontario being assured.

The committee has already held a preliminary meeting at which the aims and objects of the conciliatory board were generally outlined. Those comprising the committee are: N. A. Taylor, representing the Exhibitors' Booking Ass'n.; H. Freedman, president of the Independent Theatres Ass'n.; L. M. Devaney, general manager of Radio Pictures Corp. of Canada; Clair Hague, Canadian representative of Universal; Clarence Robson, division manager of Famous Players Canadian Corp.; H. T. Long, general manager of Associated Theatres, Ltd.; S. Fine of Bloom & Fine, Ltd., a subsidiary of Famous Players Canadian Corp., and H. Allen of Premier Operating Corp., which controls a group of theatres in Ontario. All of these officials are Toronto men, with two representing the Canadian film distributors.

Independents Cooperating

The campaign in Quebec is being sponsored by the Quebec Allied Theatrical Industries, of which the secretary is D. A. Burpee, theatre owner. Considerable importance is attached to the fact that the independents of both provinces have lined up with an apparent degree of solidity and also that the creation of a committee at Toronto would have considerable effect on the situation in Quebec as well as in Ontario because of the industrial leadership in Toronto.

Oppose Ear-Marking Of Ohio Ticket Tax

(*Continued from page* 1)

by P. J. Wood, secretary of the I.T.O. of Ohio, in a bulletin urging exhibitors to attend the organization's regional conference here, Dec. 6 to 8, at which plans will be completed for opposing the change in the admission tax provisions.

The organization will be host to state senators at the annual banquet being held Dec. 7 in connection with the conference. Exhibitors are requested to attend and arrange to bring the state representatives from their local territories to the affair.

The I.T.O. bulletin relates that the organization will launch a move at the conference to introduce anti-Ascap legislation in Ohio "similar to that enacted in Nebraska." An injunction restraining Nebraska from enforcing its anti-Ascap legislation was issued by a Federal Statutory Court two weeks ago.

Warner Releases Set

Warners have scheduled "First Lady," "Tovarich," "Sh! The Octopus," "Missing Witnesses" and "She Loved a Fireman" for December release.

Tax Liability Might Bring UA Deal Shift

(*Continued from page* 1)

has been liquidated. The $1,500,000 of new short term preferred stock being issued to Mary Pickford and Douglas Fairbanks is to be retired first and the $4,500,000 cash loan from Casenove, Akroyds & Co. and Greenwood & Co. of London, thereafter.

Presumably, this provision would subject United Artists to heavy liabilities under the Federal undistributed profits tax over the period during which the indebtedness was being liquidated, with the result that the tax experts retained by the principals apparently are attempting to simplify and revise the agreement in such a way as to lighten the indicated tax liabilities while retaining the original intent of the principals.

Weekly Attendance Reaches 85,000,000

(*Continued from page* 1)

and four times the film rental revenue, or approximately $1,100,000,000. With the average admission estimated at between 22½ and 25 cents the industry thus arrives at the attendance figures which it commonly employs.

Attendance levels for the current year are estimated to have shown gains over those of 1936 up to and including September, but for the past two months have fallen behind the October and November gains of last year. No December gain is anticipated, with indications, as a result, that the 1937 increases will be evened off to little more than the industry's estimate of an 82,000,000 weekly average attendance for last year.

Columbia's Net for 13 Weeks Is $147,311

Columbia's earnings for the 13 weeks ended Sept. 25, constituting the first quarter of the company's fiscal year, were officially given as $147,311 on Saturday. A preliminary estimate for the quarter made a week earlier gave earnings for the period as $147,000.

Pathe Declares Dividend

Pathe Film Corp. has declared a regular quarterly dividend of $1.75 a share on the $7 convertible preferred stock, payable Jan. 3 to stockholders of record Dec. 23.

Kalmenson to Take Post in Two Weeks

(*Continued from page* 1)

Schnitzer, who has resigned as Republic district manager, effective Jan. 1. Ochs will be assigned to another post shortly.

Sears left for the south over the weekend for a brief vacation.

Allied, ITOA Meet Today

Joint committees of Allied of New Jersey and the I.T.O.A. will meet today for the first time to discuss mutual problems. According to the original plan the committees will convene bimonthly. Irving Dollinger heads the Allied group of five and Maurice Fleischman and four others will represent the I.T.O.A.

Trans-Lux, Others Defendants in Suit

Frederic A. Morny, inventor, has filed suit in U. S. District Court for treble damages of $3,000,000 under the Sherman Anti-Trust Laws against Trans-Lux Daylight Picture Screen Corp., Trans-Lux Movie Ticker Corp., News Projection Corp. and Western Union Telegraph Co. Five individuals are also named in the suit.

Morny, formerly sales manager of News Projection Corp., charges that the defendants attempted to maintain a monopoly of news projection, ticker apparatus and service.

Approves Option Extension

U. S. Circuit Judge Martin T. Manton on Saturday authorized Milton C. Weisman, receiver of the Fox Theatres Corp. and the William Fox Play Co., Inc., to extend the option of the Camelot Theatre Corp. to purchase the theatre it now operates in Springfield, Mass., until March 25, 1938. Weisman stated in his petition that negotiations for the sale are progressing. Judge Manton also authorized the payment of an eight per cent dividend by the receivers to the Philadelphia Co. for guaranteeing mortgages whose claim was recently adjusted.

Restore Columbia Suit

The suit of Columbia Pictures Corp. against Nicholas Soussamin was restored to the N. Y. Supreme Court calendar on Saturday for trial. The action was brought by Columbia to rescind the contract granting the defendant the picture rights to the story, "The Decade," which was also known as "The House of Remsen." Columbia alleges that it received $5,000 for the rights, but has chosen to rescind this because of alleged fraud." Case was marked off the calendar in October.

Picture on Life of Monks Is Completed

BOSTON, Nov. 28.—"Monastery," a film record of the life and work of the monks of two of the most famous orders of the Catholic Church, at the Trappist Monastery in France and the Great Saint Bernard Monastery in Switzerland, has been completed under the direction of Robert Alexander, who also did "Cloistered," and will open at the Fine Arts here, Dec. 9.

Cooperating in the production, which is being nationally released by World Pictures, was the Rev. Michael J. Ahearn, S.J. The entire proceeds of the opening performance will be donated to Father Ahearn as the first unit in the endowment of the Father Ahearn Fellowship in Seismology at Western College Observatory. The film will be released in tinted and toned prints, and 16mm. prints will make it available for schools. The film has been dedicated to His Eminence, William Cardinal O'Connell.

Resume Depositions In Anti-Trust Case

(*Continued from page* 1)

plaintiffs, leaves for New York on Monday with hopes of concluding the depositions by the end of the week. Two weeks were spent on the work previously in New York during October. The actions seek $800,000 damages, which are tripled in anti-trust suits in the event judgment is awarded the plaintiff.

Japanese Ban Seen Extended Until Spring

(*Continued from page* 1)

surrounding territory probably until next March.

In line with the restrictive legislation on imports, the Government is attempting to impose restrictions on playing time in theatres. The plan is said to be designed to assist Japanese domestic production and to bring about improvement in the quality of native product. It is the intention of the Home Office to limit playing time to two and one-half or three hours at theatres.

Coincidentally, Japanese production has been severely hit by the imposition of a 20 per cent ad valorem tax on the importation of raw film, on the Government's belief that such import constitutes a luxury commodity.

Perkins Para. Sales Manager in Far East

(*Continued from page* 1)

quarters. He served as an assistant to Cochrane in Japan for nine years and, in 1933, was made Paramount manager for China with headquarters in Shanghai, serving in that capacity since. He will appoint a manager for China on his return to the Far East.

Operators' Deal in Milwaukee About Set

MILWAUKEE, Nov. 28.—With the exception of several adjustments in reclassification of houses, negotiations between Milwaukee County exhibitors and the M. P. Projectionists' Union, Local 164, are understood to be practically completed.

The new contract, which becomes effective on the first payday in December, calls for a 10 per cent increase over a two-year period, with the increase amounting to 7½ per cent the first year and 2½ per cent the second.

The matters of reclassifying several houses and revising written parts of the contract are expected to be cleared up shortly. It is reported that under the new contract, the union is granting all houses using two men in the booth an additional hour of operating time and those employing one projectionist two additional hours of running time.

To Attend I.A.T.S.E. Meeting

NEW HAVEN, Nov. 28.—M. J. Moriarty, president of Local 273 of the operators' union, and Matthew Kennedy, business agent, will represent operators at the I.A.T.S.E. convention in Springfield Dec. 5. Kennedy has also been appointed business manager of Exchange Employes' Unit 41B.

Union Meets Wednesday

Members of Local 306 will hold a bi-monthly meeting Wednesday to discuss negotiations with circuits on the new two-year wage terms. It is expected that definite proposals will be made to present to circuits, following which Joseph D. Basson, president, and a committee will set a date for meeting with the major circuit representatives.

Cormier Joins WINS As General Manager

J. V. Connolly, president of Hearst Radio, Inc., has appointed Albert A. Cormier, general manager of WINS, effective Dec. 6.

Cormier was for nine years connected with WOR, serving as general manager during the last three years. He left WOR to become vice-president and general manager of WIP, Philadelphia, from which post he resigned two months ago.

Bradley Kelly, who has been acting manager of WINS for the past two months, since the resignation of Burt Squire, will return to his duties as associate editor of Kings Feature Syndicate following Cormier's assumption of the management of the station.

To Offer CBS Highlights

A new series presenting highlights from the week's best CBS features as chosen by vote of the listeners will be offered over that network Sundays from 8 to 8:30 P. M. beginning Dec. 5. It will be titled "The People's Choice." The series will originate in the studios of KNX, Hollywood. Charles Vanda, CBS west coast program director, will produce the series, and Lud Gluskin will direct the orchestra. In cases where the original stars will not be available, mimics will fill in for them.

New Boxing Program on KJR

SEATTLE, Nov. 28.—A new boxing commentary, "Between Rounds," has been placed on KJR, with Dick Sharp as interrogator and commentator. The first guest this week was Freddie Steele, middleweight titleholder. The series is sponsored by the Pacific Outfitting Co., through the Ann Newman ad agency. Sharp is assistant sports editor of the *Seattle Post-Intelligencer.*

Station in Film Tieup

BALTIMORE, Nov. 28.—Through a tieup with WFBR, a "Movie Bee" is presented every Saturday night at 9:30, conducted by Ralph Powers and Bob Hurleigh. Questions pertain to pictures, and the one answering all questions perfectly receives a $5 prize. Every person in the contest receives a guest ticket to see the picture the following week.

Sponsor "Ballroom" Show

Consolidated Drug Trade Products Co. has placed a contract for sponsorship of Martin Block's "Make Believe Ballroom" on WNEW for 52 weeks. The McCord Co., Inc., Minneapolis, is the agency, through its representative, the William G. Rambeau Co.

Kaltenborn in New York

CINCINNATI, Nov. 28.—H. V. Kaltenborn, CBS commentator who has been ill here with an infected gall bladder since Nov. 12, returned to New York yesterday and broadcast from the CBS studios in that city last night.

WCKY Head to Florida

CINCINNATI, Nov. 28.—L. B. Wilson, president and general manager of WCKY, NBC outlet, has gone to Florida, where he will remain for the greater part of the winter. His wife accompanied him.

Radio Personals

NICK KENNY, radio editor of the *Mirror,* together with Terri Franconi and Lois Bennett, will appear as guests on the Hammerstein "Music Hall" Dec. 3. . . . Benay Venuta will speak at the Fashion Academy Dec. 1 on the subject of fashions in the South Seas. She recently returned from Tahiti, where she spent the summer. . . . Emil Coleman, at the St. Regis, will pay tribute to other bandleaders tonight by playing their theme songs, with prizes to be awarded to patrons giving the largest number of correct identifications. . . . Margaret Harrison's book, "Radio in the Classroom," will be off the presses late this week. She is radio consultant of the Progressive Education Ass'n. . . . Edward Arnold and Barbara Weeks will be on Bing Crosby's program Thursday. . . James Ameche, brother of Don, will make his second successive appearance on "Grand Hotel" tonight. . . . With the days to Christmas hurrying on, bonus talk in radio circles is beginning to make the rounds. Rumors say that CBS will give one, possibly two weeks pay to employes; WOR, one week's pay. Mutual and NBC last year did not present bonuses, and are not expected to do so this year.

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Chicago Town Pump

CHICAGO, Nov. 28.—Helen Johnson, director of the American School of the Air, is conferring with WBBM and educational leaders here . . . Dick Post, formerly of WCCO, is a new addition to the WBBM announcing staff . . . Leo Edgley, radio script author is the father of a son, Michael . . . Carnation Milk started a half-hour broadcast in Polish over WHIP . . . Dick Powell and wife, Joan Blondell, visited the CBS studios here recently. . . . Sidney Strotz is taking a week off to go duck hunting . . . WBBM Announcer Jay Sims is suffering from a broken shoulder . . . Carl Erickson and Bruce Robertson have been added to the WIND announcing staff. . . . Vivian Della Chiesa is making personal appearances at Hammond, Ind., Burlington, Ia., and Janesville, Wis., during the next two weeks. . . . The "WJJD Sports Edition" is a new two-hour sport broadcast over that station with Brown & Williamson advertising Avalon cigarettes while Warren Brown, Jimmy Dudley and Russ Hodges supply the talent.

✚

Pittsburgh Town Pump

PITTSBURGH, Nov. 28.—Bill Sutherland, announcer at KDKA, has been elected to the directorate of the Kiwanis Club for a three-year term. . . . Walt Framer, WWSW's "Show Shopper," is playing the role of Walter Burns, the managing editor, in "The Front Page" at the "Y" Playhouse. . . . Sally La Perche, one-time trumpet star with Ben Pollock's outfit, has joined the reorganized Basin Street band on WWSW. . . . Peter Higgins, playing a night club engagement here, has been spotted on several KQV afternoon programs. . . . Max Azen, furs, has purchased a once-weekly quarter-hour show on KDKA featuring Bernie Armstrong, the team of Pat and Dot and Elsie Lichtenstul, mistress of ceremonies. . . . WWSW has sold complete broadcasts of the Monday Night Community Forums, from 8:15 to 10, to Rhea's Bakery here.

Atlas Radio Holding First Sales Session

CHICAGO, Nov. 28. — Twenty-four sales executives of the Atlas Radio Corp. met at the Hotel Stevens here today in the company's first annual sales convention. The delegates are from the four zones covering the country for Atlas.

Herbert R. Ebenstein, president, headed the New York contingent. Also here from New York are Lou Winston and Dave Davidson. The central zone is represented by L. Daniel Blank and Sam Halperin. Claude C. Ezell and Hal Norfleet are here representing the southern group. The western zone contingent is headed by Ray Coffin.

Senator Capper on Air

Senator Capper of Topeka, Kan., will be the featured speaker on WMCA's "Between War and Peace" series Nov. 30 from 9:45 to 10:00 P. M. Senator Capper will be heard from Washington, through WOL, inter-city key station in the nation's capital.

WABY Has Story Contest

ALBANY, Nov. 28.—WABY is running a song contest, entitled "Memory Lane" in conjunction with Warners' Strand. Letters giving lists of the songs played must be submitted to the studio, with correct answers rating a pair of ducats to the Strand.

London Television Broadcast Success

LONDON, Nov. 28.—A television demonstration, offering Londoners a foretaste of television's future possibilities, has been made here with a vision broadcast showing two men standing more than seven miles apart engaged in conversation. The principals could both see and hear each other during the broadcast.

Gerald Cook, television director of BBC, talked before a screen at the corporation's television station in Alexandra Palace, and Walter Mycroft, film director, was before a television receiver at the Elstree Studios. The broadcast was highly successful, according to reports of observers.

Denied Permission for Films

CHICAGO, Nov. 28.—Ready to go to Hollywood for pictures, the Maple City Four and Hoosier Hot Shots found it necessary to cancel their plans when Alka-Seltzer, sponsors of the National Barn Dance, refused to permit them to leave Chicago and miss any broadcasts.

Record U. of P. Show

PHILADELPHIA, Nov. 28. — Jan Savitt, house band leader at KYW here, has recorded the entire score of the University of Pennsylvania's Mask and Wig show "Fifty-Fifty." Recordings were made at the RCA-Victor plant in Camden.

Insiders' Outlook

(*Continued from page 2*)

son, J. A. Martenson, Herb Moulton.

Its message was:

Re: Change in Short Feature Release Schedule.

The title of the Sportlight (R7-3) to be released October 8 has been changed from "Three Smart Dogs" to: "Four Smart Dogs."

L. S. DIAMOND

The New Yorker's caption: Mr. Diamond Spreads the News.

▼ ▼

Los Angeles' moving mountain carries on its lofty peak a 24-sheet advertising the day-and-date run of "Nothing Sacred," Dave Selznick's latest, at Loew's State and the Chinese beginning December 1. Geologists are reported as having calculated that, when the mountain goes, the stand will end up in the driveway of the M-G-M lot in Culver City. That's supposed to be symbolism. . . .

Legion Approves 14 Pictures for Week

The National Legion of Decency, in its list of new pictures for the current week, has approved nine films for general patronage and has found five unobjectionable for adults. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Behind the Mike," "Danger Patrol," "Danger Valley," "I'll Take Romance," "Manhattan Merry-Go-Round," "Sh! The Octopus," "Springtime in the Rockies," "Tex Rides with the Boy Scouts" and "Thoroughbred's Don't Cry." Class A-2, Unobjectionable for Adults—"Charlie Chan at Monte Carlo," "Life and Loves of Beethoven," "Sez O'Reilly to McNab," "Swing It Sailor" and "True Confession."

Zanuck Has Lined Up 7 New Season Films

HOLLYWOOD, Nov. 28.—Darryl F. Zanuck has lined up seven of the 28 major attractions to be scheduled on the 20th Century-Fox program for 1938-39. The group includes "Winter Garden," a dramatization of the life of Alexander Graham Bell, "American Chamber of Horrors," "Hudson Bay Company," "Mother Knows Best" with the Dionne Quins, "Bank of England," "Stanley and Livingstone" and "Kidnapped."

Sidney R. Kent, president, plans to spend about two weeks here before returning to New York. He is going over next season's production budgets with Joseph M. Schenck, chairman of the 20th Century-Fox board, and Zanuck.

"Orphan Boy" Booked

General Foreign Film Sales Corp. has booked "An Orphan Boy of Vienna" into the Beverly, Janesville, Wis., the Rosener circuit in Portland, Ore., and the Casino Cinema in Miami.

A GOOD LAUGH ON EVERY PROGRAM KEEPS AWAY RAINY DAYS

The sun shines for every show that includes these Showmanship Shorts.

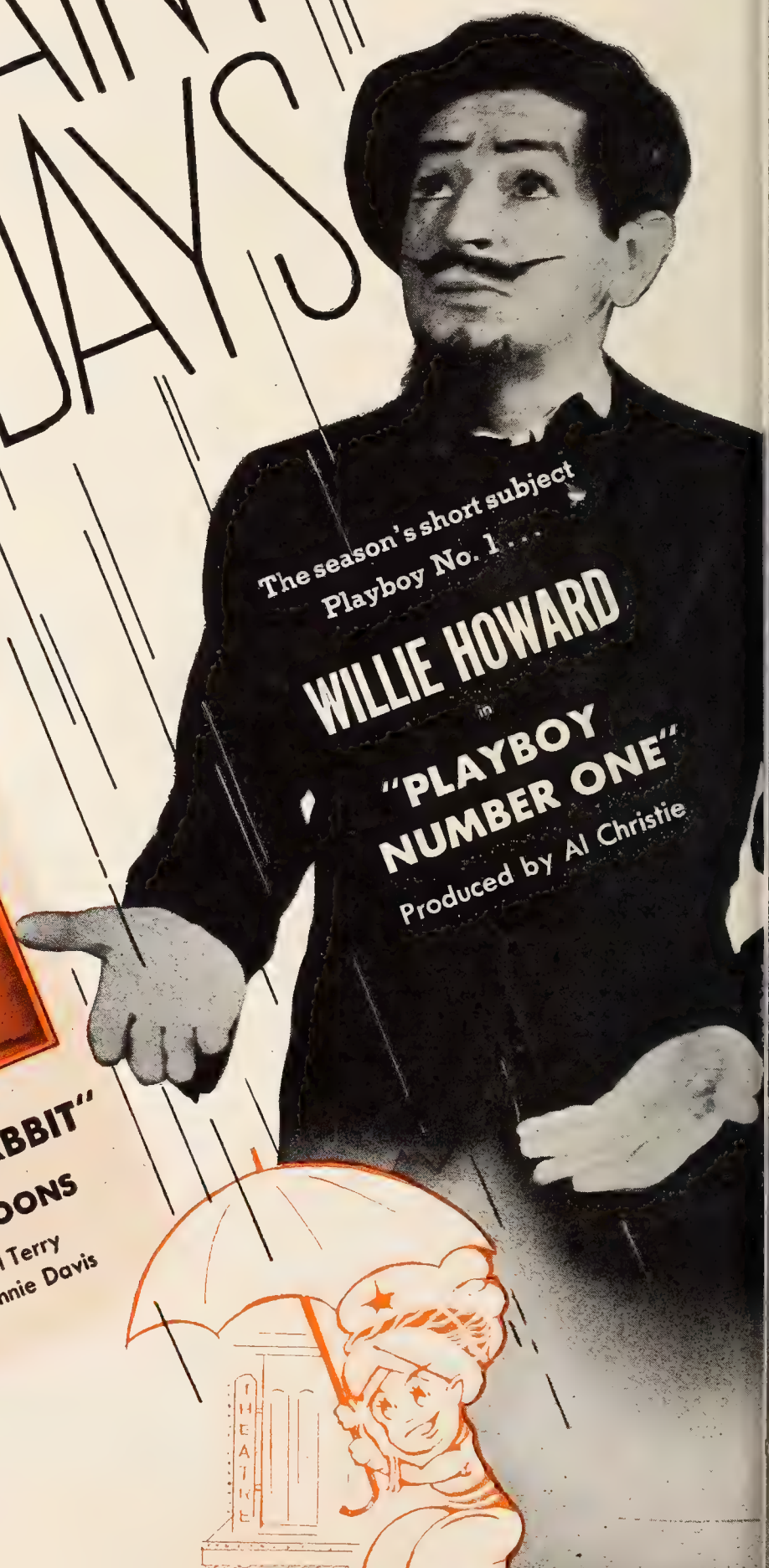


BUSTER WEST and TOM PATRICOLA
in
"HURRAY FOR HOOLIGAN"
Directed by William Watson



THE CABIN KIDS
in
"TRAILER PARADISE"
A Song and Comedy Hit

"THE TIMID RABBIT"
TERRY-TOONS
By Paul Terry and Mannie Davis



Presented by E. W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"

Reg. U. S. Pat. Off.

DISTRIBUTED in U. S. A.
BY 20TH CENTURY-FOX
FILM CORPORATION

Alert. Intelligent and Indispensable to the Motion Picture Industry

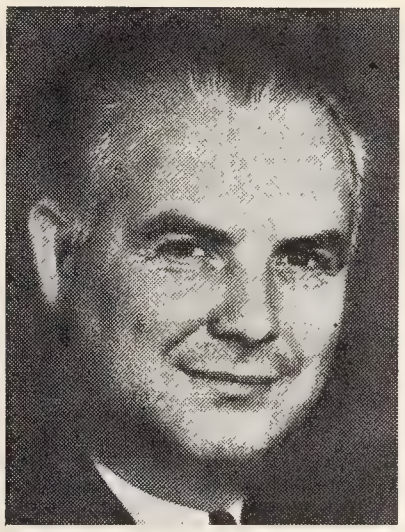
MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 128 NEW YORK, TUESDAY, NOVEMBER 30, 1937 TEN CENTS

Nate Blumberg "U" Head; W. A. Scully Sales Chief

New "U" Head



Nate J. Blumberg, who yesterday signed a five-year contract as president of Universal, succeeding Robert H. Cochrane. The board of directors will confirm the deal today.

BORN at Racine, Wis., Feb. 3, 1894, Nate J. Blumberg, who will become president of Universal on Jan. 1, will be back in the fold of the company he was associated with during the years 1926-28 as general manager of its Wisconsin theatres.

Blumberg was in business for himself many years before entering the industry back in 1905 as manager of a legitimate group of theatres under supervision of Mort Singer. He continued in the post for seven years and then joined the sales department of General Film, later moving over to Famous Players in a western post.

From 1914 to 1926, Blumberg was an independent exhibitor, operating in Milwaukee, Racine and other points west. In 1926 and during the two succeeding years, he was general manager of Universal Theatres in Wisconsin, and in 1929 became assistant general manager for RKO theatres, which embraced the entire country. From 1932 and until the following year, he was in charge of operations

(*Continued on page 3*)

Biographies of W. A. Scully and Lou Weinberg appear on page 3.

R. H. Cochrane Offered Executive Committee Chairmanship—J. R. Grainger Supplanted in Dramatic Reshuffle

By RED KANN

Nate J. Blumberg, vice-president in charge of RKO theatre operations, yesterday signed a five-year contract as president of Universal, succeeding Robert H. Cochrane. He assumes charge on Jan. 1.

In one of the most unexpected and dramatic executive upsets in recent years, William A. Scully, eastern district manager for M-G-M, will become general sales manager, succeeding James R. Grainger.

Louis Weinberg, circuit sales manager for Columbia, will become a divisional sales manager as running mate to Frank J. A. McCarthy, currently eastern divisional manager for Universal.

Scully and Weinberg will go to "U" under contracts which are expected to be signed momentarily.

Blumberg's deal will be ratified by the Universal board of directors, who will meet this afternoon. Their ratification is purely a perfunctory procedure.

Cochrane has been offered the post of chairman of the executive committee under a 10-year contract to supplant his present three-and-one-half-year contract on a salary basis which, it is understood, would about equal, over the 10-year period, his remuneration under his present shorter term deal.

It could not be learned yesterday whether or not he had accepted the proposal of the board. Cochrane had no statement to make. Blumberg, likewise, maintained complete silence.

It is understood the shift will bring additional financing into Universal through a group reportedly close to Rockefeller interests. Blumberg's five-year deal calls for a four-figure salary each week with increases for each succeeding year and stock option arrangements on as high as 5,000 shares each year for the life of the contract.

It was by invitation that the present operating head of the RKO circuit joins Universal. It is understood he was first approached about a year ago through Charles R. Rogers, executive vice-president in charge of production. Blumberg at the time rejected the proposal and the matter remained dormant until about three months ago. It was revived on Blumberg's recent coast visit, the approach having then been made through a representative of a downtown banking group, the identity of which could not be

(*Continued on page 3*)

The Deal...

NATE J. BLUMBERG retires as general theatre operator for RKO to become president of Universal for five years.

ROBERT H. COCHRANE, currently president, is offered chairmanship of executive committee and 10-year contract to replace his current three-and-one-half-year pact. He has not accepted as yet, it is believed.

JAMES R. GRAINGER, general sales manager, is replaced by WILLIAM A. SCULLY, now eastern district manager for M-G-M.

LOU WEINBERG, circuit contact for Columbia, becomes divisional sales manager for Universal as running mate to

FRANK J. A. McCARTHY who continues as eastern sales manager.

J. CHEEVER COWDIN continues as chairman of the board.

CHARLES R. ROGERS continues in charge of production.

Adherence on Copyright Is Plea of Duffy

Recommended in Formal Report to Senate

By BERTRAM F. LINZ

WASHINGTON, Nov. 29.—Adherence of the United States to the International Copyright Convention was today urged upon the Senate in a formal report submitted by Senator F. Ryan Duffy of Wisconsin for the Foreign Relations Committee.

Recommending that the Senate, which passed favorably on the treaty some two years ago, again give its consent, the report recommended that, in order to give American interests time to prepare themselves for the new conditions, we should enter the convention a year after ratification.

The report stressed the protection which the treaty would give in other countries to the American copyrights, pointing out that films and broadcasting would be particularly affected, especially short-wave broadcasting, which now is in danger of infringement in vast areas.

The committee also called attention to the provisions for automatic copyright, explaining that they are of

(*Continued on page 6*)

20th Does $1,800,000 In Kent Drive Week

Twentieth Century-Fox did a domestic film rental business of $1,800,000 in the 15th week of the Kent Sales Drive. This is believed to represent a new all-time high in the history of any single distributor.

The company declared yesterday the record not only set a new high in amount of rentals, but also in numbers of bookings. More than 18,000 accounts throughout the United States

(*Continued on page 6*)

O'Connor Suggested To Replace Blumberg

John J. O'Connor, at present chief film buyer for the RKO circuit nationally, has been recommended as successor to Nate J. Blumberg as operating head of the circuit. O'Connor has been with RKO for years and is viewed as thoroughly familiar with the intricacies of its operation.

Decision as to the appointment rests with Leo Spitz, head of the company, who is now in California.

Radio—Page 7

MOTION PICTURE DAILY
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Erpi Deal Scheduled To Be Closed Today

The deal whereby Erpi disposes of the last of its theatre sound equipment enterprises is scheduled to be formally closed today. Erpi and Western Electric officials spent yesterday scanning the contracts for the purchase of the servicing and installation business by a Wall Street group, and today expect to complete the study and affix signatures.

The deal becomes effective tomorrow when L. W. Conrow takes over the presidency of the new servicing and installation company for the purchasing group. Members of Erpi's home office operating and field staff will be associated with the new company in executive capacities.

Silverstone UA Head Report Again Denied

HOLLYWOOD, Nov. 29.—Persistent reports current here today that Maurice Silverstone, head of the company in England, would be named president of the parent United Artists organization, were again denied today by a spokesman for the company.

Purely Personal

HAROLD S. DUNN, Far Eastern sales head for Warners, will leave the end of the week by auto for Miami. He will bask in the sun a few weeks, then return to New York and, following a short visit here, will leave for the coast, from which point he will sail for Shanghai.

•

PAUL GRAETZ of Paris Export returned from the coast yesterday after spending three weeks with JACK D. TROP, American representative for the company.

•

ROBERT MOCHRIE, U. A. southern district manager, left yesterday for Atlanta. During his short stay here he has been visiting various pigskin games.

•

LILLIAN JEFFREY, secretary to JOSEPH R. VOGEL, will return today from Minneapolis by plane. She spent the Thanksgiving holidays with her family.

•

CLINTON M. WHITE, G. B. assistant general manager, left last night for the company's exchanges in Chicago, Milwaukee and Minneapolis.

•

REG WILSON, G. B. special home office representative, in the future will make his headquarters in Boston rather than in Dallas as heretofore.

•

WALTER GOULD, assistant to ARTHUR W. KELLY, will leave Saturday for Rio de Janeiro. He expects to be gone three months.

•

CHARLES FORD moved the makeup department of the Universal Newsreel to the company's exchange at the Film Center yesterday.

•

J. J. MILSTEIN will leave Thursday for a visit to all Republic exchanges. He plans to return the middle of January.

•

HARRY GOLDBERG, director of advertising for Warner theatres, is back from Cleveland.

•

WINFIELD SHEEHAN has rented an apartment at the Ambassador.

•

MOE SEIGEL left last night for the coast after three weeks here.

•

TOM SPRY has returned to Boston.

New Trans-Lux Spot Planned on B'way

A new Trans-Lux Theatre will be opened at 49th St. and Broadway Jan. 1, according to Major L. E. Thompson, president of Trans-Lux Theatres, and B. S. Moss.

When completed this house will replace the present Trans-Lux house at 1619 Broadway.

In addition to the usual newsreels travel subjects and other shorts, including cartoons, will be shown, and there will be a flash news service from the United Press every hour.

Claim "Sacred" $80,400

"Nothing Sacred," at the Music Hall, grossed $80,400 in the first four days of its run, according to U.A.

Kuykendall Delays ITOA Conferences

COLUMBUS, Miss., Nov. 29.—Ed Kuykendall, M.P.T.O.A. president, today advised Harry Brandt, I.T.O.A. president, that he would be unable to attend the conference of exhibitor leaders proposed by the latter until after the first of the year.

Kuykendall had written Brandt earlier suggesting that the conference, tentatively proposed by the I.T.O.A. president for Dec. 14, be held not later than Dec. 10. Upon receiving no confirmation from Brandt of an earlier date, Kuykendall made other arrangements and now has a full schedule up to the year end holidays.

The aim of the conference was to devise means of obtaining distributor recognition of a trade practice program. Nathan Yamins, Allied States president, had accepted Brandt's invitation for the Dec. 14 date.

The I.T.O.A. said yesterday that it had not received Kuykendall's letter asking that a date prior to Dec. 14 be set for the conference, but wired him yesterday to learn whether Dec. 10 was still acceptable. He said that if, in view of his latest wire, it was not, the date for the conference would be set for some time in January.

Ament Joins Pathe News as an Editor

Walton C. Ament, attorney, who has been a member of the legal staff for Irving Trust Co., trustee for RKO, for the past two years, joins Pathe News tomorrow as an editorial representative. Ament was associated with the law firm of Donovan, Newton, Leisure & Lumbard, RKO trustee's counsel.

Others who become members of the newsreel staff tomorrow are Joseph Mickler, formerly chief rewrite man for the *N. Y. Journal-American,* and Charles Findley, formerly a script writer and director for March of Time. Mickler receives a writing assignment and Findley becomes a director for the reel.

The appointments were made by Frederick Ullman, vice-president and general manager of Pathe News, in line with a general strengthening of the reel's staff through the addition of new manpower.

Warners Intend No New Sales Changes

Beyond an exchange appointment for Herbert J. Ochs who is being succeeded as southern and western sales manager for Warners by Ben Kalmenson, no further changes in the company's sales force are planned, Carl Leserman, assistant general sales manager, declared yesterday.

Kalmenson, as reported by MOTION PICTURE DAILY on Saturday, will be succeeded as eastern district manager by Edward M. Schnitzer, who is resigning from Republic to assume the new post. Schnitzer signed his Warner contract yesterday.

Cohn Party Sold Out

PITTSBURGH, Nov. 29.—The testimonial dinner to Ira Cohn, head of the 20th-Fox exchange here, which will be held at the William Penn Hotel Dec. 6, is a complete sellout. More than 450 are expected.

Start Drafting of Dallas Case Appeal

The drafting of papers for the defendants' appeal from the Dallas Federal court decision finding that major distributors conspired with Interstate Circuit in the making of contracts which tended to regulate admission prices in subsequent run theatres was begun here yesterday. Indications are that the work will be completed by the end of the week.

George Wright, defendants' counsel at Dallas, and John Moroney of Interstate Circuit, arrived here yesterday to aid in the preparation of the appeal which will be in charge of Thomas D. Thacher, former U. S. Solicitor General. The defendants have two more weeks in which to give notice of appeal. Present indications are that the appeal could not be heard by the U. S. Supreme Court before March or April and that the defendants, in the meantime, will not ask for a stay of the Dallas decree pending the appeal.

Gary Suit Against B. & K. Dismissed

INDIANAPOLIS, Nov. 29.—Federal Judge Robert C. Baltzell today sustained a motion to dismiss the suit brought by the Gary Theatre Co. to enjoin distributors from enforcing clearance schedules alleged to have been drafted in favor of B. & K. of Chicago.

The motion to dismiss was brought by the plaintiff "because defendants presented the fact that B. & K. was not served and is not amendable to process in this district."

The theatre company indicated that it would institute a new proceeding in a court in which jurisdiction over B. & K. could be acquired.

Barry Heads IATSE

NEW HAVEN, Nov. 29.—I.A.T.S.E. annual elections resulted in the re-election of William P. Barry as president and Harry Feldman as business agent. Barry has been president on and off for the past 25 years.

Charles McBride is the new vice-president, Samuel Wasserman, secretary-treasurer, and Frank Kelly, recording secretary. Barry and Feldman will represent the territory at the convention in Springfield Dec. 5.

Expect Big Ampa Crowd

A large turnout is expected at the Ampa luncheon Thursday at the International Casino, when the executive staff of CBS and several outstanding radio entertainers will be guests.

MITCHELL MAY, Jr., CO.
INSURANCE
Specializing
in requirements of the
Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St. Los Angeles

William A. Scully



WILLIAM A. SCULLY, who has resigned as M-G-M district manager to become general sales head of Universal effective the first of the year, has been with M-G-M about 19 years. Before that he was a salesman for Famous Players at Boston and New Haven, starting in 1916.

Scully's first job with M-G-M was as a salesman, handling the Maine territory out of the Boston exchange. When the company opened a sub office at Portland, Me., he was appointed branch manager and later shifted to New Haven in a similar post. From New Haven, Scully went to St. Louis as manager and then was transferred to New York as New Jersey exchange manager.

When Sam Burger, district manager for M-G-M, resigned that title to switch to the company's foreign department, Scully was named to succeed him. He is presently in charge of the New York, Boston, New Haven, Washington and Charlotte branches.

O'Shea Fills in for Scully

HOLLYWOOD, Nov. 29.—While no permanent successor has yet been set to replace William A. Scully at M-G-M, William F. Rodgers, general sales manager, has named E. K. O'Shea as temporary director of Scully's eastern territory.

Nate Blumberg

(*Continued from page* 1)

for the Orpheum circuit in the middle west for RKO.

In 1933 he assumed the post of vice-president and general manager of all RKO theatre operations, a title he now holds. He has made numerous trips to the coast conferring with production heads of RKO, collaborating on ideas. He is well known in and out of the trade for his ability as a theatre operator, for his acumen in judging picture values and for the manner in which the theatres under his supervision have steadily moved upward on the business chart.

Unassuming, Blumberg lives in a penthouse high above Central Park West. There, with his family, composed of his wife, Vera; his son, Lewis, who rattles off theatre grosses with an ease that occasionally startles his father, and his daughter, Dodo, the new president of Universal spends all of his spare time.

He is well liked by all who come in contact with him for his sincerity and straightforwardness, both in business and socially. He holds the esteem of all who work for him and they are his well wishers as he leaves RKO shortly to take over his new duties at Universal.

Nate Blumberg "U" Head; Wm. A. Scully Sales Chief

(*Continued from page* 1)

learned yesterday. This group, it is learned, was at one time interested in certain RKO theatre equities and had become aware of Blumberg as a likely candidate for the Universal post through his administration as RKO's general theatre operator.

Upon Blumberg's return to New York a few days ago, the negotiations, launched with renewed vigor, were pursued in night meetings. At a session which terminated about three o'clock Saturday morning, the details were finally arranged. Yesterday, Blumberg signed the contract. Today, the Universal board will approve it.

At all times, it is learned, Blumberg negotiated directly with J. Cheever Cowdin, chairman of the "U" board, or the directorate through an authorized representative.

Cowdin-Rogers Prevail

The reshuffle keeps the Cowdin-Rogers influence in Universal dominant and marks a recession for the influence of Cochrane. Rogers not only continues in his present post as head of production, but is expected to play an even more vital part in the affairs of the company.

Grainger, now in charge of sales, has a contract which runs until next July. It provides the option for renewal must be exercised by March.

Decision to supplant him will come as a surprise. Grainger, for years, has been active in the national sales field and is one of the most widely traveled and best known sales executives in the industry. He joined Universal in 1933 after nine years as vice-president in charge of sales of Fox. At the time, Universal was doing a domestic gross of less than $160,000 a week. Since then, its business under Grainger's administration has grown steadily and currently the company is serving almost 9,000 accounts.

Grainger, it is known, has had no difference with Universal management. Whether or not the fact he recently objected to the addition of Budd Rogers to the executive sales force has had a bearing on the change now determined upon, is not known. Grainger felt no such addition was warranted in the face of a reduction in exchange personnel throughout the United States.

In the last two months, he has had offers from two other companies in the field. Both called for his designation as general sales manager. In the last few years, Grainger also has been eyeing production.

Rodgers Felicitates

William F. Rodgers, general sales manager of M-G-M, in a Hollywood wire to *Motion Picture Daily* last night said: "Of course, as you can well appreciate, we are all sorry to see Bill Scully sever his association of many years' standing but wish him a full measure of success in his new undertaking."

Would Impose Levy On Georgia Tickets

ATLANTA, Nov. 29.—Representative Booth has introduced a bill to levy a tax on admission to places of amusement.

The schedule calls for a one-cent tax on 10-cent tickets, two cents on 15-cent tickets and so on with one cent additional tax provided for each additional five cents in the ticket price. The sponsor estimated the bill would yield from $1,500,000 to $2,000,000 a year. Representative Booth also is sponsoring the theatre circuit tax bill now ready for final action by the House.

No UA Meet Date Set

HOLLYWOOD, Nov. 29.—No date has been set for the United Artists stockholders' meeting which was to have been held Nov. 24 but which was postponed indefinitely.

Ontario Amusements Tax Is $2,108,127

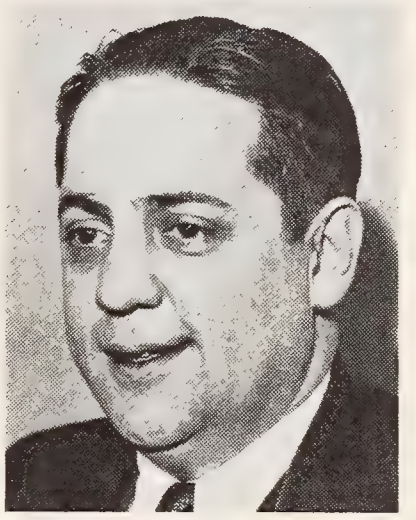
TORONTO, Nov. 29.—According to the Public Accounts Report of the Treasury Dep't for the fiscal year ending March 31 last, the Ontario Government collected slightly more than $2,000,000 in amusements tax and theatre licenses during the 12 months, this being the last occasion, presumably, when the Province of Ontario will be able to announce a heavy tax collection because the amusements levy was abolished in toto two months after the end of the fiscal year.

The year's revenue from the amusements tax totalled $1,918,597, this being similar to the amount secured during the previous fiscal year of 1935-1936. Theatre licenses were responsible for $88,805 while fees collected by the Ontario censors amounted to $100,725, making a grand total from the amusement field of $2,108,127.

Jones Joins Republic

Charles Reed Jones has been appointed advertising production manager at Republic. He replaces Paul Radin.

Lou Weinberg



LOU WEINBERG, who is slated to resign his post as circuit contact for Columbia, to join Universal on Jan. 1 as one of its national sales managers, got his start in the industry 27 years ago as manager for Dave Picker's Bunny theatre on 116th St. Picker then transferred him to the Burland, Bronx, where he continued until 1917 when Louis Rosenbluth brought him into Fox Film as a salesman.

Weinberg then joined Select Pictures as a salesman and later became associated with Henry Seigel at the Apollo Exchange, owned by Bobby North. Apollo at the time handled local sales for Warners for a year. During the next two years, the exchange took on Columbia product and, when Harry and Jack Cohn and Joe Brandt bought out the franchise holders, Weinberg joined the sales staff.

He has been handling circuit sales for Columbia for many years and some time ago was officially given the title as circuit sales manager.

Huffmans in 'Shangri-La'

DENVER, Nov. 29. — Shangri-La, of "Lost Horizon" fame, will be simulated here when Harry Huffman completes the new home which he is building. Having received permission to call their home "Shangri-La" the Huffmans are planning to pattern the house after the fantasy location. Thirteen acres comprise the estate, ground of which will be broken very soon. Huffman is Denver city manager for Fox Theatres.

Units Discuss Radio

Joint committees of the I. T. O. A. and Allied of New Jersey met yesterday at the Astor and discussed radio broadcasts. No action was taken. Irving Dollinger, head of the New Jersey group, presided. Meetings between the groups will be held once a month for the discussion of problems.

Gets New Metro Pact

HOLLYWOOD, Nov. 29. — George Murphy has been signed to a new contract at M-G-M, under which he will attempt dramatic parts as well as song and dance roles.

"Spanish Earth" Sold

"Spanish Earth" has been sold by the distributor, Prometheus Pictures, for distribution in Great Britain.



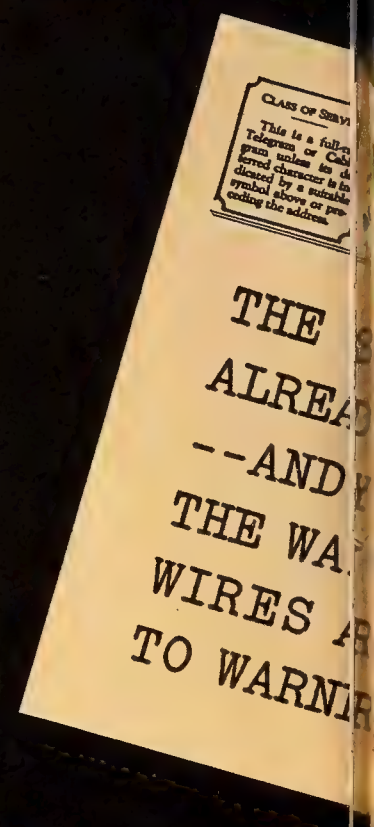
Better Rush Your Reserv

If You Want to Be

Grand Opening

HOLLYW

HOTEL





Packed from cellar-to-roof
with celebrities!

DICK POWELL
ROSEMARY LANE
LOLA LANE
HUGH HERBERT
TED HEALY
GLENDA FARRELL
JOHNNIE DAVIS
ALAN MOWBRAY

MABEL TODD · ALLYN JOSLYN · EDGAR KENNEDY

★ And ★

Direct from the
Orchid Room of the Air

THE HOLLYWOOD HOTEL PROGRAM

with

LOUELLA PARSONS

FRANCES LANGFORD · JERRY COOPER
KEN NILES · DUANE THOMPSON
RAYMOND PAIGE & HIS ORCHESTRA

★ And ★

BENNY GOODMAN

And

HIS SWING BAND

DIRECTED BY BUSBY BERKELEY

Screen Play by Jerry Wald, Maurice Leo & Richard MacAuley
Original Story by Jerry Wald and Maurice Leo • 5 New Songs
by Dick Whiting and Johnny Mercer • A First National Picture

Adherence on Copyright Is Plea of Duffy

(Continued from page 1)

great importance to American authors who may not be familiar with the copyright laws of other countries.

The International Convention, the committee stated, has been kept up to date and makes provision for both films and broadcasting, two of the most important activities in which copyright is involved.

In a supplementary report submitted by Senator Duffy, it was charged that American interests have used arguments against the treaty for the purpose of defeating legislation revising our own copyright law and the opinion was expressed that if the treaty is ratified revision of the law will follow as a matter of course.

Producers Again Ask For Separate Quotas

By AUBREY FLANAGAN

LONDON, Nov. 29.—The producers' group again will send a deputation to the Board of Trade on Wednesday to plead once more for separate quotas.

At a meeting today, the group appealed to the press for serious consideration of the proposals, claiming that finance is essential to the future of the British production industry. Labor interests are still supporting the plan.

20th Does $1,800,000 In Kent Drive Week

(Continued from page 1)

and Canada played some part of the company's product, it was stated, while thousands of theatres played not only features, but the newsreel and shorts as well.

The effort was on behalf of the final week of the Kent drive and was also in celebration of John D. Clark's fifth anniversary as general manager of distributiion.

Louis A. Bach Dies

ATLANTA, Nov. 29.—Funeral services were held today for Louis S. Bach, 44, owner of a circuit here, who died in a private hospital here Saturday. He is survived by his widow, his mother, three brothers and six sisters.

Mrs. Edna Hancock Passes

INDIANAPOLIS, Nov. 29.—Mrs. Edna Hancock, 36, wife of Guy Hancock of the RKO exchange here, is dead after an illness of two weeks. She is survived by her husband, two sons and her parents.

Cinema Hearing Set

Hearing on the petition for reorganization under 77B of the Bankruptcy Act filed recently by Cinema Magazine, Inc., publishers of *Cinema Art,* will be held in the U. S. District Court on Dec. 7. At the hearing it will be determined whether or not a trustee should be appointed for the company.

Infringement Suit Denied by Warners

Warner Bros. Pictures, Inc., First National Pictures, Inc., and M. Witmark & Sons filed a general denial in the U. S. District Court yesterday in answer to the amended complaint in the $1,500,000 infringement suit brought against them by Irving Gielow.

Gielow alleges that his songs, "Flirtation Walk" and "Mr. and Mrs. Is the Name" were infringed in the Warner picture, "Flirtation Walk" and two shorts. Dismissal of the suit with costs and attorneys' fees is asked.

To Determine Damages

William T. Schoen yesterday was appointed by Supreme Court Justice Aaron Steuer as referee to determine the amount of damages suffered by the Empire State Employes' Union as a result of the reversal of an injunction rendered against it in favor of the Edgomac Amusement Corp. Edgomac brought suit in 1935 to enjoin the union from picketing a theatre. A temporary injunction was granted in April, 1935, and was followed by a permanent writ after trial. In April of this year the Court of Appeals reversed the decision and dismissed the complaint. The union asks reimbursement for attorneys' fees.

Drop "Ebb Tide" Suit

The suit to restrain Paramount Pictures, Inc., and the Publix Theatres Corp. from using the title, "Ebb Tide," brought by Artmart Prod., Inc., was discontinued in the N. Y. Supreme Court yesterday upon consent of both sides. Discontinuance of the suit followed Paramount's showing that the title had been used more than 15 years ago, according to Louis J. Elias, Aramart's attorney.

Warners Enter Denial

A general denial was filed yesterday by Warners in answer to the $10,000 suit of Select Theatres Corp. which charges that "Ready, Willing and Able" was "deliberately pirated" from their play "The Audition."

Wall Street

Stock Issues Drop Lightly

	Open	High	Low	Close	Net Change
Col.	16⅞	16⅞	16	16	— ½
Cons.	1⅝	1⅝	1½	1½	— ½
Cons., pfd.	7	7	7	7	.....
E. K.	150	150	148	149	—1
E. K., pfd.	160	160	160	160	.....
G. T. E.	14½	14½	13¾	13¾	— ¾
Loew	50¾	50¾	49	49¾	—1
Para.	13	13	12⅜	12½	— ⅝
Para. 1.	95½	95½	95	95	.....
Para. 2.	11⅝	11⅝	11½	11½	— ⅝
Pathe	6⅛	6⅜	6	6	—.½
RKO	5¼	5¼	4⅞	4⅞	— ¼
20th Fox	23	23	22½	22½	— ½
Univ., pfd.	33	33	33	33	.....
W. B.	8⅜	8⅜	7¾	7⅞	— ½

Curb Moves in Fractions

	Open	High	Low	Close	Net Change
G. N.	1¼	1¼	1⅛	1¼	+ ⅛
Sentry	1½	1½	1½	1½	— ⅛
Tech.	18	18⅛	17	18⅛	— ¼
Trans-Lux	3	3	2⅞	2⅞	.....
Univ. Corp.	1¾	1¾	1¾	1¾	+ ¼

Bonds Have Light Gain

	High	Low	Close	Net Change
Keith 6s '46	85½	85½	85½	.....
Loew 3½s '46	97	97	97	+1
Para. Pict. 6s '55	89⅛	89	89	.....
W. B. 6s '39	79½	79½	79½	+ ½

(Quotations at close of Nov. 29)

Birmingham to Ban Theatre Bank Night

BIRMINGHAM, Nov. 29.—Bank Night will be banned in Birmingham after Dec. 4, Police Chief Riley said following an opinion from Acting City Attorney J. H. Willis that they were in violation of both the state and city anti-lottery laws.

Willis pointed out that in a recent ruling the State Supreme Court had held Bank Night illegal and declared that in his opinion present operation of Bank Night in Birmingham is equally illegal. "We want to be fair with the public and theatre goers here," Chief Riley said, "and are giving them until Dec. 4 in order that any ticket sales that have been previously made will not be affected. However, I have instructed my officers to inform the theatre managers that arrests will be made in cases where Bank Night is held after Dec. 4."

Flash Previews

"Paid to Dance." . . . Foundationed on the dancehall hostess racket . . . will have little trouble satisfying its clientele.

"The Inspector General." . . . The kind of satire Central Europeans are noted for. . . . Rare laughs at the expense of petty, small town Russian officials in the time of the Czar.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Selznick, March Confer

CINCINNATI, Nov. 29.—Myron Selznick, here for conferences with Joan Bennett following the closing of "Stage Door" at the Cox, has remained over to confer with Fredric March and Florence Eldridge who opened tonight in "Your Obedient Husband." It is rumored that the March play may be filmed.

Bans Lobby Material

DENVER, Nov. 29.—The Denver Fire Dep't. has banned all inflammable easles and displays in lobbies and foyers, and all silk banners flying from marquees in all local theatres.



SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	2 One-Way Fares	Excursion	You Save
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40



CALL TWA
For Further Information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000.

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST TWA first COAST TO COAST



Nation-wide. 2500 miles overnight. There in the morning! For service, phone any RAILWAY EXPRESS office and ask for AIR EXPRESS DIVISION.

See Possible Regulation of Air "Gossip"

HOLLYWOOD, Nov. 29.—The possibility that the studios here may regulate the activities of radio commentators who purvey film "gossip" on the air, is seen in the issuance to the commentators of credential cards to 30 air columnists and their assistants.

The denial of cooperation to newspapermen bearing similar credentials automatically means the closing of studio gates to them until the ban is lifted, and similar procedure is thought possible in the case of radio columnists.

The cards, according to Tom S. Pettey, press contact man, will merely serve as a means of identification, similar to those issued to accredited correspondents for newspapers and publications.

Decision Not Recent

The move was decided upon some time ago by studio publicity directors who discussed possible means of regulating activities of the air columnists, but decided first to check up and have means of identifying the radio commentators.

Accompanying the cards were letters pointing out that the cards were merely to be used for studio identification, and would in no way admit bearers to previews.

Darryl F. Zanuck, speaking for the Film Producers' Ass'n, warned yesterday that "swift and stern action" would be taken if "certain Hollywood radio commentators continue their flagrant attacks on motion picture players in the industry. We are keeping a sharp vigilance over the remarks of Hollywood air gossipers and will immediately move should they further flaunt the tenets of decency," Zanuck said.

Upholds Mexican Control

MEXICO CITY, Nov. 27.—The Ministry of Communications and Public Works has exclusive control of all radio matters, the Federal Supreme Court ruled in rejecting the appeal of operators of an amateur station from the Ministry's order to close it on the ground that it was being mismanaged.

Weber to Replace Black

Marek Weber will replace Frank Black as musical director on the Carnation "Contented" program Jan. 3. Black is relinquishing the post because he is too busy to continue traveling back and forth between Chicago and New York for the assignment.

Stratton Heads Registry

Chester M. Stratton, formerly of RKO and NBC, has become managing director of the National Radio Registry. He brings with him a record of long standing in the radio and theatrical worlds.

Bank Buys WMCA Time

A series of half-minute announcements for a period of five weeks has been purchased on WMCA by the First Federal Savings & Loan Ass'n, through Grant, Wadsworth & Casmir.

Deadline for AFM Deals Is Extended

The final deadline for the conclusion of local contracts in accordance with the plan of settlement between the network affiliate stations and the A. F. of M. locals has been extended to Dec. 15, with a warning that no further extensions will be granted. The agreement postponing the deadline previously set was reached yesterday at a meeting at Federation headquarters.

Coincidentally, the I.R.N.A. negotiating committee again has asked all station owners to cooperate with it and the A. F. of M. by having the signed copies of Schedule A in the hands of Ernst & Ernst, who are certifying the replies of the station owners for I.R.N.A., as quickly as possible, and certainly before the new deadline is reached. While quite a few station owners have complied already, the committee is of the opinion that more should have been received to date.

At A. F. of M. headquarters it was stated that the agreement for the key stations would be signed by the committees representing CBS and NBC today. Additionally, the license form for the transcription and recording companies is now being printed and will be mailed within the next few days.

Refuses to Dismiss Action Against RCA

Federal Judge John C. Knox yesterday refused to discuss the suit of Abram J. Engelman against RCA, RCA Victor Co., Inc., RCA Communications, Inc., RCA Radiotron, Inc., and E. T. Cunningham Tubes, Inc., and ordered the case to trial.

Engelman asks $250,000 under an alleged contract made in 1933 for two and a half per cent commission on all sales of equipment for the transmission of photographic facsimile over short wave radio. He claims that the defendants used long wave transmission for trans-Atlantic purposes and that he advanced the idea of using short wave for interstate communication.

No Editorial Page On Air, Says Paley

CHICAGO, Nov. 29.—William S. Paley, president of CBS, speaking before the second national conference on educational broadcasting, said today that "broadcasting as an instrument of American democracy must forever be wholly, honestly and militantly non-partisan, not only in politics but in the whole realm of arguable ideas." Because of this, he said, "radio must never have an editorial page."

"No discussion must be one-sided," Paley continued, "as long as there can be found any one to take the other side. The party in power must never dominate the air.

"We must never seek to maintain views of our own on any public question except broadcasting itself. Of course, I do not mean that any broadcaster as an individual may not express his own views like any other citizen."

Widow of Fessenden Sues RCA on Patents

WILMINGTON, Nov. 29.—A patent infringement suit instituted by Helen May Fessenden, widow of Dr. Reginald A. Fessenden, one time chief chemist of Edison's laboratory, against RCA involving short wave radio transmission opened in U. S. District Court here today before Judge John P. Nields.

Dr. Fessendens's widow alleges that her husband was the first man to show the radio industry that short radio waves could be used successfully for long distance instead of long waves and charges RCA with infringing on three patents of her husband.

The plaintiff asks that the court establish the validity of the patents and order an accounting of profits. The defense contends the patents are invalid because of prior knowledge of contents of the inventions.

Texas Company Formed

GALVESTON, Nov. 29.—The Kluf Broadcasting Co., Inc., capitalized at $10,000, has been chartered to do a radio broadcasting business.

New Shows on the Air

"Earaches of 1937"

Harry Conn's "Earaches of 1937," ballyhooed widely for the past few months, made its debut on CBS Sunday with all-around pleasing results. The show is a novel one, possesses a good cast, and the premiere airing gave evidence of thoughtful production.

Oddly enough, the show is most vulnerable in its comedy department. Odd, because Conn is one of radio's crack script writers, having worked for many seasons for Jack Benny and for a majority of the other leading radio comedians. Because of this record, it requires little prodding for us to believe that the comedy will improve as the program moves along. Incidentally, Conn made his debut as an actor in this series and gave an excellent account of himself as a thespian.

The cast includes Mark Warnow's excellent orchestra, Beatrice Kay in comedy and song, baritone Barry Wood, and Charles Cantor. Martin Gosh produced. The series is sustaining, and is presented Sundays over CBS from 8:30 to 9 P.M.

"Martha and Hal"

The song-and-patter team of Martha and Hal, supported musically by Andy Sanella's orchestra, provide a good, if undistinguished, 15 minutes of entertainment for the Humphrey Medicine Co. on Mutual. The program is average in every respect.

Martha and Hal intersperse song between coy, boy-and-girl patter, with their vocal efforts more highly appreciated than their patter by this department. Sanella's band does nicely when it is called upon.

"Martha and Hal" are presented over Mutual three times weekly, Sundays from 11 to 11:15 A. M.; Wednesdays and Fridays from 9:45 to 10 A. M.

BANNER

Radio Personals

BUDDY CLARK will open at the Paramount Dec. 8 for a week's engagement. Paul Ross of CBS artists' service set the date. . . . Jimmy James of NBC will address the Advertising Club on radio advertising Dec. 6. . . . Mary Waterman of the *World-Telegram* and Al Cook's assistant, is home with grippe. . . . Dr. Angell is en route to Chicago, where he will address educators tomorrow. . . . Dick Connors, producer of the Los Angeles Civic Chorus, arrived from the coast today to complete arrangements for the last six transcriptions to be used by the Grand Lodge of the Elks in a national radio traffic safety contest. . . . John Russell, four-year-old Republic player, will guest appear on the CBS Palmolive program Dec. 8. . . . Jon Hall will be the guest of Radie Harris over Mutual Wednesday. . . . Gina Cigna has been booked for a "Magic Key" date Dec. 5. . . . Patricia Ryan will make three shorts for Warners, booked through Franklyn Robertson of the NBC artists' bureau. . . . Felix Knight, owner, and Lyle Van, announcer, have been signed for regular appearances on the Elizabeth Arden show over NBC, beginning Dec. 1. Bob Smith, of the network's artists' bureau, set the contracts. . . .

+

Baxter Pickering has joined the Cheltenham agency here in the capacity of consultant and radio director . . . Bide Dudley has just submitted stories to 20th Century-Fox and Grand National . . . Ginger Rogers will appear on the Chase & Sanborn hour, Dec. 5 . . .

WOR to Make Record For Buckaroo Series

Beginning today WOR's recording laboratory will record the Carson Robinson Buckaroo broadcasts, currently on Mutual three times weekly, for Musterole. The discs will be shipped to 24 stations in the south and west, to be aired for Musterole. Erwin, Wasey & Co. is the agency.

The order is one of the largest commercial assignments placed with the WOR recording laboratory since it began active production some 10 months ago.

Ezell, Atlas Radio Close Southern Deal

Claude Ezell and William Underwood have closed a deal with Atlas Radio Corp. to handle distribution of radio transcriptions in the entire south. The deal becomes effective Jan. 1.

Ezell, who arrived from the coast over the weekend, left yesterday for Atlanta. He will spend a few days there and then go to Miami.

David Young a Father

SAN DIEGO, Nov. 29.—David Young, program manager of KGB, local Mutual-Don Lee affiliate, is the father of a new baby boy, David Ross. Mrs. Young, the former Vivian Merrill, is known to radio listeners as Barbara Lane.

THE Hollywood REPORTER

'COUNTY FAIR' FINE FOLKSY COMEDY-DRAMA

'COUNTY FAIR"
(Monogram)

This folksy tale of a motherless farm boy with a beloved racehorse, and a father whose bereavement has put him out of sympathy with his children, is first rate entertainment for small towns and neighborhoods. It is a simple story, well told, and has strong sympathy appeal and a wholesome atmosphere that will commend it.

The reconciliation of the father and his son and daughter is brought about by the entrance of a clean, young American jockey who sees the human and equine possibilities and manfully undertakes to cut the knot. In doing so he brings the horse to victory, foils a gang of crooked track followers, and wins the hand of the daughter.

The highly competent cast is headed by that attractive young juvenile, John Arledge, who wins admiration and sympathy. Playing opposite him is Mary Lou Lender, a newcomer who at once earns recognition for ability, sweetness of personality and a good measure of unassuming good looks. J. Farrell MacDonald is the hard-bitted father, whose grief is spoiling all their lives, but who melts convincingly when the youngsters defy him, and his boyish son, Jimmy Butler, rides a winning race.

Fuzzy Knight as Arledge's stable-boy companion, carries the comedy, making the happy-go-lucky roughneck a likable and amusing lad. The plotting opposition is tellingly headed by Harry Worth, whose tough aides are Lynton Brent, Matty Roubert and William Hunter. Minor but essential roles are well filled by Henry Hall, Edwin Mordant, Horace Murphy and Charles Murphy.

The story and script by John T. Neville is an excellent example of sound play-building, with every scene advancing the story, and it is dialoged with telling simplicity. Howard Bretherton has directed with excellent taste and judgment to capture human values without losing suspense, and Arthur Martinelli photographs well the characterful investiture provided by Producer E. B. Derr and his associate, Frank Melford, who raise their standing several notches with this pleasing piece of popular entertainment. Brisk musical trimmings by Abe Meyer add a final effective touch.

DAILY VARIETY

County Fair

The story, written by John T. Neville has sock, heart interest, suspense and a satisfactory audience conclusion, balanced with comedy and the mild thrills of horse racing sequences.

Howard Bretherton directs with effective stress on the tried hokum elements as well as the physical activities involved in the simple plot, keeping them well dovetailed and adequately paced to whip up tension. A competent cast does its chores with zest and conviction. Production is carefully handled to show best results for expenditures without skimping—a creditable effort for E. B. Derr and his associate producer, Frank Melford.

The Film DAILY

"County Fair"

with John Arledge, Mary Lou Lender, J. Farrell MacDonald

Monogram **73 mins.**

(HOLLYWOOD PREVIEW)

HOMESPUN, WHOLESOME TALE SHOULD PROVE GOOD FAMILY AUDIENCE ENTERTAINMENT.

This is a homespun, wholesome tale that should prove good program fare. It is well cast, with John Arledge a convincing hero who outwits a gang of race track sharps who try to make killings at county fair tracks. Mary Lou Lender, a newcomer, is excellent in the role of a farm girl, whose tyrannical father, J. Farrell MacDonald, relents in the end. Fuzzy Knight supplies most of the comedy, while Jimmy Butler does good work as Mary Lou's brother.

"COUNTY FAIR"



PRESENTED BY
MONOGRAM PICTURES
WITH

JOHN ARLEDGE
MARY LOU LENDER
J. FARRELL MacDONALD
FUZZY KNIGHT

Supervised by E. B. Derr
Directed by Howard Bretherton
Produced by Crescent Pictures Corporation
Story and Screenplay by John T. Neville

MONOGRAM PICTURES

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 129 NEW YORK, WEDNESDAY, DECEMBER 1, 1937 TEN CENTS

Ratify Reshuffle at "U"; Blumberg and Scully Set

Big Economy Wave Strikes All Hollywood

Studios Cut Staffs to Meet Cash Shortage

HOLLYWOOD, Nov. 30.—A sharp economy wave is under way at both major and independent studios. With the shortage of cash definitely felt, companies are purging their contract lists of dead weight as well as undertaking the reduction of departmental staffs.

The moves are apparently being made on orders from the several home offices. One studio is known to be dropping more than half of its writing staff, and another is trimming its writer and director rosters more than half. One major studio is paying for story properties on the installment plan.

Directors and players also are hit,

(*Continued on page* 4)

Jersey Firm Files Anti-Trust Action

NEWARK, Nov. 30.—The Quemos Theatre Corp., through Attorney Chester K. Ligham, today filed suit in the Federal Court here for $3,250,000 against 40 film producer and distributing companies, charging monopoly in the distribution of films. The action was brought under provisions of the Sherman Anti-Trust and Clayton Acts.

Quemos stated in its complaint that it had difficulty in securing first and second run pictures and that producers and distributors had conspired to prevent the company and other independent exhibitors from contracting for future delivery of films.

Included among the defendants are Warners, 20th Century-Fox, Paramount, United Artists, Columbia, Loew's, Universal and Grand National.

Exhibitor Meeting May Be in January

A January date for the proposed conference of exhibitor organization leaders on means of obtaining distributor recognition of a trade practice program will be set within the next few weeks, it was stated yesterday by the I.T.O.A., sponsor of the conference.

It was proposed originally to hold the meeting on Dec. 14, in New York, but the inability of Ed Kuykendall,

(*Continued on page* 6)

Board Action Is Illegal, Cochrane Statement Holds

The following statement was issued yesterday by Saul E. Rogers, acting as attorney for Robert H. Cochrane, relative to the signing of Nate Blumberg, as president of Universal, and W. A. Scully as general sales manager:

"It is Mr. Cochrane's preference to issue no personal statement concerning the new management of the company at the present time.

"In his behalf and as his attorney, however, I desire to state that the negotiations in connection with engaging the services of Mr. Nate Blumberg and Mr. William Scully were carried on and consummated entirely without his knowledge and, naturally, came to him as a great shock and surprise. It was not until he was present at the board meeting today that he was apprised for the first time of the terms and conditions of their respective proposed contracts.

"I regard the action taken today by the respective boards superseding Mr. Blumberg as president in the stead of Mr. Cochrane as without authority and illegal and, in addition thereto, bad from a business point of view.

"Thirty years of the kind of executive experience in this industry that has been acquired by Mr. Cochrane cannot be disregarded by the gesture of a board, particularly at a time when the company is in great need of the guidance of such mature experience. Mr. Cochrane's contract is unimpaired and in full force and effect and he is prepared to render his services in accordance therewith. His future course of conduct will depend entirely upon the policy and attitude of the new management."

Warner Hits Zanuck View On Columns

HOLLYWOOD, Nov. 30.—H. M. Warner today took issue with Darryl Zanuck, who, on Saturday, issued a statement to the *Los Angeles Examiner* in which he said: "Should there be any instances where broadcasters deliberately seek to transgress the

Additional developments in radio yesterday on page 8

boundaries of good taste or malign individual personalities, the producers are determined to take any action necessary for the protection of the industry."

The impression prevailed at the time that Zanuck was speaking for the

(*Continued on page* 8)

McCarthy on Sales Until Scully Joins

Frank J. A. McCarthy, eastern sales manager for Universal, yesterday began to take over from James R. Grainger the duties of general sales manager and will fill the post until W. A. Scully joins "U" on Jan. 1.

On that day the present eastern district sales manager for M-G-M will start a five-year contract as sales head, supplanting Grainger. The latter informed MOTION PICTURE DAILY his contract, which runs until next July, will be settled in full. Yesterday he busied himself clearing up current detail preparatory to his withdrawal from Universal in a few days, probably by the end of the week.

Grainger had nothing to say about

(*Continued on page* 6)

Vote Cochrane Post as Executive Committee Chairman

By RED KANN

Nate J. Blumberg yesterday was elected president of Universal and William A. Scully appointed general sales manager, with Jan. 1 as effective date, by the company's board of directors.

The board also named Robert H. Cochrane, formerly president, as chairman of the executive committee, succeeding J. Cheever Cowdin who stepped down from that post to make way for Cochrane. Cowdin now fills two posts with Universal. He is chairman of the board, a post which he asserted vests him with power as the senior executive officer of the company. He is also a member of the directorate.

As spokesman for Cochrane, Saul E. Rogers, attorney who had been retained by the Universal executive, stated negotiations leading to employment of both Blumberg and Scully had been conducted without Cochrane's knowledge. "I regard the action taken today by the respective boards superseding Mr. Blumberg as president in the stead of Mr. Cochrane as without authority and illegal and, in addition thereto, bad from a business point of view," read the Rogers statement which is published in full in an adjoining column.

The board ratified five-year employ-

(*Continued on page* 6)

Matthew Fox Will Be An Aide to Blumberg

Matthew Fox, film buyer and booker for the Skouras circuit of approximately 60 Greater New York theatres, has resigned, effective Jan. 1 to join Universal as executive assistant to Nate J. Blumberg, new president.

Fox has been associated with Blumberg at various times, starting at the

(*Continued on page* 6)

His Congrats

Bob Goldstein, that droll fellow, sent a congratulatory wire to Nate J. Blumberg, newly elected president of Universal yesterday. He said: "My best to you and congratulations to the NEW, NEW, NEW Universal."

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Completion of Erpi Transfer Set Back

Erpi and Western Electric officials failed to complete their study yesterday of the agreement for the sale to a Wall St. group of the company's theatre sound equipment servicing and installation business, with the result that formal closing of the deal is not expected now until late today or some time tomorrow. No "hitch" in the deal has been encountered, officials stated.

U.A. Meeting Today

HOLLYWOOD, Nov. 30.—United Artists stockholders' meeting will be held tomorrow. The session is expected to be routine and no action is anticipated with respect to the Alexander Korda - Samuel Goldwyn stock purchase.

Coming Attraction — Theatre Trailer Corporation — Now Playing
A TRAILER ON EVERY PICTURE
Produced by Experienced Showmen
HOME OFFICE: 630 9th Ave., N. Y. C.
ADOLPH POLLAK General Mgr.

US Companies Agree to 10% English Quota

By AUBREY FLANAGAN

LONDON, Nov. 30.—American distributors in England have written to Oliver Stanley, president of the Board of Trade, declaring themselves willing to agree to a 10 per cent distribution quota, gradually diminishing, and eventually being abolished as production in England reestablishes itself. However, they criticized details.

The American distributors, in their communication to Stanley, expressed themselves as unopposed to the separate quota principle, believing it proper that the British producer should supply the exhibitor with British films.

Stanley's proposal for inclusion in the Films Bill of a provision for a Film Council of 10 independent members and 10 trade representatives was approved today by the Films Act Committee of the House of Commons. Strong labor opposition demanding a smaller, expert commission, was rejected by a heavy vote. The sponsors of the labor proposal alleged that there were constant evasions under the original act.

Capt. Euan Wallace, Parliamentary secretary of the Board of Trade, hinted that ultimately there would be appointed a paid chairman of the Council. He also promised consideration of the details with a view to achieving acceptability of the whole group. Exhibitors are well satisfied, believing the proposed Council has all the elements of flexibility necessary for the safeguarding of British interests.

Lichtman on Normandie

LONDON, Nov. 30.—Al Lichtman, vice-president and a director of Loew's will sail tomorrow for New York on the *Normandie*. He has been here several weeks.

Wall Street

Large Gains Dominate Board

	Open	High	Low	Close	Net Change
Col.	16½	16½	16¼	16½	+ ⅛
Cons.	1½	1½	1½	1½	.....
E. K.	150	153	150	153	+4
G. T. E.	14	14⅛	14	14⅛	+ ⅜
Loew	49¾	51	49¼	49¼	— ½
Para.	12⅛	13	12⅜	12⅛	.....
Para. 1	94½	98½	94½	98½	+3½
Para. 2.	115⅛	117⅛	113⅜	113⅜	— ⅛
Pathe	6⅛	6⅛	6⅛	6⅛	+ ⅛
RKO	4⅞	5⅛	4¾	4¾	— ⅛
20th Fox.	22	23	22	22⅞	+ ⅜
20th pfd.	28¾	28¾	28¾	28¾	+3¾
W. B.	7⅞	8¼	7⅞	7⅞	.....
W. B., pfd.	42½	43	42½	43	+3

Technicolor Up 1¼ on Curb

	Open	High	Low	Close	Net Change
G. N.	1¼	1¼	1⅛	1⅛	— ⅛
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	18¼	19¾	18¼	19¼	+1¼
Univ. Corp.	1¼	1⅞	1¼	1⅞	+ ⅛

All Bonds Advance

	High	Low	Close	Net Change
Loew 3½s '46	97½	97⅛	97¼	+ ¼
Para. B'way 3s '55	63	63	63	+ ¼
Para. Pict. 6s '55	90	89	90	+1
Para. Pict. '47	76⅜	74¾	76⅜	+2⅜
W. B. 6s '39	80	79½	80	+ ½

(Quotations at close of Nov. 30)

Netter Questioned In the M. & R. Suit

Leon Netter, Paramount theatre executive, was queried yesterday by George Ryan, attorney for Morse & Rothenberg, in connection with the taking of depositions here in the Boston circuit's anti-trust action against major distributors, the Maine & New Hampshire and M. A. Shea circuits.

Netter testified concerning film franchises made during the past 10 years by Paramount theatre companies and on film buying practices. His testimony was concluded during the morning session and the afternoon was given over to the identification of contracts made by the defendant circuits. The hearings will continue through this week with indications that an adjournment will be taken thereafter.

Settle Cocalis Action

Two suits of Republic Film Exchanges, Inc., and Mascot Pictures Corp. against the estate of Jack W. Springer, Soteras Cocalis and the Trio Manhattan Corp. were settled in the U. S. District Court yesterday just before the trial was to begin before Federal Judge Robert T. Patterson. The amount of the settlement was not revealed. The plaintiffs claimed that their pictures were exhibited without permission in the defendants' theatres. Three other suits brought by M-G-M, M-G-M Dist. Corp., Paramount Prod., Inc., Paramount Pictures Dist. Corp., against the Springer estate, Cocalis and Trio, also the Van Dyke Amusement Corp. and the Spuyten Amusement Corp. were settled previously.

20th-Fox Wins Action

Federal Judge Grover Moskowitz in U. S. District Court, Brooklyn, awarded $2,250 damages for infringement of copyright to 20th Century-Fox, Skibo Prod., Inc., Moser-Terry, Inc., and Terry-Toons, Inc. The suit was brought against the C. & F. Amusement Corp. and Ben M. Rossassy. Judge Moskowitz also awarded $4,500 in a similar case brought against the same defendants by M-G-M.

Para. Asserts Gary Suit Hits Contracts

INDIANAPOLIS, Nov. 30. — Paramount asserts that the granting of a temporary injunction to the Gary Theatre Co., plaintiff in an action to compel the producer to deliver 10 pictures allegedly included in last season's contracts, would harm exhibitors who are not parties to the suit. The assertion is contained in a supplementary memorandum filed in U. S. District Court here by Paramount's Indianapolis attorneys.

Arthur Lee Adds Two

Arthur Lee has named Louis Jarodsky to the St. Louis exchange and H. C. Dressendorfer to the Indianapolis exchange.

Hart Suit Is Dismissed

Ruling that a distributor is in no "fiduciary relationship" with the producer, Federal Judge John W. Clancy yesterday dismissed the $185,000 suit of William S. Hart and Mary Hart, who do business as William S. Hart, against the United Artists Corp. in the U. S. District Court on the ground that the complaint did not set forth a cause of action.

The Hart suit asked for the return of the 35 per cent which United Artists retained as its distributor's share of the gross receipts of Hart's picture, "Tumbleweeds," made in 1925. Hart's $500,000 breach of contract suit against United Artists is still pending in the N. Y. Supreme Court.

Order Roxy Affidavits

Attorneys and security holders' committees who are seeking fees and allowances totaling $612,000 in the Roxy reorganization were ordered by Federal Judge Francis G. Caffey in the U. S. District Court here yesterday to file affidavits stating that no private arrangements for fees have been made. Judge Caffey stated that any applicant for a fee who failed to submit such affidavit would not receive an allowance.



"Listen fellers, 'NAVY BLUE AND GOLD' is a WOW!"





LOVE & KISSES
AT THE BOX-OFFICE!

Los Angeles
(Day and date at State and Chinese theatres)
Milwaukee
Omaha
Portland
Cincinnati
Detroit
Washington
Evansville
Atlanta
The First Nine!
All Fine!

23
DAYS
MORE!

This bird's got a nose for news and his nose knows that the biggest surprise hit of many seasons is M-G-M's thrilling heart-throb show "NAVY BLUE AND GOLD" ← *(at the box-office!)*

"Navy Blue and Gold" with Robert Young • James Stewart • Lionel Barrymore • Florence Rice • Billie Burke • Tom Brown • Samuel S. Hinds • Paul Kelly • Barnett Parker • Screen Play by George Bruce
A Sam Wood Production • Produced by Sam Zimbalist

Purely Personal

JON HALL, a star of "The Hurricane," will leave by train tonight for the studio. He has been recalled by SAMUEL GOLDWYN. He will be heard tonight over WOR on the RADIE HARRIS program.

•

W. RAY JOHNSTON, president of Monogram, plans to leave the coast Friday for New York, after conferences with SCOTT R. DUNLAP, in charge of production. JOHNSTON will stop off at Kansas City en route.

•

ROBERT GILLHAM, director of Paramount advertising and publicity, is en route to the coast via New Orleans and Atlanta. He will remain in Hollywood about 10 days for studio conferences.

•

CRESSON E. SMITH, western and southern RKO division sales head, is making stopovers at Dallas and other exchanges before returning to his headquarters the end of the week.

•

HARRY COHN, GUTHRIE MCCLINTIC, KATHARINE CORNELL and MRS. ETHEL BUTTERWORTH, wife of the actor, are sailing today on the *Queen Mary*.

•

NORTON V. RITCHEY, foreign export manager for Monogram, with MRS. RITCHEY, will sail from London Saturday on the *Washington*.

•

CHARLES R. ROGERS and WILLIAM PIERCE are now scheduled to leave for the coast Saturday or Sunday.

•

O. C. DOERING, JR., of counsel to the RKO trustee, returned yesterday from a hunting trip in Wisconsin.

•

MEYER SCHINE, who attended the Universal board meetings yesterday, will leave for Gloversville today.

•

CLAUDE EZELL is still around, planning to leave for Atlanta any day now.

•

JOE WEIL will return from the coast today via American Airlines.

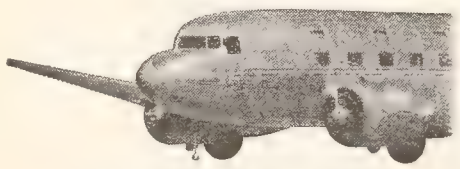
•

BILL JAFFE leaves for Miami Beach tomorrow on a short vacation.

•

LYNN FARNOL is poised for a hurried trip to Hollywood.

AMERICAN FLAGSHIPS
TO LOS ANGELES



MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm ; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.
AMERICAN AIRLINES INC.

The Newsreel Parade

Movietone News
Vol. 20, No. 23
(20th Century-Fox)

The football season's somewhat damp conclusion is amply recorded—and vocalized by Ed Thorgersen—in this issue of the reel, wherein the ringing down of the gridiron curtain occupies fully half the available footage. Beyond that, the Los Angeles mountain slide, which is affording the alleged sunny California more publicity than the film stars, comes in for its share of attention, via some excellent camera work.

Lew Lehr dons verbal whiskers to welcome Santa Claus in New York with the Macy parade, and on the coast with the Santa Claus Lane opening, in his own most peculiar style of delivery. It is almost as amusing as most of the Lehr's slightly lobsided bubblings. King Leopold of Belgium is seen visiting King George of England, Mussolini's militarism takes the form this time of the virtually simultaneous launching of three submarines, a Borneo princess marries a wrestler in London, and the country's prize livestock struts its weight in Chicago.

The football parade includes the highlights of the Army-Navy, Alabama-Vanderbilt, Notre Dame-Southern California, Cornell-Pennsylvania, Pittsburgh-Duke and NYU-Fordham games, which provides a sizable portion of gridiron thrills.

Running time, 10½ mins. A.

News of the Day
Vol. 9, No. 221
(M-G-M)

The crumbling mountain in Elysian Park, Los Angeles, provides an exciting enough lead for this issue. The scenes were caught at night and during the day from a variety of angles and manage to pack a lot of interest.

The opening of the opera season in New York follows. In that sequence Lauritz Melchoir and Kirsten Flagstad are shown shortly before the curtain goes up and a little later on the stage. The crowd, bar and general atmosphere of the event is capably commented upon by Adelaide Hawley.

The snapshot sequence offers scenes of a night parade in Hollywood celebrating the annual visit of Santa Claus, the King of England meeting the King of Belgium and riding with him in an ornate state coach, and shots of the Thanksgiving Day parade sponsored by Macy's.

The windup of the football season occupies the final portion of the reel. Army wins over Navy in a fog in Philadelphia and Fordham defeats N. Y. U.

Running time, 10 mins. P.

Paramount News
No. 34
(Paramount)

There is little out of the ordinary in this number of the Paramount reel, with the exception of exceptional pictures of New York as seen from a Navy blimp used in training. The city is seen by day and in a group of night scenes, preceded by a flash at dusk, which are decidedly noteworthy.

The football season's finale pictures the highlights of the NYU-Fordham, Pittsburgh-Duke and Army-Navy games, the last featured by unusual pictures of the enormous, rain-soaked crowd. The news flashes include the "moving mountain" of Los Angeles, Capt. Ernest Simpson and his bride, the former Mrs. Mary Raffray, on Park Ave., the aftermath of the terrible air crash in Belgium which decimated the House of Hesse and Mrs. Roosevelt and Doris Duke Cromwell visiting the homestead project at Arthurdale, W. Va.

New York, via the Macy parade, and the opening of Santa Claus Lane in Hollywood, reflect the opening of the Christmas season, and the International Livestock Show holds the spotlight in Chicago, featured by a sheep dog's handling of a small flock.

Running time, 10 mins. A.

Pathe News
Vol. 9, No. 38
(RKO)

This is a good, fast-paced release with plenty of material of that fortunate kind that is of interest even when it is not of consequence. It includes a livestock show in Chicago and another at the opening of New York's Metropolitan Opera, and that provides some idea of its variety.

The reel leads off with Monday night's Metropolitan opening, searching out the performers behind the scenes as well as mingling with the audience. Interior and exterior views of the Reading's new streamlined train making its first trial run at 120 miles an hour follow. There are glimpses of Mrs. Roosevelt and Doris Duke Cromwell on their recent visit to West Virginia housing projects, and there are shots of the damage done by Los Angeles' "moving mountain." The Chicago International Livestock Exposition and the visit of Belgium's King Leopold to England's George VI in London complete the "news" material. The sports section offers some good shots of the scoring plays in three of the important final games of the season, played last Saturday. They are the Army-Navy, Pitt-Duke and Fordham-N. Y. U. games.

A good reel with plenty to recommend it to any audience.

Running time, 9 mins. K.

Universal News
Vol. 9, No. 619
(Universal)

California's landslide furnishes the most interesting feature of the latest issue of Universal News, principally because of its nearness to city buildings and the fact that it has crushed a concrete viaduct and seems about ready to slide some more.

The other clips cover a wide field—a new Soviet plane built in this country, mass formations of Mexican athletes commemorating the 1919 revolution, a triple launching of submarines at Trieste, an international stock show at Chicago and the Macy parade on Thanksgiving Day. This is well handled, the cameraman having been careful to get closeups of the reactions of both children and grownups.

The football numbers show the defeat of U. S. C. by Notre Dame and the rainsoaked cadets beating the Navy at Philadelphia.

Running time, 9 mins. J.

Big Economy Wave Strikes All Hollywood

(*Continued from page* 1)

as contracts are being allowed to lapse at the expiration of option periods.

It is believed that several studios will suspend all production activity for as long as 12 weeks after the first of the year, judging by the pruning of staffs which otherwise would be kept. The writer staffs at studios recently have been at the highest peak of the year, thus creating a large supply of working scripts ready to go into production at short notice, and making it possible to have a lull in production. The indications are that production will show a decided spurt before the first of the year to enable the studios to meet their release dates during the period of inactivity.

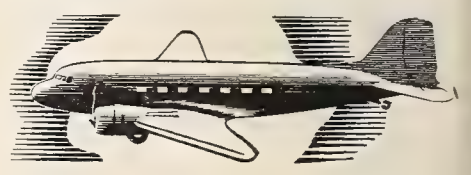
The union offices here have reported a record number of men out of work this week despite the large number of pictures shooting. The layoffs have been occasioned by a desire to use as few men as the union contracts will allow. The 10 per cent increase in wages given to five unions during the studio basic contract conference in New York and in the Screen Actors' Guild contract have brought about a tremendous increase in studio labor costs, the guild contract alone costing the studios an estimated $2,000,000 per year. The prices of materials also have increased to a marked extent.

Reelect Circuit Officers

The board of directors of U. A. Theatres Circuit, Inc., yesterday reelected officers and declared a quarterly dividend of $1.25 on the preferred stock, payable Dec. 15 to stockholders as of record, Dec. 1. Joseph M. Schenck is president and chairman of the board.

Pathe to Pay $1.75

Pathe has declared a quarterly dividend of $1.75 on the convertible preferred, payable Jan. 3 to stockholders of record, Dec. 23. John Wallace, coast head for Pathe Film, has returned to Hollywood after conferences.



ONLY UNITED OFFERS SKY ROOM LOUNGE!

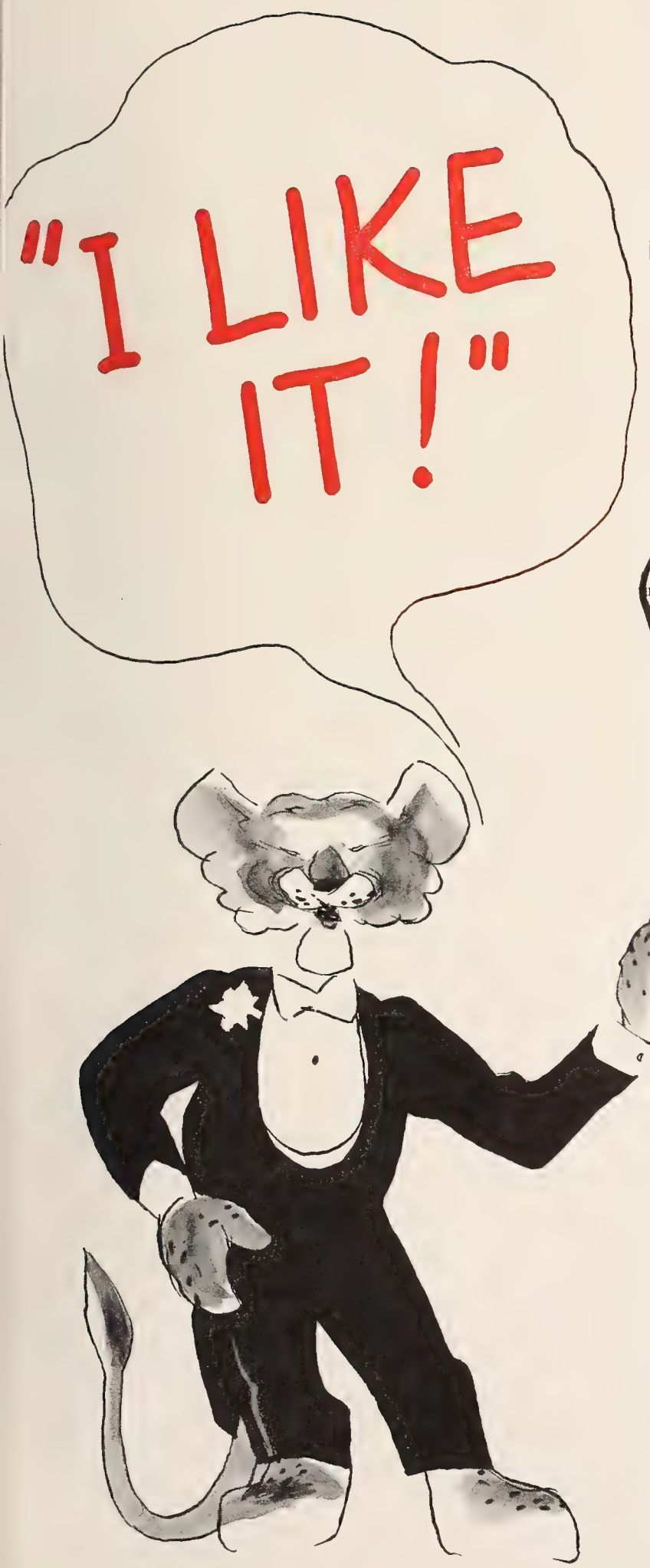
★Courtesy lounge for nighthawks and early birds is exclusive to United's sleeper planes.

In addition, United alone provides de luxe Skylounges on daylight portions of trip, sleepers at night . . . sleepers limited to 12 passengers for extra comfort (a berth for every passenger).

2 nightly sleeper flights coast to coast.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices

UNITED AIR LINES



MOTION PICTURE DAILY

Monday, November 29, 1937

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Beg, Borrow or Steal"

(M-G-M)

HOLLYWOOD, Nov. 28.—Down New Orleans way they have a custom called "lagniappe." In the north it is known as the baker's dozen. Both mean the purchaser gets an extra doughnut or cookie. In either place it is a gracious gesture. It is not recalled that any great emphasis was placed on "Beg, Borrow or Steal" in the company's annual announcement. But it seems that M-G-M has adopted the "lagniappe" practice. Like "Navy Blue and Gold" and "You're Only Young Once," it is first rate, audience pleasing entertainment. Like a doughnut it is not very much, but there is a whole lot around it. As it delivered one emotion-stirring sock in the climax it had no difficulty in causing the preview crowd to smile, giggle and guffaw from opening frame to fadeout.

Based on a William White story, the screenplay by Leonard Lee, Harry Ruskin and Marion Parsonnet is a frothy, bubbling concoction of clever dialogue and intriguing situations that make sparkling character performances automatic. Actors like Frank Morgan, Janet Beecher, Herman Bing, Erik Rhodes, George Givot, E. E. Clive, Cora Witherspoon, Reginald Denny, Vladimir Sokoloff and Harlan Briggs know exactly how to handle that type of material and the way they handle it, in this instance, leaves nothing to be desired. As this group indulges in its round of tomfoolery, Florence Rice and John Beal, the second leads in "Double Wedding," with the aid of Tom Rutherford, a newcomer, take excellent care of the romantic angle.

Morgan, a gentle grafter, the pal of Bing, Rhodes, Givot, Denny and Sokoloff who prefer to live otherwise than by laboring, persuades Beal to loan him a chateau as a wedding place for his daughter, Miss Rice. The deception is carried out in grand style to the amazement of suitor Rutherford and his parents, Briggs and Miss Witherspoon. All goes well until Beal falls in love with Miss Rice and the gang refuses to believe that Clive is a real nobleman. At the point where one of his shady deals and the police catch up with him, Morgan reveals his true identity to Beal. It would not be real romance did not the latter also prove to be a Prince Charming to take Miss Rice into his arms after Miss Rutherford, Briggs and Miss Witherspoon depart homeward.

Showmen have a show here that they can present to their patrons with the full confidence that it will meet with their approval. If "Beg, Borrow or Steal" is anything but a class A attraction the alphabet is all wrong. Producer Frederick Stephani and Director William Thiele here have given a conclusive demonstration that only a good story, capable players and the application of a little common sense are necessary to make a good film, high in entertainment and commercial value.

"Running time, 72 minutes. "G."

"You're Only Young Once"

(M-G-M)

HOLLYWOOD, Nov. 28.—This unostentatious production is pointed straight at the great middle class which still pays most of the nation's taxes and does practically all of its voting. It strikes the common people, the number of which the Great Emancipator is said to have commented upon eloquently, right where they live—in their homes, hopes, ideals and emotions. If this preponderant majority of the population has undergone no vital change since compilation of last week's grosses there can be little question that the film will give an excellent box-office account of itself, more than possibly embarrassing most of the costlier productions alongside which it may be programmed.

The central character, a small town judge, is played by Lewis Stone in a manner arguing long and prosperous employment for the widely beloved veteran if this turns out, as expected, to be the first of a series built around the affairs of the Hardy family, plain people. Fay Holden plays the wife, Mickey Rooney and Cecilia Parker, the adolescent children, and Sara Haden, their aunt. The screenplay, by Kay Van Riper, using characters accredited to Aurania Rouverol, takes the family from a small town somewhere in mid-America to Catalina Island on vacation. At that place both youngsters incur romantic attachments of dubious promise and are rescued, so to speak, by their father's common sense counsel. Later, he extricates himself from a financial difficulty.

As directed by George B. Seitz and played by those named, plus Eleanor Lynn, Frank Craven, Ann Rutherford and others, "You're Only Young Once" moves smoothly along from plausible cause to logical effect, employing situations, dialogue and relationships snugly within the experience of perhaps 80 per cent of the 90,000,000 Americans who, unless the figure be down a bit just now, attend picture shows weekly. It's a pretty fine piece of plain bread-and-butter product.

Running time, 76 minutes. "G."

McCarthy on Sales Until Scully Joins

(Continued from page 1)

his future plans. He was all smiles and his usual breezy self. In the last few weeks, it is understood, he had been approached to assume the general sales managership of two companies. Intermittently over the period of the last several years he has been sounded out on various producing ventures.

"Me?" he asked. "I have nothing to worry about."

Weisman Allowed to Discontinue Appeal

Milton C. Weisman, equity receiver of Fox Theatres Corp., was granted permission by Circuit Judge Martin T. Manton in the U. S. District Court here yesterday to drop his appeal from the $1,254,704 judgment against the corporation in favor of William Fox. Weisman and Hiram Steelman, bankruptcy trustee of William Fox, temporarily adjusted the claim at $1,-204,000.

The Chicago Title and Trust Co. recovered the original judgment against Fox and he, in turn, obtained a judgment against the corporation. Weisman contended that Fox was not entitled to interest. Instead of proceeding with his appeal, Weisman will permit the amount to be adjusted when hearings on Steelman's claim are held by a special master.

Cut Fort Worth Claim

Federal Judge Samuel Mandelbaum ordered that a $507,500 claim of the Fort Worth Properties Corp. against RKO be allowed at $3,737 in the U. S. District Court here yesterday. Judge Mandelbaum's ruling complies with a mandate of the U. S. Circuit Court of Appeals. The claim, which is based upon RKO's guarantee of a lease made by the RKO Southern Corp. for a theatre in Fort Worth, was allowed at $17,139 by Special Master Thomas D. Thatcher, but both sides appealed from the allowance. The Appellate Court held that Fort Worth had broken the lease by re-letting.

Appeal Nebraska B. N. Ruling

LINCOLN, Neb., Nov. 30.—Attorneys for the Beatrice Theatres Corp late today filed a motion with the Nebraska Supreme Court for a rehearing of the court's decision Oct. 22 which upheld a lower court decision ruling Bank Night a lottery and in violation of the state lottery laws.

The court will decide probably at its Friday meeting whether to grant a rehearing and, if granted, will set a date.

A Slight Error

Saul E. Rogers, attorney for R. H. Cochrane, became somewhat befuddled yesterday at a press interview, insisting that the Paramount board had no authority to take action. He repeated the error until it was called to his attention that he was in the offices of Universal.

Rogers, it will be remembered, was a stormy petrel during the Paramount bankruptcy, acting for a group of minority stockholders.

Reshuffle at "U" Ratified; Blumberg, Scully Deals Set

(Continued from page 1)

ment contracts given to Blumberg, former operating head for RKO theatres, and to Scully, currently eastern district sales manager for M-G-M. Lou Weinberg, circuit sales manager for Columbia, has initialed a three-year employment pact which is expected to be signed following the return of Abe Montague, general sales manager of Columbia, from Hollywood on Monday. Yesterday, Weinberg insisted he had signed no contract, although he admitted a deal designating him assistant sales manager of Universal had been discussed with Cowdin and Blumberg and that "all arrangements were satisfactory."

In the meantime, James R. Grainger prepared to sever all connections with Universal and is turning over to Frank J. A. McCarthy his duties as general sales manager. McCarthy will fill that post until Scully assumes charge on the first business day of the new year.

Cochrane Office "Additional"

Aside from his formal statement issued on behalf of Cochrane, Rogers told reporters yesterday that he regarded "any other office given Mr. Cochrane must be additional. I regard him still as president of Universal Pictures Co. and the Universal Corp."

The attorney added that the "offer" as chairman of the executive committee was being held in abeyance for further consideration. In the face of this, Cowdin declared later in the evening that Cochrane, by the vote of the board, no longer was president, that Blumberg now held such title as of Jan. 1 but that, in the interim period, the presidential post must be regarded as vacant. He also said that Cochrane, again by the vote of the board, now officially was chairman of the executive committee and that the new incumbent had neither rejected nor accepted duties which go with the title.

In answer to a direct question, Rogers declared no decision had been reached on the possibility of legal action to determine Cochrane's status as president. "I haven't fully decided what course of conduct will be pursued by me. That is awaiting decision," he said.

Pennsy Approached Cochrane

Rogers also revealed that an informal proposal had been made to Cochrane by D. M. Schaefer, an executive of the Pennsylvania Railroad and a member of Universal's board, for a new contract to replace the unexpired three-and-one-half-year deal under which Cochrane is now functioning. This informal offer, Rogers declared, had been rejected. It is understood it called for a 10-year arrangement at a figure considerably under Cochrane's current earning power but one which would have about equalized it over the extended period.

Apparently no offer has been made to purchase the veteran Universal executive's stock. He and his wife, according to Rogers, own about 20 per cent of the common in the parent company. Jointly, they are believed to be the largest stockholders in the corporation.

As the president of the company, Blumberg is also heading for a post on the directorate at a later date. In an interview last night, Cowdin stated no further changes were in contemplation. He appeared to be particulary emphatic upon this point when reporters as persistently raised the question about P. D. Cochrane and the studio personnel.

Reports that new money will follow in the wake of the realignment failed of confirmation. In reply to a barrage of queries along these lines, the board chairman replied,

"No comment at this time. All will be made in due course."

It developed further that R. H. Cochrane continues as a director. Cowdin expressed the hope that he will remain in the "capacities he has been elected to." In response to another query, he replied the Cochrane pact was an employment contract and did not specify that the post was that of the presidency. Blumberg's contract is along similar lines, his election to the presidency having been voted at yesterday's board meeting whereas his personal service agreement had been signed on Monday.

Budd Rogers Status Discussed

"Will Budd Rogers join in an executive sales capacity?" was another question.

"There has been no such discussion," answered Cowdin.

Alternating between quotable and "off-the-record" comment, Cowdin, throughout the interview, sought to stress the point that no further reshuffling is contemplated in New York headquarters. At no juncture did he refer to the studio except when queries turned replies in that direction. His attitude made it clear the dramatic executive upset had no bearing on Charles R. Rogers or his studio administration, but was confined to management—executive and sales—out of New York.

The original intention yesterday and last night was not to issue any official statement on the activities of the directors' meeting. It was the trade press which pressed the point and sold Cowdin the practicability of submitting to an interview with its flood of questions and some answers.

Pathe Signs Actor Guild Contract Here

Pathe's commercial film department has notified the Screen Actors' Guild that it will sign a contract establishing a guild shop for its production activities within the next day or two.

Pathe's action leaves March of Time as the only producer of consequence which has not signed with the Guild. A Guild ruling on March of Time's claim to being exempt from the contract provisions on the ground that it is a newsreel is expected from Hollywood by the end of the week.

Actresses to Wed

HOLLYWOOD, Nov. 30.—Virginia Bruce and Binnie Barnes have announced their forthcoming marriages, the former to J. Walter Rubin, director, and the latter to Jean Negulesco, writer.

Matthew Fox Will Be An Aide to Blumberg

(Continued from page 1)

age of 10 when he passed out heralds for the Rialto, Racine, Wis. In addition to this he helped on display advertising and changed the marquee signs.

At the age of 13 he was promoted to usher at the Rialto, leaving this job two years later to become office manager and booker of the Tiffany exchange in Milwaukee. Three years later he rejoined Blumberg in Milwaukee as press agent and continued in the post for three years. At 21, he came to New York and took over the managership of the Lynbrook, Lynbrook, L. I., for George Skouras. He was then transferred to the Rivoli, Hempstead, where he remained for some years.

For a year and a half he managed the Academy of Music for Skouras and in 1936, when Edward J. Peskay resigned as booker and film buyer of the circuit to become general sales manager for Grand National, Fox was named to the executive post.

Skouras has not named a successor to Fox, who is now completing his duties and will continue at the Skouras office until Christmas. He will take a brief vacation and then move over to Universal.

Exhibitor Meeting May Be in January

(Continued from page 1)

M.P.T.O.A. president, to attend then caused him to request that the date be advanced to Dec. 10. When no confirmation of that date was received from the I.T.O.A., Kuykendall made other arrangements and advised the local organization yesterday that he would not be available until after the first of the year.

Flash Previews

"Hitting a New High." . . . An opera sponsor plants a cabaret singer in darkest Africa to be discovered by his employer and palmed off in Manhattan as a "bird girl" . . . Lily Pons.

"God's Country and the Man." . . . A western . . . the setting is Canadian and the Mounties figure to a slight degree. . . . Proper quota of entertainment.

"Prairie Thunder" . . . Action doesn't drag. . . . Dick Foran pursues his duties as a scout. . . . Will keep audiences keyed up.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Coverage

Within two hours after *Motion Picture Daily's* story appeared yesterday on William A. Scully, M-G-M eastern district manager, joining Universal as general sales manager, Scully received more than 50 telephone calls expressing sentimental messages of congratulation.

The messages came from near and far, from friends, circuit heads and exchange managers in the Greater New York territory, Boston and New Haven.



tomorrow

A. M. P. A. takes the air *by storm!* It's Columbia Broadcasting System day at A.M.P.A.

Guests of Honor

★ TED HUSING
Master of Ceremonies
★ KATE SMITH
★ GUY LOMBARDO
★ AL PIERCE
★ KAY THOMPSON
★ ARLINE HARRIS
★ BUDDY CLARK
★ THE SYMPHONETTES
and The Executive Staff of the COLUMBIA Broadcasting System with W. B. LEWIS, V.P. in charge of programs speaking on "Radio in Relation to Motion Pictures."

Don't Miss It!

INTERNATIONAL CASINO
Broadway at 45th Street

Don't be Late

12:45 P.M.
$1.00 to members
$1.25 to non-members

CBS DAY at A.M.P.A.

Air Teaching Improvement Recommended

By BERTRAM F. LINZ

WASHINGTON, Nov. 30.—Improvement of the quality of education broadcasting is the major problem to be solved in the field of cultural programs and one to which Government agencies and educators are now devoting themselves extensively, it is revealed by the annual report of the Office of Education, made public today by the Interior Dep't.

Work already done in this direction, it was declared, "has discovered an extensive radio audience for educational radio programs, and the discovery will undoubtedly lead broadcasters to set aside more time than heretofore for programs of an educational nature.

"On the other hand, the receptiveness of the audience to educational broadcasts is leading public agencies to attempt to learn the art of disseminating information about their activities."

Further, the report asserted, "radio is more and more coming to take its place in the American educational system, but the most successful use of it by educators continues to be a challenging experiment.

Problems Determined

"Agreement as to what are the common problems of broadcasters and educators has been reached in considerable measure in meetings, during the year, of the sub-committees of the Federal radio education committee. Comprehensive studies of these common problems are to be undertaken within the next few months."

In addition to the seven series of coast-to-coast programs offered over the NBC and Columbia networks during the year, the Office of Education, acting as a clearing house for educational scrips, filled requests for 54,000 scripts, which have been produced in 42 states over 114 radio stations.

Fessenden Plaintiffs Rest Case

WILMINGTON, Nov. 30.—Plaintiffs in the patent infringement suit brought by Helen May Fessenden, widow of Dr. Reginald Fessenden, former chief chemist of Edison laboratories, against Radio Corp. of America charging infringement of three patents involving short wave radio transmission, rested in United States District Court here today after calling only one witness. Leo A. Kelley, consulting engineer of Jackson Heights, Long Island, testified that Fessenden was the first man to show the radio industry that short radio waves could be used successfully for long distance instead of long waves.

The defense opened its case by calling Clarence W. Hansell of Port Washington, L. I., engineer in charge of transmitter, research and development laboratories of RCA Communications, Inc. Hansell denied that the inventor was the first to show the industry that short waves could be used successfully for long distance instead of long waves. He testified to the effect that the fact was known in the United States and in other countries prior to 1924.

Warner Hits at Zanuck's Statements on Columnists

(Continued from page 1)

Producers' Ass'n. Warner says that he was not speaking for the association or the Warner organization.

"If it is ever necessary for this company to issue any opinions, we will do so on our own behalf and under our own name," Warner said.

The *Examiner* and the other Hearst paper here, the *Herald-Express,* are engaged in their own campaign against radio columnists. The Zanuck statement was issued through Harry Brand, studio publicity head.

Among other things Zanuck said: "The motion picture producers have every confidence in the underlying good will of both the radio commentators and their sponsors. They both are prompted by a desire to promote the sale of their product, but we are sure they do not want to accomplish this at the expense of an industry which brings entertainment and happiness to countless millions throughout the world."

Informed of the Warner statement, Zanuck challenged Warner to "say what he thinks of these unwarranted attacks on Hollywood and its individuals."

Several hours after Zanuck was told of Warner's saying that the statement made by Zanuck did not have Producer Assn. or Warner sanction, the 20th Century - Fox producer said: "I am the executive Warner must have referred to in his statement about my criticism of air commentators who make unwarranted attacks on the screen industry and its people. I voiced my personal opinion and that of the company with which I am associated. I venture also to suggest that I spoke the sentiments of most producers and of constructive thinking people both within the industry and outside. I now ask Warner if he favors those people antagonistic to our industry. Let him 'say what he thinks of those unwarranted attacks on Hollywood and its individuals'."

Educational Shows Subject in Chicago

CHICAGO, Nov. 30.—Immediate improvement in radio programs of all kinds was keynote of second national conference on educational broadcasting at Drake Hotel.

Starting with Merril Denison, critic and author, who spoke yesterday, the speakers pointed out the need for better programs, especially along educational lines. Denison told the delegates that radio was the victim of "cultural anarchy," a sort of blight that permeated the whole industry. He said better leadership was needed and that out of 17,000 programs on the air daily only about two dozen were as well done as they might be or could be or should be.

Dr. Harry Woodburn Chase, chancellor of N. Y. U., defended American broadcasting and opposed movements to put the government in broadcasting business.

Other speakers heard today by the several hundred broadcasters and educators in attendance were: Fia Ernest Hill, Dr. Levering Tyson, Robert M. Hutchins, Arthur G. Crane, Allen Miller, T. H. Shelby, C. B. Hershey, Horace M. Buckley, Blanche Young, Paul Rankin and Lester Ward Parker.

Wednesday's final session will have as its subject, "What Shall We Do with Radio?" Speakers will be George Henry Payne, Dr. James R. Angell and Clarence Dykstra. This will be followed by a discussion led by Lyman Bryson of Columbia University.

A banquet and entertainment was held tonight.

New Wrigley Shows Set

CHICAGO, Nov. 30.—Shaw and Lee, comedy team, are slated to be featured in a new show for Wrigley's Gum, which will start soon over CBS, and which will be titled "Double or Nothing." Contracts are expected to be signed this week.

Wrigley is also reported planning to sponsor "Manhattan Mother" over WBBM for half-hour periods three times weekly.

McFarlane Attacks Payne's Disbarment

WASHINGTON, Nov. 30.—Right of the F.C.C. to bar Commissioner George H. Payne from participation in the recent disbarment trial of Paul M. Segal and George S. Smith was today challenged by Representative W. D. McFarlane of Texas in a letter to Chairman Frank R. McNinch, made public by the Congressman.

McFarlane referred to the fact that he had previously written McNinch on the subject and had received an "evasive" reply in which the commissioner "impudently" refused to debate the matter.

The Congressman again asked for direct answers to his questions as to what authority of law permitted the commission to disqualify Payne; what court decision or statute justifies such action; and whether the commission knew that the District Court of Appeals had upheld the right of a commissioner to sit, even when bias or prejudice was charged.

"I shall wait a reasonable time for a direct answer to this inquiry and do not expect one so evasive and shifty as your first," McFarlane wrote.

"If at the end of that time it appears that you and your fellow commissioners fail to understand that this is a government of laws and not of capricious and supercilious lawyers I shall ask the House of Representatives to consider prompt action in the premises."

At the commission, Chairman McNinch denied that his letter to McFarlane had been intended in any but a most friendly spirit and refused to comment on the Congressman's charges.

CBS Votes Special 50c Cash Dividend

The board of directors of CBS yesterday declared a special cash dividend of 50c per share on the present Class A and Class B stock of $2.50 par value. The dividend is payable Dec. 13 to stockholders of record at the close of business on Dec. 6.

FCC Duties Divided Among Comm'ners

By CLARENCE LINZ

WASHINGTON, Nov. 30.—Authority over routine, engineering and emergency matters today was parcelled out among members of the F. C. C. with inception of a plan under which each member except the chairman will be assigned certain duties. The assignments will be changed monthly so that each member may eventually become thoroughly familiar with all types of matters coming before the commission.

For December, matters dealing with broadcasting, other than those on which commission action is necessary, are assigned to Commissioner T. A. M. Craven.

A motions docket is set up, for the hearing of matters relating to withdrawals, dismissals or defaults of applications, over which Commissioner Norman S. Case will preside for the first month.

The commission also designated days for consideration of cases, broadcasting matters being scheduled for Wednesdays; oral argument before the commission will be held on Thursdays.

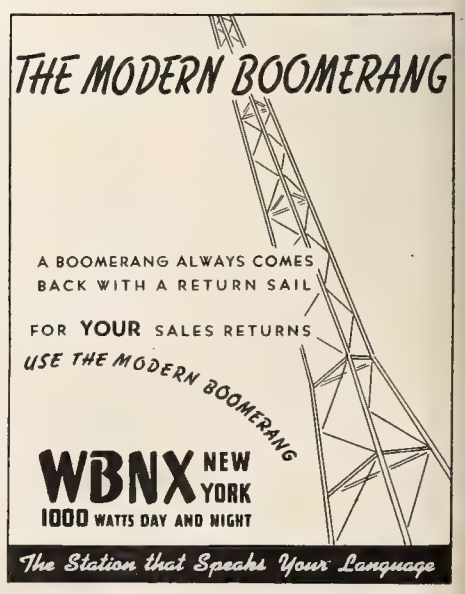
McNinch Seeks Action

Announcing the new arrangement, Chairman Frank R. McNinch explained that it had been adopted to facilitate consideration of routine matters which prior to Nov. 15 were handled by the three divisions which were abolished on that date. Nearly all of the matters thus delegated, he said, require prompt action and some of them emergency action.

The chairman commented on the results of the recent order providing for publicity where attempts were made to influence the commission, saying there has been a most marked falling off in the number of inquiries that have been made, adding that practically none has been made with a view to exerting influence on commission action.

Ten Set for M-G-M Show

HOLLYWOOD, Nov. 30.—Wallace Beery, Allan Jones, Fannie Brice and Freddie Bartholomew will be featured on M-G-M's fifth weekly program, which will be heard Thursday evening at 9 P. M., E.S.T., over the NBC network. Others to be heard on the broadcast include Frank Morgan, Betty Jaynes, Judy Garland, Helen Troy, Mickey Rooney and Herman Bing.



Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 130 NEW YORK, THURSDAY, DECEMBER 2, 1937 TEN CENTS

FitzPatrick May Produce ForParamount

Report to Do 10 Yearly In Color Abroad

James A. FitzPatrick, who recently completed 11 quota films for M-G-M in England, is understood negotiating a deal with John W. Hicks, Jr., to produce 10 pictures, all in Technicolor, for Paramount in England. The deal is reported to be for one year with four annual renewal options.

Questioned about the report yesterday, FitzPatrick admitted having preliminary conferences with Hicks, but added no deal has been concluded. He will leave for Hollywood Dec. 18 and while there presumably will talk over the proposition with Adolph Zukor, chairman of the Paramount board, and Barney Balaban.

When FitzPatrick returned from England recently, he told reporters that he was planning to make 10 more quota films for M-G-M next year. Whether this deal will be in addition to the Paramount offer could not be learned yesterday. In any event, FitzPatrick will continue to make 12

(*Continued on page* 13)

Georgia Chain Tax Bill Is Introduced

AUGUSTA, Ga., Dec. 1.—A bill calling for the imposition of license taxes on chain theatres running from $50 on one house to $200 on 16 has been introduced in the Legislature by Assemblyman J. Verlyn Booth.

The bill has an intricate provision to prevent avoidance of the tax through subsidiary companies or oral agreements. Two or more houses will

(*Continued on page* 10)

Paramount Offering New Radio Service

HOLLYWOOD, Dec. 1.—Paramount is preparing to service with special material on current historical pictures radio stations which send out daily education broadcasts intended for school audiences.

Cliff Lewis, advertising manager, is sending out special questionnaires to stations and first run exhibitors, offering them this special service, which will be supplied either in transcription or script form.

More Radio—Pp. 12-13

Chase Drops More Shares Of 20th-Fox

Warner, Columbia Heads Shift Holdings

WASHINGTON, Dec. 1.—Further whittling down of the 20th Century-Fox securities held by the Chase National Bank, New York, under escrow agreement, was shown today by the S. E. C. in its semi-monthly report of the October transactions of corporation officers, directors and principal stockholders in the securities of their organizations.

During October, the report disclosed, the bank disposed of 2,590 shares of common and 5,180 shares of $1.50 cumulative preferred 20th Century-Fox stock, leaving it at the close of the period with 340,858 shares of the former and 681,916 shares of the latter.

The S. E. C. report, which included returns from most of the film com-

(*Continued on page* 3)

Reorganized Condor Sought by Creditors

LOS ANGELES, Dec. 1.—Three creditors of Condor Pictures, Inc., have filed petitions seeking to have the company reorganize under Section 77B of the Bankruptcy Act, in opposition to the petition filed last week by Ben Pivar, Frank Gay and Albert Wenzel asking that the firm be declared bankrupt involuntarily.

The new petitioners are the American Motorists Insurance Co., claiming $714.92; Swett & Crawford, Inc., $515.88, and Frank Dillon Organization, $78.99. They ask the appointment of H. K. Bachelder as trustee, declaring under the reorganization all creditors can be paid in full.

It's Indefinite

Hollywood, Dec. 1. — Leo Spitz today said he planned to remain here indefinitely, guiding the affairs of the RKO studio. He added he planned no executive changes and that the production schedule would continue as outlined.

Governor of Kansas Asks Newsreel Cuts

KANSAS CITY, Dec. 1.—Mae Clausen, chairman of the Kansas Censor Board, today received a letter from Gov. Walter Huxman asking the board to eliminate pictures from newsreels showing Irish sweepstakes lottery winners.

"I have not had time to check the law on the matter," Huxman wrote, "but if your board feels that you have authority to bar these newsreel pictures I hope that you will make an order deleting them and that no further Irish sweepstakes tickets or newsreels connected with the winners be shown in Kansas."

The Governor indicated his action followed complaints from citizens and a district judge.

The Kansas censor law specifically excludes newsreels from censor board jurisdiction and they are not sent to

(*Continued on page* 3)

C. C. Moskowitz Goes West to See Schenck

C. C. Moskowitz, Loew executive, unexpectedly left for the coast last night by train for business meetings with Nicholas M. Schenck, president. He said he had some business matters to attend to in Hollywood and expected to be gone several weeks.

Edward J. Mannix and Howard Strickling departed for the M-G-M

(*Continued on page* 3)

"Truth" Holds Fast Pace In Nation's Key Theatres

"The Awful Truth," "The Prisoner of Zenda" and "The Firefly" appeared most prominently in the box-office takes at the nation's theatres last week. The first named film in Indianapolis, Minneapolis, St. Paul, Cincinnati, Kansas City and San Francisco ranged over average from $1,000 to $2,500.

"The Prisoner of Zenda," playing a return engagement at Loew's Columbia in Washington, went over average by $900. In San Francisco this film did $2,000 and $6,000 over the par at the Embassy and United Artists, respectively. "The Firefly" did well at the Penn in Pittsburgh, where it went $3,000 over par with a gross of $14,000. It was also strong at the State in Minneapolis.

"The Last Gangster," with a vaude-

(*Continued on page* 10)

Attack Labor Board's Power In Coast Tilt

Producers So Contend in Capital Hearing

By BERTRAM F. LINZ

WASHINGTON, Dec. 1.—Jurisdiction of the National Labor Relations Board over the relations between producers and screen writers was challenged today by representatives of the producers in oral argument before the board on the petition of the Screen Writers' Guild for an election to determine the collective bargaining unit for the writers.

Not only is the board without power to act in the matter, it was contended, but if it had such power the writers themselves could not be considered as employes under the terms of the Wagner National Labor Relations Act.

Joining in the contentions of the producers as to employment were the Screen Playwrights, while opposing views were expressed by the Screen Writers' Guild and the Screen Directors' Guild.

The hearings today brought to a close lengthy proceedings initiated by the Screen Writers' Guild last June with the filing of a petition on which hearings were held in Hollywood.

Those appearing before the board included Leonard S. Janofsky, counsel for the Screen Writers' Guild;

(*Continued on page* 13)

Grainger on the Job; Awaits Formal Move

It was a routine day for James R. Grainger yesterday. He was at his desk at Universal early in the morning and remained there throughout the day conducting business as general sales manager of the company.

He stated late in the afternoon that, while he knew, of course, that W. A. Scully had signed a five-year contract as general sales manager effective Jan. 1 that he (Grainger) had received no legal notification that he was to be relieved of his duties.

Blank Acceptances Already Total 283

DES MOINES, Dec. 1.—A total of 283 persons thus far have signified their intention of attending the testimonial banquet for A. H. Blank on the occasion of his 25th year as an exhibitor, to be held in the grand ball room of the Hotel Fort Des Moines

(*Continued on page* 10)

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Schaefer Questioned In the M. & R. Suit

George J. Schaefer, vice-president and general manager of United Artists, was queried yesterday on Paramount film deals and sales policies in New England during the period when Schaefer was distribution head of Paramount. His testimony was given in connection with the taking of depositions here in the anti-trust suit of Morse & Rothenberg, Boston independents, against major distributors, the Maine & New Hampshire and M. A. Shea circuits.

The sessions here will be adjourned today until a later date.

Willard S. McKay, Universal general counsel, is scheduled to be questioned at today's session.

Decides Bank Night New Haven Lottery

NEW HAVEN, Dec. 1.—Judge Edward Quinlan in Superior Court, Middlesex County, today decided Bank Night is a lottery, in the case of Ernest Dorau of the Capitol Theatre, Middletown.

It is expected that Dorau will take an appeal from the decision to the State Supreme Court.

Purely Personal

JOE WEIL, director of exploitation for Universal, returned to the home office by plane yesterday from the coast, where he made a radio transcription and prepared a radio advertising campaign on "You're a Sweetheart."

•

WESLEY RUGGLES, who recently finished "True Confessions" for Paramount, is stopping at the Savoy-Plaza for a few days. He will sail Dec. 8 on the *Normandie* for a European tour of several months during which he will search for talent and stories.

•

JAMES A. FITZPATRICK will sail Dec. 18 for the coast on the last Grace Line boat to make the trip. He will confer with FRED C. QUIMBY for three weeks in Hollywood before returning east.

•

JOHN LODER and his bride, MICHELINE CHEIREL, will arrive in New York Saturday after a tour of the country. They will leave for Europe next Wednesday.

•

RUBE JACKTER is back from the coast after attending the last Columbia sales regional at San Francisco and A. MONTAGUE is due to return next week.

•

CHARLES KURTZMAN, Loew manager in Washington, was in town yesterday and left in the evening after conferring with JOSEPH R. VOGEL.

•

S. BARRET MCCORMICK, director of advertising and publicity for RKO, has returned from a three-week trip to the coast.

•

LOLA LANE, who recently finished work in "Hollywood Hotel" for Warners, will arrive in New York this week.

•

VIVIAN MATLAU of the M-G-M publicity department will become MRS. MAURICE SOLOMAN on Christmas.

•

E. M. SAUNDERS, western division manager for M-G-M, is on the coast and due back shortly.

•

JACK LARUE and JON HALL were two Tavern visitors during the lunch hour yesterday.

•

GRACE MOORE arrived in New York from Chicago yesterday, and is stopping at the Waldorf.

•

TONY MUTO of the Hays Office in Washington was in town yesterday.

•

NED E. DEPINET will leave for the coast the end of the week by plane.

•

RALPH ROLAN, just in from Hollywood, will start back Dec. 10.

•

L. JACK SCHLAIFER is back from a tour of U. A., exchanges.

•

FRANCIS LEDERER will head for the coast today by plane.

•

HARRY KATZ will return from Hollywood Monday.

A Concession

Hollywood, Dec. 1.—As a concession to the Los Angeles Bar Ass'n, which viewed the film, M-G-M is adding a foreword to the short, "Behind the Criminal," pointing out that crooked attorneys are in the minority.

U. A. Board Meeting Is Again Postponed

HOLLYWOOD, Dec. 1.—The meeting of the board of directors of United Artists, scheduled for today, was adjourned, like several others recently, for lack of a quorum. The procedure is understood to be routine and in compliance with the corporation by-laws for the purpose of maintaining its legal status.

At a late hour today, the Korda-Goldwyn deal was in status quo. Indications here are that the consummation of the deal for exercise of the options has been held up pending the continuance of London negotiations, which apparently have reached the bargaining stage with the degree of control and possibly the amount and terms of the cash outlay the subjects of contention.

Some Hollywood executives, usually well informed on such matters, have expressed the opinion that the deal is cold, some citing British sources in substantiation of the belief.

Silverstone Due Soon

Maurice Silverstone, head of U. A. activities in England, and Marcel Hellman, producer for Criterion Films, are scheduled to return from the coast next week. Alexander Korda is due from Hollywood by plane in a few days.

See Reorganization Of Capitol Film Co.

By AUBREY FLANAGAN

LONDON, Dec. 1.—Reorganization of Capitol Film Corp., Ltd., of which Max Schach is the chief figure and managing director, is foreshadowed in changes in the board of directors, made known today.

S. Bayliss Smith has replaced Major H. A. Proctor as chairman of the board and Schach has been named as director of all production. Smith is a prominent figure in Aldgate Trustees, a financial group which was instrumental in financing Capitol Film.

Pascal to Begin on "Pygmalion" Jan. 24

LONDON, Dec. 1.—Gabriel L. Pascal, managing director of Pascal Film Prod., Ltd., declared that "Pygmalion," the work of George Bernard Shaw, will be produced by his company at the Pinewood Studio, beginning Jan. 24.

The screenplay is in preparation by W. P. Lipscomb, and the cast will include Leslie Howard, Wendy Hiller and Marie Lohr.

Ask Separate Quotas

LONDON, Dec 1.—A producers' deputation appeared at the Board of Trade today pleading for separate quotas to be included in the proposed new Films Act.

Argue Oral Deals in Warner-Francis Suit

LOS ANGELES, Dec. 1.—Whether violation of asserted oral agreements covering phrases of contracts not contained in the written instruments constitutes breach of contract was argued here before Federal Judge Paul J. McCormick when Warners presented a demurrer to the suit of Kay Francis seeking to invalidate her contract, which has about three years to run.

The studio attorneys declared that Miss Francis' contract as written calls for her to play any role assigned to her and that whatever oral agreements she had with Jack Warner, if any, had no effect upon the pact.

Miss Francis has claimed that she was promised vehicles other than those she was called upon to enact, and cited "Tovarich" as one of the films she was to have starred in. Judge McCormick gave both sides time to file written arguments.

Playwright Sues for $610,000

LOS ANGELES, Dec. 1.—Maud Clement Peddell, playwright, has filed suit for $610,000 against M-G-M, Hal Roach, Fox West Coast and a number of John Does, representing writers, charging plagiarism of "Little Boy Blew In," her play, in Roach's "Nobody's Baby."

She seeks $10,000 as damages and demands $600,000 which, the complaint charges, is the profit of the picture.

M-G-M Files Suit Denial

The M-G-M Corp. breach of contract suit against Irving Berlin, Inc., was adjourned to Feb. 15 by Justice John M. McGeehan in the N. Y. Supreme Court yesterday. M-G-M claims $4,250 under a 1929 contract for the publication of seven songs composed by Dave Dreyer and Ballard MacDonald. The defendant has denied that any money is due.

Court Orders Particulars

Casino Prod., Inc., and Yermi Stern were ordered to file a bill of particulars by Federal Judge John C. Knox in the U. S. District Court yesterday in connection with their $500,000 suit against Warner Bros., Inc., and First National Pictures, Inc. The plaintiffs claim that their reputations were damaged by "Go Into Your Dance."

Sue Shuberts on Note

The Keith Massachusetts Corp. filed suit in the U. S. District Court yesterday against Jacob and Lee Shubert for a $4,000 balance due on a $35,000 note allegedly made by the defendants in 1931.

Harry Sherman Cleared

An indictment charging Harry Sherman, former head of Local 306, with misappropriating $150,961 of the union funds, has been dismissed by Judge Wallace in General Sessions Court. The indictment was handed up in May, 1936.

N. Y. Office for Kalmus

Technicolor will open its own offices in New York on Jan. 1, with Morgan Hobart, formerly studio contact for the company, in charge. The company up to now has been utilizing the offices of its eastern attorneys for transacting its business. Dr. Herbert T. Kalmus, president, is due from the coast next week.

Chase Drops More Shares Of 20th-Fox

(*Continued from page* 1)

panies, revealed also that Albert Warner liquidated his Holding Company A, transferring to direct ownership the 5,988 shares of Warners' common stock which it had been holding. He disposed of 800 shares during the month and at the close of October held 64,448 shares. Similarly Holding Company A transferred to direct ownership 264,000 optional six per cent convertible debentures, of which he held 1,794,000 at the close of the month. He also held 10,618 shares of $3.85 cumulative preferred stock directly, and 4,500 shares through Holding Company B.

The only other transaction in Warner stocks reported was a transfer by Jack L. Warner of 214,000 optional debentures of which he held 1,288,000 at the close of the month.

In Columbia Pictures, Jack Cohn reported the sale of 2,000 common voting trust certificates, reducing his holdings to 37,707, and the acquisition by Abraham Schneider, New York, officer and director, of 100 certificates, representing the sum of his holdings.

List G. N. Transactions

In General Theatres Equipment, R. B. Larue, New York, officer, disposed of 100 shares of common, wiping out his holdings in that class, and in Grand National Films, Kirk W. Todd, Pittsburgh, director, reported the disposition of 2,550 shares of $1 par common, leaving him with 5,050 shares.

Loew's, Inc., increased its holdings in Loew's Boston Theatres common to 97,760 shares during October by the acquisition of six shares during the month, and in Loew's, Inc., Sam Katz reported acquisition of 650 shares of common stock, giving him a total of 750 shares.

Joseph A. Sisto, New York, director in Monogram Pictures, reported that he disposed of 2,267 shares of common during the month through J. A. Sisto & Co., wiping out that organization's holdings in the stock. Maurice Newton, New York, director in Paramount, reported purchase and sale through Hallgarten & Co. of 200 shares of common. Robert R. Young, Jersey City, director in Pathe Film, reported disposition of 25,000 shares of common, reducing his holdings to 9,715 shares direct and 10,283 shares through a holding company.

A report on holdings of persons becoming officers and directors in corporations during the month showed that O. Henry Briggs, New York, and Trem Carr, Universal City, held no equity securities in Monogram Pictures when they became directors Oct. 30.

Meyer Busy on New Film

HOLLYWOOD, Dec. 1.—Dr. Herbert Meyer of C. King Charney, Inc., has returned from Binghampton, factory site of Agfa, after spending several weeks there preparing for distribution of a new Superspeed Agfa negative.

The negative, said to expedite interior and exterior shooting under unfavorable lighting conditions, will be ready at the end of next month.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Tovarich"

(*Warners*)

HOLLYWOOD, Dec. 1.—Smart and sophisticated comedy though it may be, "Tovarich" is nevertheless an attraction for all types of audiences. It is one of that type of pictures the de luxe houses like to make a big fuss about; it is also a feature that comes within the ken of those who patronize the wide-spot-in-the-road theatres. It is a combination of many of the elements which all worthy pictures are supposed to include.

The motivating story is richly humorous. Its love story stimulates the most sentimental emotions, carries a bit of drama and presents an intriguing picture of post-war European life. Starring Claudette Colbert and Charles Boyer, who contribute masterful performances, it features Basil Rathbone, Melville Cooper, Isabel Jeans, Anita Louise and Maurice Murphy as the principal supports. All perform up to the standard set by the leads. Headed by Victor Kilian and Heather Thatcher, the long list of minor players adds to the entertainment value of the film.

While the stage version of Jacques Deval's play is still meeting with success in metropolitan centers, the screen version by Casey Robinson, produced and directed by Anatole Litvak, with ample evidence that Robert Lord had a hand in the proceeings, may be expected to meet greater favor in the wider field of films.

For once the continental touch has been brought within the field of ordinary American understanding. Though the locale is Paris, for all practical and entertainment purposes it might just as well have been set in Milwaukee. Basically, the plot follows the premise that two people have been born to suffer and love it. Lest a wrong impression may be conveyed, it should be stated that nobody does any heart-rending suffering. The experiences which all meet are amusing to them. They also were amusing to a preview audience.

Miss Colbert and Boyer are an exiled Russian grand duchess and prince in Paris. Though Boyer can sign a check for 40 billion francs entrusted to him by the late Czar, he is the soul of honor and will not touch it. They live by what Miss Colbert steals. Poverty-stricken, they get jobs in the home of Cooper and Miss Jeans, whose children are Louise and Murphy. All is peaceful, although Boyer has trouble fighting off the flirtations of Miss Jeans and Miss Louise, and Miss Colbert has her hands full thwarting the amorous ambitions of Cooper and Murphy until at a reception they are recognized as royalty.

At first they fear only the loss of their jobs. Another menace arises in the person of Rathbone, Soviet commissar, who had put them in torture during the Revolution. But as the dialogue takes sly digs at the modern political-economic setup in Europe Boyer signs away his billions so that Russian territory may be preserved intact. Broke, they remain as servants, ostensibly until others as good can be found, but everyone knows that this will never happen.

As adapted, acted, staged and directed, the picture preserves and embellishes the full comedy quality of the original. The writer, actors and producer-director have extracted the full amusement value of everything provided. "Tovarich" should prove a desirable attraction in any kind of a house.

Running time, 85 minutes. "G."

(Additional Reviews on Page 6)

C. C. Moskowitz Goes West to See Selznick

(*Continued from page* 1)

studios in the evening by plane. Spencer Tracy, who was scheduled to accompany them, is staying over a few more days.

Al Lichtman, vice-president, is due back from England next Monday and will leave the following day by air for the studios. He is overdue a week, having stayed over for a preview of an M-G-M picture.

Loew's to Pay Extra $1

Loew's yesterday declared a dividend of $1.50 on the common stock, payable Dec. 31 to stockholders on record to Dec. 11. The dividend represents $1 more than that usually declared at this time of the year.

Governor of Kansas Asks Newsreel Cuts

(*Continued from page* 1)

the board by distributors for inspection.

Miss Clausen indicated this in her answer to the Governor's letter.

Film men here object to singling out films for criticism in connection with the lottery, inasmuch as newspapers and radios in Kansas, as elsewhere, devote a great deal of attention to the sweepstakes and local authorities do little to discourage the practice.

Oscar Homolka to Wed

LONDON, Dec. 1.—Oscar Lugo Homolka, Austrian actor, has filed notice of intention to marry Baroness Vally Hatvany.

Guild May Make New Agreement for Time

The Screen Actors' Guild may offer March of Time a supplemental agreement covering points in dispute between the two as a basis for signing of a guild contract by the reel, it was learned yesterday.

Kenneth Thomson, executive secretary of the guild, is leaving the decision on the conditions for settlement of March of Time's claims to a newsreel status to Mrs. Florence Marston, eastern representative of the guild, and Aubrey Blair, secretary-treasurer of the Junior Guild, who will arrive in New York from the coast tomorrow. The two are scheduled to confer on Saturday with March of Time officials. Indications are that the guild will offer a supplemental agreement defining newsreel and theatrical production in March of Time releases, with provisions for full adherence to the guild's contract on all work defined as theatrical.

March of Time has been adhering to the provisions of the guild contract, without having signed it, since Sept. 1.

A membership meeting of the junior guild will be held here during Blair's visit, probably within the next 10 days.

Pathe's commercial film division is scheduled to sign a contract with the guild today or tomorrow. The pact had been promised for yesterday, but unavoidable delays were encountered, it was said.

To Study Sunday Shows

BRIDGEPORT, Dec. 1. — Sunday vaudeville is scheduled for consideration by the Board of Aldermen early in December. Meantime Sunday shows are being presented at the Globe under local option approved by the Common Council.

Gene Autry Injured

HOLLYWOOD, Dec. 1.—Gene Autry today suffered a wrenched back during the filming of a mob scene as a result of which Smiley Burnett and Robert Hoag were also list as casualities.

Wall Street

"U" Only Gain on Board

	Open	High	Low	Close	Net Change
Cons.	1½	1½	1½	1½	.....
E. K.	153	153	151	151	—2
G. T. E.	13⅜	13¼	13	13¼	— ⅞
K.A.O., pfd.	83	83	80	80	.....
Loew	49⅞	49⅞	47¼	47¾	—1½
Para.	12⅝	12⅝	12⅛	12⅛	— ⅜
Para. 2.	11⅜	11⅜	11⅜	11⅜	.....
Pathe	6	6	5⅞	5⅞	— ¼
RKO	4⅞	4⅞	4¾	4¾	.....
20th Fox	22¾	22¾	22½	22¾	— ⅛
20th, pfd.	28½	28½	28½	28½	— ¼
Univ., pfd.	34¼	34¼	34¼	34¼	+1¼
W. B.	7⅞	7⅞	7⅝	7⅝	— ¼

Light Curb Change

	Open	High	Low	Close	Net Change
G. N.	1⅞	1⅞	⅞	1	— ⅛
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	18½	18½	18	18¼	—1⅛
Univ. Corp.	2	2	2	2	+ ⅛

Bonds Rise Fractionally

	High	Low	Close	Net Change
Keith 6s '46	85½	85½	85½	.....
Loew 3½s '46	97½	97½	97½	+ ¼
Para. B'way 3s '55	63	63	63	.....
Para. Pict. 6s '55	90	90	90	.....
W. B. 6s '39	80	79½	80	+ ¼

(Quotations at close of Dec. 1)

"*First Lady*"

is the First Comedy of the Land!



There's never been a story slant like this hilarious "inside" on the gals who make the men who make the laws. It's written by Katharine Dayton and none other than George S. Kaufman, the never-wrong co-author of 'I'd Rather Be Right', 'Stage Door', 'Of Thee I Sing', 'The Royal Family' and a dozen more as successful. It was the big laugh of Broadway last season and is ready now to do as much for you, advertised by WARNER BROS. and played to the hilt by a great cast!



She Has What It Takes To Take Washington!

KAY FRANCIS

in

"First Lady"

with

PRESTON FOSTER • ANITA LOUISE • WALTER CONNOLLY

VERREE TEASDALE • VICTOR JORY

Directed by Stanley Logan • Screen Play by Rowland Leigh

Interior Dept. Made 30 Reels for Year

WASHINGTON, Dec. 1. — Thirty reels of films costing approximately $51,000, were made during the fiscal year ended June 30, last, it was disclosed today in the annual report of the Division of Motion Pictures of the Interior Dep't.

A feature of the year's work, it was declared by Fanning Hearon, director, was the production of the most ambitious film the department has attempted, "The Price of Progress," dealing with the destruction and conservation of natural resources.

Other productions included three Indian pictures, a presentation of the rehabilitation of the Virgin Islands, a picture on Boulder Dam and one on the Bureau of Reclamation in general, a story of the Ohio-Mississippi flood, and the beginning of a film record of Grand Coulee Dam. Others covered national and state parks, the Civilian Conservation Corps and related subjects.

Pictures in the department's library were distributed at the rate of 500 shipments per week to theatres, colleges, schools, CCC camps and interested institutions, organizations and groups, it was said, and it is estimated they were viewed by 4,000,000 persons during the year.

Labor Dep't Issues New Film on Dresses

WASHINGTON, Dec. 1. — Joining the ranks of the film producing Government agencies, the Dep't of Labor today announced release of "What's in a Dress?" The Women's Bureau contribution, deals, however, with sweatshop conditions in the clothing industry, carries a little style show, and depicts the work of the bureau in studying conditions and formulating standards.

The picture is silent and is issued in both 16 and 35-millimeter width.

Wins Paris Grand Award

PARIS, Dec. 1.—The grand award of the Paris Exposition of 1937 for screen work has been won by "La Mort du Cygne" ("Death of the Swan"), produced and directed by Jean Benoit-Levy, and based on an original by Paul Morand. The award for documentary films was shared by "Metamorphose," "Symphonie Graphique" and "The Algerian Effort." The scientific film award went to "A Travel in the Sky" and "Phagopschose."

Fisher Replaces Cool

PITTSBURGH, Dec. 1.—Harry Kalmine, zone manager for Warners here, has named John C. Fisher city manager of the circuit's houses in Sharon, Pa., where he succeeds the late L. B. Cool, who died two weeks ago. Fisher came from Ridgeway, Pa., where he managed a Warner house, and Robert Coleman, who was Cool's assistant, will be transferred to Ridgeway to take over Fisher's old post.

Change Scene of Ball

CLEVELAND, Dec. 1.—Locale of the annual Variety Club ball, Dec. 3, has been changed from the Mayfair Casino to the Allerton Hotel ballroom. M. B. Horwitz, Variety Club chief barker, announced the switch when the Mayfair Casino went into bankruptcy.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hitting a New High"

(RKO)

HOLLYWOOD, Nov. 30.—Advocates of both popular and classical music may be expected to respond to the news that in "Hitting a New High" Lily Pons sets out to demonstrate that a ranking vocal talent can be exercised with equivalent effectiveness in both media. Persons attracted primarily by the promise of such a demonstration may be expected to go away convinced that virtuosity and versatility are indeed compatible characteristics, for the diminutive diva sings three numbers in each bracket, even throwing in a bit of stepping for good measure, with approximately equal facility.

It is more than a little regrettable that the production is so emphatically a musical demonstration as to be almost negligibly a motion picture. By a process of practically automatic elimination the failure of Miss Pons' vocal vehicle to entertain otherwise than academically may be traced down to the story by Robert Harari and Maxwell Shane. Able Jesse L. Lasky gave the enterprise everything a producer can give. Raoul Walsh contributed his veteran directorial touch, softening corners here and pointing up flat spots there. Edward Everett Horton, Jack Oakie and Eric Blore applied the torch of their comedy repeatedly but no flame leaped up.

The tale pieced out by the authors deals dismally with an opera sponsor whose press agent plants a cabaret singer in darkest Africa to be discovered by his employer and palmed off on the moguls of Manhattan as a "bird girl." It is never for a moment as funny as a thing like that would have to be to amuse people who don't know or care about opera sponsors, or people who do, and it has the additional demerit of making Miss Pons a stupid young woman sputtering phoney Africanese between song numbers. Offered as a vocal feat by a first flight operatic star, the film may be found to have a certain well defined box-office value. That would seem the showmanly way to play it. Considered simply as all-purpose screen merchandise, it certainly is among the season's major disappointments.

Running time, 84 minutes. "G."

Looking 'Em Over

"Boy of the Streets"

(Monogram)

This is a bread-and-butter picture. It is so earmarked all the way.

"Boy of the Streets," in some of its overall story implications, bears a general resemblance to "Dead End" without being a carbon copy except where social implications, having to do with the slum areas and living conditions under them in a big city are concerned. The city, of course, is New York and the specific area in which the melodrama is told is the East Side.

There is the usual gang of roughneck kids who are not nearly so rough or as tough as their exterior markings might indicate. Jackie Cooper, tall and slim and very much the growing young man, is their leader. His mother supports the boy and the father, a sort of political hanger-on and an economic wastrel whose earning capicity is exactly nil. There is the neighborhood doctor, revolting against the sort of social order that permits garbage cans in hallways. And there is the uptown girl who inherits the tenement property and who ultimately is stirred into rehabilitating it along livable lines.

Young Cooper finds this exterior protection in being tough and hard-boiled. Actually, he is not and the picture, setting out to prove the point, ultimately demonstrates his worth and his vaguely defined desire for the clean thing by finally enlisting him in the Navy. Before that, he has a scrape with a gang of mobsters who attempt to veer him from the straight and narrow. Regeneration comes with his enlistment and an implied sometime-to-be romance with Maureen O'Connor.

The cast, which does a representative job, includes Kathleen Burke, Robert Emmett O'Connor, Marjorie Main, Matty Fain, George Cleveland, Gordon Elliott, Guy Usher, Paul White and Don La Torre. William Nigh's direction is always down-to-earth and showmanly.

In its class, "Boy of the Streets" is a representative piece of merchandise. There are, or there should be, thousands of theatres across America that will do well with it. That, it is to be assumed, is what counts.

Running time, 76 minutes. "G."

(Additional Reviews on Page 9)

New Building Code Enacted for Dover

DOVER, Del., Dec. 1.—The City Council of Dover has enacted a new and strict theatre building code to cover all buildings used for theatrical purposes.

Under the new code, buildings used for theatre purposes in the city must be constructed of iron, steel, concrete or brick and have sufficient areaway on each side to provide for the easy passage of patrons in event of an emergency. Due to the requirements of construction on outside passages it is doubtful whether any of the existing buildings in the city could be remodeled or rebuilt to comply with the new regulations.

Interstate to Build

HOUSTON, Dec. 1. — Interstate Theatres, Inc., the Karl Hoblitzelle company, will build a sixth suburban theatre for the circuit in Houston 17 blocks nearer the downtown section than the North Main. The theatre will cost approximately $100,000 and will seat 1,200.

Other Interstate theatres in Houston are three downtown houses, Metropolitan, Majestic and Kirby, and in the suburbs the Delman, Eastwood, Bluebonnet, Tower and North Main.

Chicago Drive Succeeds

CHICAGO, Dec. 1.—The Amusement Division of the Community Chest has gone over the $24,000 quota weeks ahead of schedule, according to Clyde W. Eckhardt, branch manager of 20th Century-Fox, who is chairman.

More than 5,000 employes in the amusement field have been contacted. John Balaban, Aaron Saperstein and Edwin Silverman were on Eckhardt's advisory committee.

Will Join Taplinger

PITTSBURGH, Dec. 1.—Donn Wermuth, for several years Joe Feldman's assistant in Warners' advertising department here and who was recently transferred to field exploitation for distribution, has just been assigned to Bob Taplinger's publicity staff in Hollywood. He leaves immediately to take up his new duties.

Handling New Game

NEW HAVEN, Dec. 1.—N. C. Wrisley is handling Bank Roll, a new money game, for Connecticut, and is also promoting a new giveaway of La-Touraine coffee in the theatres. Bank Roll has been contracted for by Lou Anger at the Colonial, Bridgeport and Alcazar, Naugatuck.

Mrs. Walthall Dead

HACKENSACK, Dec. 1.—Mrs. Isabel Walthall, former wife of the late Henry B. Walthall, is dead here. She was 64 years old. Mrs. Walthall came to this country from Ireland when she was 18 and appeared on the stage as well as wrote plays.

Monogram Previews

Monogram previewed "Boy of the Streets" at the Starlight Roof of the Waldorf yesterday for circuit buyers and local exhibitors. The showing was followed by a luncheon which approximately 165 attended.

I CONFESS!



What does John Barrymore confess?

That he always dunks his doughnuts?

That he's a sucker for a left hook?

NO . . . NO . . . NO . . . SEE JOHN'S "TRUE CONFESSION" ON THE NEXT PAGE . . .

WE CONFESS THIS IS AN AD TO TELL YOU PARAMOUNT'S "TRUE CONFESSION" WILL BE RELEASED DECEMBER 24th

"... I CONFESS CAROLE AND FRED ARE SPLENDID ... AND 'TRUE CONFESSION' IS THE MOST AMUSING COMEDY IN WHICH I'VE EVER HAD THE PLEASURE OF PLAYING."

John Barrymore



Adolph Zukor presents

Carole Lombard • Fred MacMurray

John Barrymore

"TRUE CONFESSION"

A Wesley Ruggles Production with

UNA MERKEL • LYNNE OVERMAN • PORTER HALL • EDGAR KENNEDY

Produced by ALBERT LEWIN • Directed by WESLEY RUGGLES

Screen Play by Claude Binyon • Based on a Play by Louis Verneuil and Georges Berr

A PARAMOUNT PICTURE

"Truth" Sets Fast Pace in Los Angeles

Los Angeles, Dec. 1.—"The Awful Truth," on a dual with "The Shadow," was a smash hit in two spots. At the Hillstreet it reached $20,000, over normal by $12,000, and at Pantages it rolled up $21,500, up by $13,500.

"It's Love I'm After," with "Alcatraz Island," was strong at Warners' Downtown and Hollywood. At the former the $17,419 gross was $3,419 to the good and at the latter the $18,800 gross was up by $6,800.

Total first run business was $139,296. Average is $108,950.

Estimated takings for the week ending Dec. 1:

"THE HURRICANE" (U.A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 4th week. **Gross:** $13,500. (Average, $17,000)

"NAVY BLUE AND GOLD" (M-G-M)
"BIG TOWN GIRL" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $11,200. (Average, $12,500)

"VICTORIA THE GREAT" (RKO)
4 STAR—(900), 40c-55c, 7 days, 2nd week. **Gross:** $5,604. (Average, $3,250)

"SPRINGTIME IN VIENNA" (Twicker)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,800. (Average, $1,200)

"THE AWFUL TRUTH" (Col.)
"THE SHADOW" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $20,000. (Average, $8,000)

"NAVY BLUE AND GOLD" (M-G-M)
"BIG TOWN GIRL" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $14,472. (Average, $14,000)

"THE AWFUL TRUTH" (Col.)
"THE SHADOW" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $21,500. (Average, $8,000)

"STAND-IN" (U.A.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: The Peters Sisters, F. & M. revue, Ken Baker and his orchestra. **Gross:** $15,000. (Average, $18,000)

"IT'S LOVE I'M AFTER" (W.B.)
"ALCATRAZ ISLAND" (F.N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $17,419. (Average, $14,000)

"IT'S LOVE I'M AFTER" (W.B.)
"ALCATRAZ ISLAND" (F.N.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $18,800. **(Average,** $12,000)

Grant St. Louis Raises

St. Louis, Dec. 1.—Fifty-five picdependent exhibitors have signed a new agreement with the operators' union granting increases of from $2.50 to $5 a week. The new schedules are on the basis of a 40-hour week compared with the old arrangement of 38¼ hours per week.

Says Midwest Unaffected

The recently announced purchase of the equipment of the old Midwest Film Co. by another trailer concern has in no way affected the operation of the Midwest Film Studios, according to Cal Hermer, sales head.

"U" Signs Boys' Choir

Hollywood, Dec. 1.—Universal has signed the Vienna Boys Choir, now on tour in the United States, to furnish the musical background to Deanna Durbin's solo, "Ave Maria," in "Mad About Music."

Book China War Short

The three-reel subject, "China Strikes Back," has been booked by Garrison Film for first runs in Seattle, San Francisco, Los Angeles, Cleveland and Chicago.

Looking 'Em Over

"The Inspector General"

(Garrison)

The kind of satire Central Europeans are noted for runs ribaldly through this version of Nichola Gogol's famous play. It is a Czechoslovakian production. Full of rare laughs at the expense of petty, small town Russian officials in the time of the Czars, the film should find a good audience in "cinema" patrons and among those familiar with the language. There are adequate English titles that bounce out at one in various and sometimes startling sizes of type. The entire production seems to have been done with a keen eye for humorously debunking entertainment.

The plot is more or less familiar. The officials of a small Russian village are informed of the secret visit of an emissary from the Czar. A slick visiting wastrel hears of this and imposes a masquerade that the scared dignitaries soon get wind of. Immediately they come kowtowing. They treat him royally and ply with plenty of graft as they seek favors. He makes out very well and following a sumptuous dinner absconds in the nick of time. The treatment of character is excellent and the portrayals are highly entertaining.

The photography when it goes in for clever angles is good. When it is recording ordinary action the cameraman did not tilt his machine enough. Consequently the tops of the players' heads are only partly visible. Jan Stallich, who filmed "Ecstasy," did the camera work. Max Fric directed. The title role is ably played by Vlasta Burian. There is a sort of Laurel and Hardy comic element handled by Josef Vosalik and A. Dvorsky as a pair of political hangers-on.

Running time, 72 minutes. "A."

"Paid to Dance"

(Columbia)

Lincoln, Dec. 1.—Columbia's new roughshod kid, Don Terry, fairly sparkles in this drama foundationed on the dancehall hostess racket and aimed to please the 10-25c bracket which prefers action and muscle stuff. Although it will always be found in the duals, or short dates, it will have little trouble completely satisfying its clientle.

Women are the point of interest, of course, with Jacqueline Wells, Rita Hayworth and Louise Stanley getting most of the camera attention. All three are the last word in appearance and groomed in those slinky dancehall harnesses will keep the men interested. Gangster trimmings come with Arthur Loft, Paul Stanton and Paul Fix, the latter thoroughly despicable and Stanton the top man in the hostess racket, although posing as a blue-nose.

Dancehalls are pushing the kids around, so the story unfolds, none of them once in the game able to get out. Murders and mysterious disappearances are so frequent that the governor (Thurston Hall) sends Terry into the breach to get the lowdown. He enters the business himself, grabs off a fistfull of evidence, busts a few noses and marries his stool-pigeoning beauty, Miss Wells.

Robert E. Kent did the screenplay, following Leslie T. White's story. The director is C. C. Coleman, Jr.

Running time, 56 minutes. "G."

"God's Country and the Man"

(Monogram)

Lincoln, Dec. 1.—Several months away from the camera may have dulled Tom Keene's drawing power, the same being true of Betty Compson, but "God's Country and the Man" is a western with the proper quota of entertainment to entertain action patrons. Its producer-director was R. N. Bradbury.

Keene's father is killed when Charles King pulls a robbery. Keene, swearing to seek revenge, takes the trail. He runs into Betty Compson, King's left lady, and they join forces to trap him. In the meantime, Billy Bletcher and his daughter, Charlotte Henry, move into the film's good side. It becomes obvious that Betty Compson's feeling for Keene is going amiss and that she's due for a sad end, which happens near the finish.

There is the usual quota of fights, gunfire, and hard riding in rough country. The setting is Canadian and the Mounties figure to a slight degree, mostly as targets for the outlaws.

Robert Emmett did the screenplay and dialogue, and the production was supervised by Scott R. Dunlap.

Running time, 53 minutes. "G."

"Sacred" Tops Chicago Takes With $16,800

Chicago, Dec. 1. — "Nothing Sacred" led the Loop last week with a $16,800 gross at the Roosevelt, which is $5,800 better than average. The Chicago, with "Second Honeymoon," hit the average figure of $33,000 for the first time in several weeks while the State-Lake with "Annapolis Salute" was in the money with a $14,500 gross. The Oriental also went over the average mark with "The Last Gangster" to get $19,000.

The weather was extremely cold but clear most of the week.

Total first run business was $116,300. Average is $118,000.

Estimated takings:

Week Ending Nov. 25:

"SECOND HONEYMOON" (20th-Fox)
CHICAGO—(4,000), 35c-55c-75c, 8 days. Stage: Vincent Lopez and Band. **Gross:** $33,000. (Average, $33,000)

"THIS WAY PLEASE" (Para.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $4,800. (Average, $6,500)

"THE LAST GANGSTER" (M-G-M)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $19,000. (Average, $18,000)

"THE GREAT GARRICK" (W. B.)
PALACE—(2,509), 35c-55c-75c, 5 days. Stage: Tom Howard and Revue. **Gross:** $8,000. (Average, $19,000)

"ANNAPOLIS SALUTE" (RKO)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Hap Hazard and Revue. **Gross:** $14,500. (Average, $13,000)

Week Ending Nov. 26:

"THE BARRIER" (Col.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,000. (Average, $6,500)

"NOTHING SACRED" (U. A.)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $16,800. (Average, $11,000)

"DOUBLE WEDDING" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. 2nd week. **Gross:** $14,200. (Average, $15,000)

Acquires Geary Interest

San Francisco, Dec. 1.—An interest in the Geary, leading local legitimate theatre, has been acquired by Arch Selwyn. He will be associated with Louis R. Lurie, local financier, in control of the house. More extensive use of film roadshows is also planned.

Columbia Promotes Two

Harry Wineberg, Columbia salesman at Los Angeles for the past four years, is made Los Angles branch manager, and W. Guy Craig, salesman at Indianapolis for the past eight years, has been made branch manager there.

Col. in Spanish Deal

Hollywood, Dec. 1. — Cantabria Films has closed a deal with Columbia under which the latter will distribute in South America "La Vida Boheme," all-Spanish picture produced here, and four more similar pictures next season.

Ask Game Rehearing

Lincoln, Dec. 1.—Fox-Beatrice Theatres Corp. is seeking a rehearing of its appeal to the Nebraska Supreme Court, which recently upheld a lower court decision in declaring Bank Night illegal and a violation of the state lottery laws.

"Firefly" Takes in $38,000 First Week

"The Firefly" finished the first seven days at the Capitol last night with a take of approximately $38,000. The picture is being held a second week. "A Damsel in Distress" garnered about $27,800 in the first week at the Rivoli.

"The Life of Emile Zola," in its first week at popular prices at the Strand after a three-month two-a-day showing at the Hollywood, took in close to $45,000. "Ebb Tide" and Frances Langford on the stage during the second Paramount week took in about $41,000. "The Hurricane," for a third week at the Astor at two-a-day prices, got $13,800.

"Danger Patrol" at the Rialto tallied $5,800, while "Fight for Your Lady" at the Criterion ended with $7,500.

Cooper Quits Sterling

SEATTLE, Dec. 1.—Roy Cooper, general manager of Sterling Chain Theatres, Inc., has resigned, effective Jan. 1. He has been with the Danz organization for 13 years, originally as a manager, and later as booker and supervisor. He plans an extended vacation to recuperate from a recent illness. His successor has not yet been named.

Wins Amateur Award

A color film, "Western Holiday," by Hamilton R. Jones of Buffalo, has been awarded first prize in the Hiram Percy Maxim Award for the best 10 non-theatrical films of the year, selected by the editors of *Movie Makers*. This is the first year of the award, which will be continued annually. Maxim, the inventor, founded the Amateur Cinema League.

Hub House Lowers Rates

BOSTON, Dec. 1. — The Metropolitan on Thursday will cut its admission prices from a 75-cent to a 60-cent top. Morning rates will drop from 35 to 25 cents. Admission during the matinee hours will be 40 cents instead of 55 cents as heretofore. This policy is in line with the change made by the RKO Boston two weeks ago.

Name Award Group

HOLLYWOOD, Dec. 1.—Ray June, chairman of the Photographic Section of the Technicians' Branch of the Academy, has named a committee, with himself as chairman, to consider any changes in the rules governing the camera award of the Academy, which may seem desirable.

To Keep Dual Policy

OKLAHOMA CITY, Dec. 1.—The Griffith Circuit's Rialto, downtown subsequent run house here, after several weeks' test of a double bill policy, Wednesdays and Thursdays only, has adopted the policy permanently and Griffith officials report that the innovation has been successful.

Para. Exchange Moves

SEATTLE, Dec. 1.—Paramount's exchange here has moved into new quarters, which were built especially for the company and cost approximately $50,000. National Screen Service will occupy Paramount's old offices.

Out Hollywood Way

HOLLYWOOD, Dec. 1. — Twentieth Century-Fox is planning a feature on the life of Alexander Graham Bell, inventor of the telephone and other devices. KENNETH MACGOWAN will produce . . . Paramount has raised FRANCES DEE to stardom, and her next picture will be "Marching Herds," story of the reconstruction of Texas after the Civil War. RANDOLPH SCOTT will co-star with her . . . BENJAMIN GLAZER has joined Warners as a producer . . . Paramount has signed to a producer contract SIDNEY HARMON, Broadway's youngest play producer, 29 years old. He will arrive here Dec. 1 . . . VIRGIL IRVIN, Chicago radio announcer, reported to Warners today to be tested for a film contract.

✚

Casting—MAURICE MURPHY, 24, gets the role of Charles Hamilton in Selznick's "Gone with the Wind," making the third actor cast for the picture . . . LUIS ALBERNI to "Bluebeard's Eighth Wife," Paramount . . . TITO GUIZAR in "Ensenada," Paramount . . . RAY BOLGER to "The Girl of the Golden West," VLADIMIR SOKOLOFF to "Arsene Lupin Returns," FAY HOLDEN and TED HEALY to "Love Is a Headache," all M-G-M.

✚

Story Buys and Writers—REGINALD TAVINER'S original story, "Fortuneers," with a newspaper background, has been bought by RKO. . . J. ROBERT BREN is on the script of "It Couldn't Happen Again," and HELEN MAINARDI on "Highway to Romance," RKO. . . PETER ORDWAY reports to M-G-M under contract to write originals. . . Warner assignments: PERRY CHARLES and EDDIE ANDERSON on script of "Siberia," EARL BALDWIN on "Howdy, Stranger," ERNEST BOOTH on "Side Show," NIVEN BUSCH on "Garden of the Moon," WALLY KLEIN on "Blonde Poison," JULIUS and PHILIP EPSTEIN on "The Hypocrite," FRITZ FALKENSTEIN and N. BREWSTER MORSE on "Barred Woman," and MORTON GRANT and THOMAS AHERN on "College Band."

Twentieth Century-Fox has purchased two originals "Falling Stars" and "Winter Garden," from GREGORY RATOFF, and "American Chamber of Horrors," non-fiction book by RUTH DEFORREST LAMB on the Government's fight against rackets . . . M-G-M has bought "Delila," FERENC MOLNAR play . . . Warner assignments: GEORGE BRICKER is doing an original newspaper story, FRANK CAVETT is working on the screenplay of "Collusion," and ALBERT DEMOND on "Little Big Shot."

✚

Contracts—LANNY ROSS has been signed to a term contract at Columbia, and will make as his first picture "Paris on Broadway" . . . Paramount has extended the contract of RALPH FREED, lyric writer . . . THOMAS MITCHELL, who scored in "The Hurricane," has been given a term deal by SAMUEL GOLDWYN . . . ANNA MAY WONG has been signed on a three-picture deal at Paramount, to start with her next, "Dangerous to Know."

✚

Directors—MICHAEL CURTIZ will direct "Men Are Such Fools," Warners.

Protection

Hollywood, Dec. 1.—Lloyds of London has issued a blanket indemnity insurance policy for $1,250,000 to the Hal Roach studios against loss through illness or the death of six principals in "Merrily We Live." The film is now in production. The players who were examined by doctors are Constance Bennett, Brian Aherne, Billie Burke, Alan Mowbray, Clarence Kolb and Bonita Granville.

Whiting Joins M-G-M

HOLLYWOOD, Dec. 1. — Robert Whiting, formerly under contract to Universal, has gone to M-G-M under a term acting deal.

"Truth" Holds Fast Pace In Nation's Key Theatres

(*Continued from page* 1)

ville show at the Oriental in Chicago, grossed $19,000, over by $1,000. "Nothing Sacred," at the Roosevelt in the same city, rolled up $16,800, which is on the profit side by $5,800. "Double Wedding" was good in Cleveland. "Angel" at the Minneapolis' Century went $500 over average. "Navy Blue and Gold" at Loew's Capitol in Washington was particularly strong, grossing $28,800, over average by $7,100. Fred Waring and his troupe were on the stage. "The Westland Case" attracted $8,000 at the Paramount in New Haven. "Dead End" interested Montreal to the tune of $6,500 at the Orpheum. This is over par by $1,500. "Stage Door" in the Canadian city broke even with $11,000. "Second Honeymoon" was good in Cincinnati, taking $13,800 at the RKO Albee. Exceeds average by $1,800. "Navy Blue and Gold," also in the Ohio city, went $2,100 over the line.

Grosses in Oklahoma City were weak. Not one program in that city even reached the house average.

"Victoria the Great" almost doubled the Four Star average in Los Angeles with $6,371. "Alcatraz Island" and "Sh! The Octopus" at the Warner Hollywood and Downtown did very well. "There Goes the Groom" at the Golden Gate in San Francisco, garnered $17,800, on the profit side by $1,800. "Navy Blue and Gold" at the Warfield in that city, dualled with "Dinner at the Ritz," grossed $15,000. The figure is over the line by $2,000.

Oklahoma Tax Totals Show Theatre Gains

OKLAHOMA CITY, Dec. 1.—Sales tax collections for the fiscal year ending June 30 released by the Oklahoma Tax Commission show that theatres and tent shows accounted for 1.48 per cent of the total $10,259,327.32. Other amusements and athletic events accounted for .78 per cent.

Collections by months which offer a picture of Oklahoma theatre revenues (they account for 90 per cent of the theatre and tent show classification) were as follows: July, 1936, $4,518.09 at one per cent and all following months at two per cent; August, $11,464.73; September, $15,843.34; October, $13,229.15; November, $11,961.60; December, $14,863.45; January, 1937, $13,794.01; February, $12,896.77; March, $12,894.96; April, $12,898.22; May, $13,804.05; June, $13,438.08.

Collections from Aug. 1, 1935, to June 30, 1936, were $63,802.61 compared with $147,088.36 for the period from Aug. 1, 1936, through June 30, 1937, an increase of $83,285.75 or 130.54 per cent in two years.

However, since the rate was doubled from one to two per cent, beginning Aug. 1, 1936, the actual increase was approximately $19,483 or 16 per cent in the two-year period.

Blank Acceptances Already Total 283

(*Continued from page* 1)

on Dec. 9. Blank is head of Tri-States Theatres.

Among the film men who are expected to be present are Barney Balaban, Robert Gillham, Austin Keough, Leon Netter, John Fitzgibbons, Paramount; E. V. Richards, Paramount theatre partner; N. L. Nathanson, Famous Players Canadian head; Herbert Yates, George and Sam Dembow, Herman Robbins, of National Screen Service; Ned Depinet, Nate Blumberg, Max Fellerman, RKO; Carl Leserman, Warners; James R. Grainger, Sidney R. Kent, 20th Century-Fox president; John Clark, W. J. Kupper, Bill Sussman and Bill Gehring, all 20th Century-Fox.

There will also be present 22 exchange managers from Omaha and Des Moines, 54 managers and others of Tri-States, 26 from Central States Theatres, 55 local film people and Gov. R. L. Cochran of Nebraska and Gov. Nels Kraschel of Iowa. The dinner will terminate the Tri-States' managers' drive, and prizes to winners will be awarded at the banquet.

Georgia Chain Tax Bill Is Introduced

(*Continued from page* 1)

be considered a chain "if any person, or group of persons, having a common interest in such theatres, or if any part of the gross or net revenues or profits ultimately go to a single person or group of persons." The same chain definition applies if any person or group of persons shares in the expense of operation.

If passed, the bill will go into effect Jan. 1.

Monogram Signs Collins

HOLLYWOOD, Dec. 1.—Arthur Greville Collins has been signed to direct "Saleslady," for Monogram.

EXCEPTIONAL

ONE step removed from the original negative used to mean definite loss of quality. Eastman Fine-Grain Duplicating Films break this rule . . . break duplicating records. These exceptional films are capable of producing master positives and duplicate negatives that are actually equal to the originals in photographic quality. . . . Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Fine-Grain*

DUPLICATING FILMS

Radio Stock Transactions Shown by SEC

By CLARENCE LINZ

WASHINGTON, Dec. 1.—Disposition by H. Bayard Swope, New York, director in Columbia Broadcasting System, of 1,000 shares of that company's Class A stock during October, reducing his holdings to 10,000 shares, was reported today in the semi-monthly review of the S. E. C.

Also reported was the acquisition of 500 shares of the stock by Jacob Paley, Los Angeles, director, bringing his holdings to 25,458 shares, and the disposition of 310 shares by Isaac D. Levy, Philadelphia, director, who held 64,960 shares at the close of the month.

Radio Trading Heavy

Transactions in stocks of a number of radio manufacturing companies were reported by the S. E. C., including acquisition by Nathan L. Cohn, Chicago, director, of 600 shares of $1 par common in Majestic Radio & Television, giving him a total of 2,600 shares direct and 7,550 shares through a holding company; disposition by Daniel Grossman, New York, director, of 100 shares of National Union Radio, wiping out his holdings, disposition by J. R. McIntosh, New York, director, of 400 shares, reducing his holdings to 800 shares, and disposition by Harold R. Peters, New York, officer, of 200 shares, leaving him with 10,300 shares; acquisition by Ralph M. Shaw, Chicago, director, of 200 shares of Stewart-Warner common, giving him 601 shares direct and 2,000 shares through the Samara Corp.; acquisition by H. S. Neyman, Chicago, officer, of 200 shares of Utah Radio Products common, his first holdings; and disposition by Karl E. Hassel, Chicago, director, of 300 shares of Zenith Radio common, reducing his holdings to 100 shares.

The S. E. C. also reported the filing of returns by CBS showing that when its registration became effective Aug. 1, Sam Pickard, New York, officer, held 4,676 shares of Class A stock, and that Ralph A. Colin, who became a director Oct. 6, held 1,044 shares of Class A on that date.

Report WAAW Sold To Central States

OMAHA, Dec. 1.—Although officials on both sides refused confirmation, it was reported from reliable sources today that WAAW, owned by the Omaha Grain Exchange, has been sold to the Central States Broadcasting Co., operator of KOIL in Omaha and KFAB and KFOR in Lincoln.

Official statements are expected tomorrow.

Radio Guild to Meet

A national representatives' meeting of the American Guild of Radio Announcers and Producers, Roy Langham's organization, will be called some time next week, with representatives from approximately 25 stations attending. The exact place and date for the meeting has not been set as yet, however.

Radio Personals

BOB EDGE, WOR hunting and fishing authority, will wed Lilian Larsen today, with Babe Ruth and other sports figures attending the ceremony . . . Speaking of hunting, Agent Ben Lipset appeared for the first time this season attired in his bearskin coat. He'd better be careful . . . Peggy Morris, secretary to WOR's chief engineer, J. R. Poppele, is in Mary Immaculate Hospital, Jamaica, recovering from an appendectomy . . . Claire Sherman, Ray Heatherton and Barry Wood have been booked for Chevrolet recording assignments through the CBS artists bureau.

✚

Dinty Doyle, radio editor of the *Journal-American,* will achieve fame by having an Adam Hat Co. hat named in his honor, his confreres may or may not be jealous to learn here. . . . Les Tremayne, of the "First Nighter" cast, was accidentally shot while target practicing and received first aid at the hands of Wynthrop Orr, head of the radio department of Stack-Goble, before being rushed to a hospital. . . .

✚

Helen Bayliss of the WOR reception staff adds another birthday Saturday. . . Alice King's first commercial assignment since quitting Horace Heidt is a singing assignment on the transcribed Chevrolet series. . . Joe E. Brown will appear on "Hollywood Mardi Gras" Dec. 7. . . Ed Lowry, according to present plans, will come east about the first of the year and his current coast network "Singtime" will emanate from Manhattan studios. . . Mary Astor has been added to the cast of the Lux "Radio Theatre" portrayal of "These Three," to be heard Monday. The other principal roles will be held by Barbara Stanwyck, Errol Flynn and Constance Collier. . . Wilbur Evans begins a concert tour today, but the personal appearances will not interfere with his Sunday assignments on Vicks' "Open House." . . George Raft will hold the spotlight with George Jessel on the latter's "30 Minutes in Hollywood" program this Sunday. Incidentally, Norma Talmadge returns to program this week, fully recovered from her recent illness and operation. . . John Herrick, Morton Bowe and Barry McKinley are scheduled to make Chevrolet recordings this week. . .

✚

James Winchester, formerly of WHN, has been signed as head of publicity of the National Beauty Pageant and will handle the nationwide campaign for "Miss United States" next summer. . . . Brooke, Temple, WHN announcer, is looking for a cruiser for next spring's boating. . . . John Charles Thomas will board a plane Friday for Hollywood, where he will sub for Jeanette MacDonald on Vicks "Open House."

It's "Hell-Week"

St. Louis, Dec. 1.—It's "hell-week" at KMOX. College fraternities and sororities have included the station on several "hell-week" assignments for freshmen, who come into the studios in droves, looking for autographs, used scripts, hillbillies' pictures, etc.

DeMille Hits Radio "Gossip" on Screen

HOLLYWOOD, Dec. 1.—Cecil B. DeMille today assailed Hollywood commentators who have maligned Hollywood and the film industry, saying radio gossips "are preying on defenseless people and poisoning the public mind." He said the picture players have too long submitted to insults over the air.

"Stars who have been attacked have been unable to reply, because it simply meant heaping fuel on the fire and giving the radio reporter a chance to retort and keep an unwarranted scandal alive. The offenders have not had the good taste to censor their own material; if they had they would not now be the target for widespread enmity."

One of the greatest sources of interesting news the world has is Hollywood, he said. Therefore, he said, why not tell the truth and make friends instead of circulating venom.

In Yiddish News Program

Michael Brown, a member of the *Jewish Morning Journal* editorial staff, is now broadcasting a series of news commentaries in Yiddish over WBNX. Public National Bank is sponsoring.

RCA to Sponsor Opera

RCA will sponsor the Saturday afternoon broadcasts from the Metropolitan Opera House, broadcast on the NBC-Blue network. The broadcasts will begin Dec. 4, at 1:55 P. M.

"Good Will Hour" Is Heard Twice Weekly

WMCA's "Good Will Hour," sponsored by MacFadden Publications for *True Story Magazine,* is now heard twice weekly. The original performance fed from WMCA studios to 10 other stations on Sunday nights, is transcribed for rebroadcast Tuesdays over WORK, York, Pa., and WDEL, Wilmington, both Inter-City units.

Beginning Dec. 5, however, WORK will drop the electrical transcriptions picking up the original show from 10 to 11 P. M., while WDEL will continue the recordings from 8:30 to 9:30 P. M. on Tuesdays. Stations of Inter-City carrying the Sunday full hour broadcasts in addition to WMCA are: WIP, WCBM, WGAL, WMEX, WPRO and WOL. Mutual stations carrying the program, but for a half-hour only, are WOR, WGN and CKLW.

Plans Radio Campaign

The Frozen Stick Division of the Joe Lowe Corp. is planning a nationwide radio campaign for its products, Popsicle, Fudgicle and associated products. Final plans for the campaign will be revealed shortly after the first of the year, according to Blackett - Sample - Hummert, Inc., agency handling the account.

Wildrick Joins Agency

Meade Wildrick has joined Bermingham, Castleman & Pierce, advertising agency, as executive vice-president.

F.C.C. Hearing Schedule Issued

WASHINGTON, Dec. 1.—A tentative calendar of hearings on broadcasting applications was drafted today by the F. C. C. for the week of Dec. 13, as follows:

Dec. 13, before an examiner—Application of WJNC, West Palm Beach, Fla., for change of frequency from 1,200 to 1,330 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

Dec. 14, before an examiner—Application of National Life & Accident Insurance Co., Inc., for a new 1,370 kilocycle station at Nashville, with 100 watts power night, 250 watts day.

Dec. 16, before the commission—Applications of Press-Union Publishing Co. for a 1,200-kilocycle station at Atlantic City, 100 watts night, 250 watts day; Ann Arbor Broadcasting Co. for a 1,550-kilocycle, 1,000-watt station at Ann Arbor, Mich.; Summit Radio Corp. for a 1,430-kilocycle, 1,000-watt station at Akron, and George W. Taylor Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Williamson, W. Va.

Dec. 16, before an examiner—Application of Lake Region Broadcasting Co., Lakeland, Fla., for change in construction permit increasing day power from 100 to 250 watts.

Dec. 17, before an examiner—Application of WLAC, Nashville, for increase of power from 5,000 to 50,000 watts.

Efficiency Highest In CBS Short-Wave

The efficiency of the directional antenna systems employed by W2XE, CBS international short-wave station, is higher than that of the systems of the other similar stations throughout the world which cooperated in a six-month series of tests recently completed by the Union Internationale de Radiodiffusion from its headquarters in Brussels, according to a report just received by E. K. Cohan, CBS director of engineering.

The tests ended Oct. 1 and were conducted to determine the relative increase or decrease of signal intensity of a large number of short-wave stations when they switched to and from antennas directed toward Europe and toward other parts of the globe while employing the same frequency band. According to Cohan the graphs of signal intensity showed that W2XE consistently showed a greater increase at Brussels when it switched from South American to European antennas, than any other station cooperating.

Whiteman Show from Coast

The first five of the Paul Whiteman broadcasts for Liggett & Myers Tobacco Co. on CBS will originate in Hollywood, beginning Dec. 31, when the current Chesterfield program featuring Alice Faye and Hal Kemp fades, to be replaced by Whiteman. The remaining programs will originate from New York. Deems Taylor will act as musical commentator, and Paul Douglas will announce.

Ross Program in Sixth Year

"Poet's Gold," with David Ross, will begin its sixth year on the air over CBS when it returns to the network Dec. 5 from 1:45 to 2 P. M.

Radio

Schallert Picks 10 Best Films of Year

Elza Schallert tonight will reveal her selections of the best films of 1937, and an alternate list of an equal number of pictures. Miss Schallert broadcasts Thursday nights on the NBC-Blue network, at 11:15 P. M.

Her selections are based on three points, (1) Does the picture spell advancement and progress? (2) Has it artistic distinction? (3) Has it human appeal and entertainment? Her selections are restricted to pictures released between Nov. 1, 1936, and Nov. 1, 1937. The airing will mark the second annual attempt on her part to grade the film output. The selections are as follows:

"The Good Earth," M-G-M; "Life of Emile Zola," Warners; "Lost Horizon," Columbia; "100 Men and a Girl," Universal; "A Star Is Born," Selznick International; "Maytime," M-G-M; "Camille," M-G-M; "Stage Door," RKO; "One in a Million," 20th Century-Fox; "Captains Courageous," M-G-M.

The alternate, or "honor" list, as she terms it, is as follows:

"Victoria the Great," RKO; "Stella Dallas," Goldwyn; "The Road Back," Universal; "Heidi," 20th Century-Fox; "Dead End," Goldwyn; "Conquest," M-G-M; "Prisoner of Zenda," Selznick International; "Green Light," Warners; "The Awful Truth," Columbia and "Elephant Boy," United Artists.

Claim Short Wave Prior Use

WILMINGTON, Del., Dec. 1.—Use of short waves instead of long waves in long distance communication was known and experimented with prior to issuance of patents to Dr. Reginald Fessenden, John V. L. Hogan, New York consultant engineer, testified in the patent infringement suit brought by Helen May Fessenden, widow of Dr. Fessenden, against RCA in Federal Court here today. Hogan, witness for defense, at one time worked with Fessenden.

Harold H. Beverage, of New York, chief research engineer of RCA Communications, Inc. and Greenleaf Pickard, consultant engineer, also testified as to use of short waves in long distance communication prior to 1922. RCA is charged with infringment of three patents issued to Fessenden. Validity of patents is asked in the bill of complaint.

Arden Adds 10 Arrangers

Victor Arden has added 10 arrangers to his staff to handle music for the "Musical Moments" series, transcribed for Chevrolet, which will start a new cycle Dec. 5 over 351 stations. The arrangers are Phil Wall, Harry Barnhart, C. Van Cleve, George Leeman, Herb Quigley, Bill Challis, Jean Van Halberg, Claude Thornhill, Paul Sprostur and Ernie Watson.

Edward Klauber Going West

Edward Klauber, CBS executive vice-president, left for the west coast last night. He said it was a "routine business trip," and the length of his absence from New York has not yet been determined upon.

Payne Demands More Education in Radio

CHICAGO, Dec. 1.—Speeches by George H. Payne of F. C. C., Dr. James Rowland Angell, Clarence A. Dykstra and S. Howard Evans, executive secretary of the National Committee on Education, today brought to a close the second national conference on educational broadcasting which was held here at the Drake Hotel.

Commissioner Payne said radio "must be prevented from stopping the growth of the American mind. Development of interesting radio education through skilled production methods," Payne said, would require the overcoming of what appears to be "a distinct inertia on the part of broadcasters, but it can be done."

As remedies, Payne said, "First we must establish in practice what has been accepted in theory and law, that radio waves are the inalienable property of the public." If higher standards of educational broadcasts cannot be established under the existing laws, "further legislation may be necessary," he said.

Dr. Angell told the delegates that radio should supplement the education which is given in schools and that the use of properly prepared transcriptions would be of great help. He said that transcriptions are the best method of preparing correct and appealing programs. He also stated that networks should have a definite policy regarding educational broadcasts.

Clarence A. Dykstra advocated three divisions in radio in his talk: First, commercial broadcasting; second, semi-public broadcasting, and third, government broadcasting.

Summation of the meeting shows that educators are displeased with the present types of radio programs along educational lines but little was offered during the meeting to show just what kind of programs were needed. Plenty of criticism was offered but the general opinion is that the speakers were not especially constructive.

Dropped from Barbasol Show

Mary Jane Walsh, who has been starring on the Barbasol program over Mutual, has been let out of the cast, and beginning tomorrow she will be replaced by Arthur Godfrey, the "em cee" from Washington. Miss Walsh, in addition to her radio work, is appearing in the Broadway musical "I'd Rather Be Right," and the sponsor, it is said, was of the belief that the singer could not do justice to the program while doubling between radio and the stage.

Camel to Drop Oakie Series

The Camel program on CBS will drop the Jack Oakie portion of the program as of Jan. 4, at which time it will become a half-hour show featuring the Benny Goodman orchestra. The curtailed series will originate from New York.

Cantor Show Coming East

HOLLYWOOD, Dec. 1.—After the Dec. 29 "Texaco Town" broadcast, Eddie Cantor will move his entire show to New York for six weeks, beginning the first CBS airing from there Jan. 5.

Attack Labor Board's Power In Coast Tilt

(*Continued from page* 1)

Barry Brennan, attorney for the Screen Directors' Guild; Neil McCarthy for the Screen Playwrights; Alfred Wright for 20th Century-Fox; Walker K. Fuller for Paramount and S. D. Cohen for M-G-M.

Carrying the burden of the argument for the petitioners, Janofsky declared that the question of jurisdiction has been settled by Supreme Court decision, holding that laws affecting interstate commerce could be extended to activities not necessarily of themselves in, but affecting interstate commerce, pointing out that were the writers to go on strike the production of films would slow down and the stream of interstate commerce diminish.

Guild Calls Writers Employes

The guild also took the position that writers were employes, contending that the terms of their employment were such as to bring their work under the supervision and control of the producers, with relatively few exceptions, a position which later was rebutted by the producers, who declared that the companies purchased the ideas of the writers rather than their work for so many hours a day.

Janofsky devoted much of his argument to the method in which an election should be held, if ordered by the board, declaring that all screen writers employed by the eight producers comprising the Producers' Ass'n, should vote as a unit rather than to hold separate elections for the employes of each individual producer. He justified this suggestion on the ground that the contracts with cameramen and other groups were signed by the eight members of the association, and in one instance by the association for its members.

He also urged that the board order that any writer who had worked six weeks, consecutively or not, during the year preceding the date of the filing of the petition June 11 last, be eligible to vote.

McCarthy Cites Futility

Declaring that there is no problem that could be helped by bargaining, McCarthy expressed the view of the Playwrights that writers were not employes but rather persons who sold the product of their brains. Further, he told the board, there is "nothing to bargain about—nothing in their relationship with the producers that can be improved." The producers want only the finished script. The petition, he said, is a "misguided effort on the part of the guild to harness them with regulations which the producers will dictate."

Treatment accorded writers by the producers, as described by company attorneys, elicited from Chairman J. Warren Madden the comment that Hollywood must be an Elysium and doubt whether such conditions could actually exist. Donald W. Smith, a member of the board, however, said that from his experience as attorney for Ascap he could say that they did exist, at least with respect to composers and no doubt to writers.

Citing the Schechter and Carter decisions, dealing with activities in the one instance after interstate movement had ceased and in the other before it began, counsel for the producers contended that production was in the same classification, as an industry which itself was intrastate in character although producing for interstate commerce, and therefore beyond the jurisdiction of the board.

Not only is the production intrastate, the board was told, but only a small fraction of one per cent of the supplies and materials used in production were purchased outside California.

Say Control Would Spread

If the board holds that the act applies in this instance, it was warned, it will have to assume jurisdiction over practically every activity in the country, since any cessation of any activity would lessen the flow of interstate commerce.

Further, it was argued, even if the board had jurisdiction, the conditions under which the writers work would exempt them from classification as employes under the act.

Following the hearing, the board granted opportunity for the filing of further briefs, and announced it would take the matter under consideration. Decision, however, is not expected for several weeks.

FitzPatrick May Produce For Paramount

(*Continued from page* 1)

Traveltalk shorts for M-G-M next season. He worked out a deal with Al Lichtman while in England, he said upon his return from Europe.

Arrangements are understood to have been made by FitzPatrick for completely re-equipping Sound City Studios in England with Technicolor apparatus at a cost of approximately $250,000. Dr. Herbert T. Kalmus, president of the color company, is due from the coast next week for conferences with FitzPatrick on the English studio arrangement.

It was pointed out that FitzPatrick has signed a five-year contract with RCA as a full fledged licensee. He has his own sound and Technicolor units established in England as well as production personnel.

Holds Many Pacts

FitzPatrick, it was stated, feels that transporting Hollywood talent to England is impractical as a general thing, but for occasional purposes it will serve for bolstering British product. He is said to have a roster of players under contract including Sylvia Marriott, Frank Henderson and Kathleen Gibson who have appeared in pictures produced by him in the last year.

According to his statement to the press about two weeks ago, FitzPatrick said he would return to England in February to produce "Tiller Girls," first of his new color series. The story deals with the life of George Tiller, dancing master.

Carl Rose in Hospital

LINCOLN, Neb., Dec. 1. — Carl Rose, city manger of General Theatres, Inc., in York, Neb., is in the Clarkson Hospital, Omaha, after undergoing an operation.

A KING WHO GAVE UP HIS THRONE FOR THE WOMAN HE LOVED!

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VOL. 42. NO. 131 NEW YORK, FRIDAY, DECEMBER 3, 1937 TEN CENTS

Radio Aiding Films, States CBS Official

W. B. Lewis Makes Plea For Cooperation

By J. M. JERAULD

Ampa members and their guests were told yesterday that radio is bettering pictures and bettering their profits.

They also were told that broadcasting packed the Forest Hills tennis matches last fall and piled up new football records. They were pointedly informed that, in spite of a greater use of film talent on the air than ever before, box-office profits hit a new peak for the year.

The speaker was W. B. Lewis, in charge of programs for CBS, and the speech was designed to convince the film industry there is no real conflict between it and broadcasting; that air programs are creating new talent for films and enhancing the value of talent already developed by pictures. It followed a program of entertainment put on by CBS talent. The

Additional developments in radio yesterday, pages 10-11

turnout at the International Casino was one of the largest Ampa has had this year. The luncheon developed out of a suggestion made by Motion Picture Daily.

Lewis went straight to the point of his address at the start by saying that he wanted to confine his discussion of the relationship between the two industries "to what radio is doing and can do for you."

"Relationship, I assume," he stated, "at least implies 'cooperation.' But the kind of cooperation I want to emphasize today is the part my industry is playing in the betterment of your

(*Continued on page* 10)

Dallas Appeal Plan Finished by Lawyers

Preparations for taking an appeal from the U. S. District Court decision at Dallas which held that major distributors conspired with Interstate Circuit in the making of contracts which regulated subsequent run admissions were completed here yesterday. Indications are that notice of the appeal to the U. S. Supreme Court will be filed next Friday.

The preliminary work on the appeal was completed by George Wright, Dallas attorney, and John Moroney of

(*Continued on page* 8)

Hemphill, Noyes Has Part Atlas-Lehman RKO Option

A participation in the Atlas Corp.-Lehman Bros. option to acquire the remainder of RCA's holdings in RKO has been granted to Hemphill, Noyes & Co. by the option holders, it was learned yesterday.

Atlas, Lehman and Hemphill, Noyes' representatives currently are negotiating an extension of the option with RCA on the bulk of the RKO securities involved. A small amount of the securities, probably not more than one-third, will be purchased within the next few weeks and, if the current negotiations are successful, the option on the remainder will be extended for an undetermined period beyond Dec. 31, the expiration date.

The extent of the Hemphill, Noyes participation could not be learned authoritatively. However, it is believed in informed quarters to amount to about $636,000 of RKO debentures and 78,500 shares of RKO common stock at the present time with provisions for acquiring like amounts through exercise of the option. In this event, the company would have $1,272,266 of debentures and 157,490 shares of common.

Hemphill, Noyes, Lehman Bros. and Atlas Corp. all are heavily interested in Paramount, as well. Stanton Griffis, a partner in Hemphill, Noyes, is chairman of the Paramount executive committee, and John D.

(*Continued on page* 8)

File Objections to Alger Plan for RKO

Iva A. MacPherson and three other Boston stockholders yesterday filed 47 objections in the U. S. District Court to the report of Special Master George W. Alger, who approved the RKO plan of reorganization with four amendments.

Special Master Alger recommended the rejection of the MacPherson petition as being "entirely without merit and any support of facts." Federal Judge William Bondy will hold a

(*Continued on page* 8)

Herzbrun Resigns As Paramount Executive

Hollywood, Dec. 2.—Henry Herzbrun has resigned as Paramount vice-president. He will open his own law office here.

Herzbrun had been with Paramount for 12 years and formerly was general manager of production. He will continue to represent the company at M. P. Producers Ass'n meetings and serve as legal counsel.

What Bonus?

Houston, Dec. 2.—Houston employes of Interstate Theatres, Inc., are wondering if a bright remark made recently will dim the glow of Christmas good will for them.

When an assessment on the Houston office was requested and mailed to Dallas, somebody wrote: "Just apply this on our Christmas bonus."

Headquarters politely wrote back: "What bonus?"

New Financing For Universal In Talk Stage

New financing for Universal is in the offing, coincident with the management changes effected by the company's board on Tuesday, it was learned from authoritative sources yesterday.

The major financial deal currently in negotiation involves the Equity Investment Corp., of which D. A. Milton is the head. Milton is the husband of Abby Rockefeller. The negotiations are being conducted with Ellery Huntington of the Wall Street law firm of Satterlee & Canfield, attorneys for Equity.

There is little official information available at the present stage of the negotiations on either the amount involved in the financing deal or the form such a deal would take. Indications are that nothing final has been determined yet and consummation of a deal may require several weeks.

J. Cheever Cowdin, chairman of the board of directors of Universal, stated last night:

"I have no such deal under way, neither have I discussed such a financing arrangement with the interests mentioned."

"Nothing Sacred" at $112,000 First Week

"Nothing Sacred" came through with a take of $112,000 in the first week at the Music Hall. The picture is now in its second week with the possibility of a third provided a control figure is reached over the weekend.

"Merry-Go-Round of 1938," at the Roxy for eight days, garnered $43,000, which is fair.

Extension on U. A. Option Is Foreseen

Clarification of Deal the Reason for Move

The Samuel Goldwyn-Alexander Korda options to purchase the outstanding three-fifths of United Artists common stock will not be exercised by Dec. 23, the date on which the options expire, well informed sources in New York, London and Hollywood were confident yesterday.

This does not mean that the deal has been abandoned or, even, is "cold," authoritative sources emphasized. It augurs a short term extension of the option, probably for 30 days. By the end of that time, it was predicted, legal and tax experts and principals in the agreement will have either untangled the numerous obstacles to closing of the deal which are now present or will have arrived at a stage in their study of the agreement at which it will be apparent whether or not consummation of the deal is feasible.

Obstacles to closing the deal have been multiplying for the past 10 days in all three centers in which work on the agreement has been in progress, namely, New York, London and Hollywood. Well authenticated reports

(*Continued on page* 8)

I. A. Heads Discuss Coast Investigation

Detroit, Dec. 2.—Members of the executive board of the I.A.T.S.E. concluded a two-day meeting at the Book-Cadillac Hotel here today, during which the situation arising from the California Assembly's inquiry into the organization as an alleged racketeering group was discussed.

George Browne, president of the I.A., refused to issue any statement concerning the meeting, other than to

(*Continued on page* 8)

Roxy Payments May Go Over to Feb. 1

Full settlement of the $612,000 claims by creditors of the Roxy is not expected until Feb. 1, it was learned yesterday. Howard S. Cullman, former trustee, has an application in for $120,000 for services in addition to the $80,000 interim allowances he has received during the past four years.

Another hearing on claims is slated for today before Federal Judge Francis G. Caffey.

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Basson Reelection By 306 Is Expected

Joseph D. Basson, president of Local 306 for the past two years, is expected to be reelected at the annual election scheduled for Dec. 22. The voting will be done on a machine.

Nominations were held late Wednesday at the bi-monthly meeting of the organization. About 65 candidates were named for various posts, including an executive committee of 13, a board of trustees, and various executive posts.

Meanwhile, the local has not set a date for getting together with major circuit operators on a new two-year scale for the metropolitan territory. With Charles C. Moskowitz now on his way to the coast and not slated to return for several weeks, further negotiations between the circuit and union delegations are expected to be delayed.

Sonotone to Pay 25c

Sonotone Corp. has declared a five-cent dividend on the common payable Dec. 20 to holders of record on Dec. 10. This payment will bring the total for the year to 25 cents a share compared with 10 cents paid in 1936.

Purely Personal

CARL PETERSON, Paramount News cameraman, received another decoration yesterday when Mayor LaGuardia presented him with a Congressional Medal for recognition of his services with the second Byrd Expedition . The Federal Government cited Peterson several times for his work in connection with the newsreel.

•

ANN GREENWAY, stage, screen and radio star, returned yesterday on the *Lafayette* from a 10-week personal appearance engagement in Paris and London. She will shortly appear at Loew's State.

•

AUBREY BLAIR, secretary-treasurer of the Junior Screen Actors' Guild, will arrive in New York from Hollywood today for a visit of several weeks.

•

EDDIE FORMAN, Warner writer, has completed the script for a Vitaphone short featuring CHERRY and JUNE PREISSER. LLOYD FRENCH will direct.

•

SPYROS SKOURAS, ED ZABEL, A. S. GAMBEE and JOHN HEALY are due to return from a tour of National Theatres divisional headquarters Dec. 19.

•

CHARLES KOERNER will return to Boston today after conferring with NATE J. BLUMBERG on RKO theatre operations for the past two days.

•

JACK PARTINGTON returned from St. Louis yesterday and HARRY C. ARTHUR will arrive from the Mound City the early part of next week.

•

BOB GOLDSTEIN has booked passage for London on the *Queen Mary*, sailing Dec. 15. And that, he suggests, makes it all very definite.

•

ORRY-KELLY, head of Warners studio costume department, is expected here for a visit next week. He will stop at the Ritz Tower.

•

ARTHUR BORAN, mimic-comedian, has been signed by Educational to do a series of shorts, the first to go into work next week.

•

BEN JUDELL leaves today for the coast to start production on two films. He will return the middle of next month.

•

FRANK LLOYD leaves Hollywood for New York today with a print of "Wells Fargo," his latest for Paramount.

•

EDDIE CANTOR is due from Hollywood next week and will broadcast his regular Texaco show from here.

•

HARVEY COCKS, general manager, Quimby Theatres, Ft. Wayne, Ind., is in New York on a buying trip.

•

THEODORE KOMISARJEVSKY, European director, has arrived here for a lecture tour.

•

SOL LESSER is due from Hollywood the middle of the month.

•

MAUREEN O'SULLIVAN is due Monday on the *Normandie*.

•

JO SWERLING is in New York from the coast.

HAL MILLER, 14-year-old nephew of BOB ("Twenty-One Years") MILLER, makes his screen debut in "Hollywood Holiday," an Educational short just completed at the General Service Studios under the direction of WILLIAM WATSON.

•

FRANK MCHUGH, Warner player, accompanied by MRS. MCHUGH, will return to New York from a European vacation Tuesday on the *Aquitania*. They will leave immediately for Hollywood.

•

LILY PONS has added to her real estate holdings at Silvermine, Conn., with the purchase of an additional 17 acres.

•

ED FINNEY has purchased the rights to "Utah Trail" as a title for a future TEX RITTER western for Grand National.

•

DAVE CHATKIN is off on a quick tour of Monarch Theatre properties.

•

JON HALL has left for the coast.

Warners Now Have 2 London Plays Going

Warners are interested in two London stage plays, "Hide and Seek," current at the Hippodrome, and "Blondie White," it was stated by an executive of the company yesterday, but no official decision has been made to bring the plays to Broadway.

It is understood Warners have no definite commitments with any English theatrical producer and each play is partially financed by the company on an individual basis.

When Jack L. Warner, vice-president in charge of production, returned from Europe recently he said the company planned to produce six plays a year in London, but no more are scheduled, it was stated yesterday.

Commons Committee Favors Film Council

By AUBREY FLANAGAN

LONDON, Dec. 2.—The Films Act Committee of the House of Commons today ratified the form and structure of the Film Council as proposed by Oliver Stanley, president of the Board of Trade, despite numerous amendments. The original amendment to the Film Bill, providing for a council of 10 independents and 10 trade representatives, was retained.

Stanley admitted the possibility of a paid chairman being named to head the council. A specific representation clause and another calling for Scotch representation were eliminated.

Capt. Cunningham Reed, director of Criterion Film, supporting an amendment for four producers on the council, stated that it is an unfortunate fact that in this country British films do not fill the theatres, while American product does.

Stanley, in his appeal for the council provision as he sponsored it, expressed a willingness to accept an amendment providing approval of the council personnel by the interested groups before the election of members. The council's procedure will be determined by itself. The Commons committee will reassemble on Tuesday.

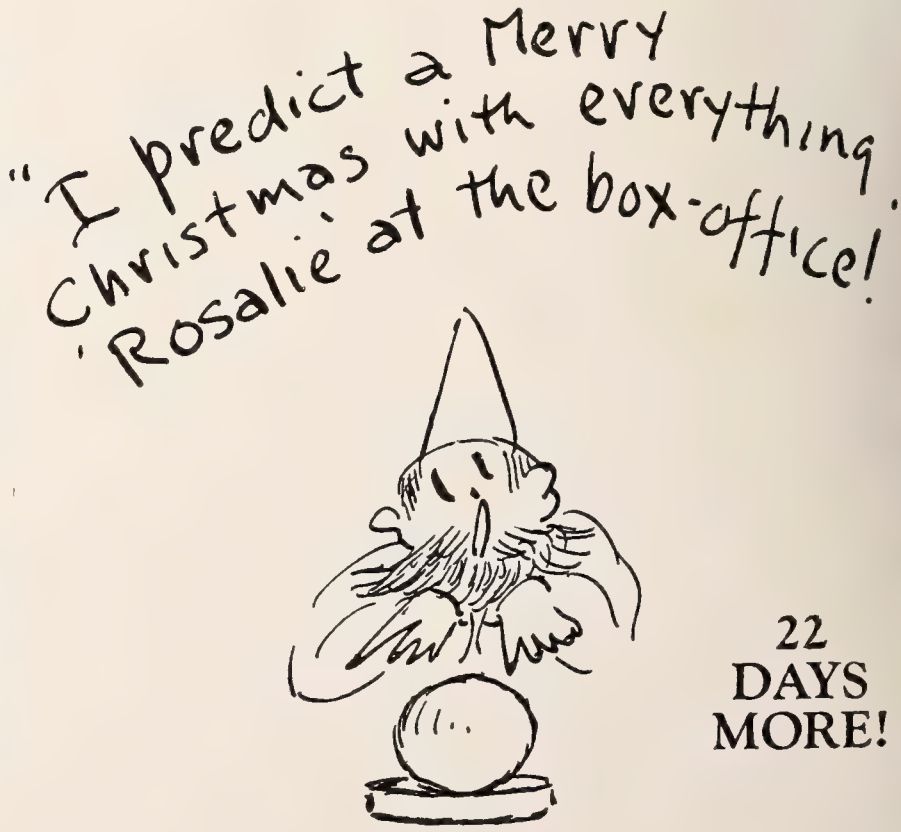
Despite continued and frenzied pressure by producer and labor interests, it is authoritatively indicated that the separate quota is unlikely to be accepted.

Plan "Tovarich" Drive

Warners plan one of the largest billboard campaigns in the company's history on "Tovarich," which will be nationally released on Dec. 25. In 1,500 cities, 24-sheets will be posted on Dec. 15. The billboard campaign will be in addition to a national magazine campaign.

Bank Night Resumed

DANBURY, Conn., Dec. 2. — Warners have again contracted for Bank Night at the Palace, here. The game was discontinued for a time.





We're doing our Christmas *Topping* early!

Leading all Holiday Show advertising with double spreads and full pages in color in a record 60-day national magazine campaign . . . backed up with a full-month 24-sheet showing from one end of the land to the other!



There's an eyeful of Famous Facts over here

It made stage history! It's making adv
got everything you could ask to mak

CLAUDETTE

COLBE

CHARLES

and

BOYE

in

TOVAR

with

BASIL RATHBONE · ANI

MELVILLE COOPER • ISABEL JEANS • MORRIS CARNOVSKY • VICTOR

Screen Play by Casey Robinson • Adapted from the Play by Jacques Deval • English Version b

rtising history! It's Holiday history!

ERT



"... tonight's our night!"

ICH

(accent on the rich!)

LA LOUISE

AN • An ANATOLE LITVAK Prod'n

ert E. Sherwood • Music by Max Steiner

WHAT A STAGE RECORD IT HAS!

A 4-year sellout and still running!

•

A million-dollar gross in New York alone!

•

A mass smash in 25 different countries!

•

265 leading critics said it's the best comedy-romance of the age!

WINCHELL SPEAKING!



"The reports from the coast have it that

WARNERS'

'Tovarich' tops the play's version!"

–So

Radio City Music Hall

picks it for the holiday ahead of everything else!

"Live, Love," Band a Smash In Pittsburgh

PITTSBURGH, Dec. 2.—The Stanley took practically everything in town, doing $39,000 with Ted Lewis' band and "Live, Love and Learn" to come within a few hundred dollars of breaking the band-show record which was established only the week before by Fred Waring and "Breakfast for Two." Business everywhere else was off, the Penn doing only $14,000 with "The Firefly," against expectations of considerably more.

At the Fulton, the second week of "Merry-Go-Round of 1938" produced only a weak $3,600 and the Alvin had to be satisfied with $5,400 for "Gangway" and "Charlie Chan on Broadway." The Warner was also low, doing only $3,700 with "On Again-Off Again" and "Bulldog Drummond Returns."

Total first run business was $55,700. Average is $45,000.

Estimated takings for the week ending Nov. 25:

"CHARLIE CHAN ON BROADWAYY" (20th-Fox)
"GANGWAY" (G. B.)
ALVIN—(2,000), 25c-50c, 6 days. **Gross:** $5,400. (Average, $6,500)
"MERRY-GO-ROUND OF 1938" (Univ.)
FULTON—(1,750), 25c-40c, 7 days, 2nd week. **Gross:** $3,600. (Average, $4,500)
"THE FIREFLY" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,000. (Average, $11,000)
"LIVE, LOVE AND LEARN" (M-G-M)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Ted Lewis' band. **Gross:** $39,000. (Average, $18,000)
"BULLDOG DRUMMOND RETURNS" (Para.)
"ON AGAIN—OFF AGAIN" (RKO)
WARNER — (2,000), 25c-40c, 6 days. **Gross:** $3,700. (Average, $5,000)

Warner Color Camera At Moving Mountain

HOLLYWOOD, Dec. 2. — Warners have dispatched a Technicolor camera crew to the "moving mountain" of Elysian Park, Los Angeles, to photograph the landslide, if and when it occurs, for inclusion in "Gold Is Where You Find It."

William L. Guthrie, head of Warners location department, was refused a permit to authorize the camera crew to go near the site of the moving mountain, so the workers are behind the safety lines, operating with the aid of a special distance lens.

Will Add Stage Shows

INDIANAPOLIS, Dec. 2.—The Circle here will add stage shows this winter, according to Art Baker, manager. No increase from the present 25 cents-40 cents admission is planned. First will be Don Redman and his orchestra plus six acts, with "Big Town Girl" on the stage, beginning Dec. 3.

Open Toronto Theatre

TORONTO, Dec. 2.—Twentieth Century Theatres, consisting of a group of independent exhibitors, has opened the new Elgin in the downtown section of Ottawa with Joseph Paul, formerly of Sudbury, Ont., as manager.

Another new house, the Somerset, is being completed on Somerset St., Ottawa, by H. Berlin. Both have 750 seats.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Headin' East"

(Coronet-Columbia)

HOLLYWOOD, Nov. 28.—While Buck Jones is the star and, naturally, the most important commercial asset of this or any Jones film, the unusual story idea provided him in "Headin' East" is an exploitation factor of substantial worth. For the time being he forsakes the wide open spaces, the company of cattle rustlers, western bad men, etc., to invade the East and break up a racketeer gang. To make the departure more complete, the story has practically nothing to do with the formula of western action melodrama.

In the story, an original credited to Joseph Hoffman and Monroe Shaff with screenplay by Ethel LaBlanche, Buck has the assistance of Shemp Howard, Elaine Howard, Ruth Coleman, Donald Douglas, Earl Hodgins and John Elliott in turning out a feature that should attract attention. Capably produced and directed by L. G. Leonard and Ewing Scott, the film moves speedily, balances dialogue and action nicely, takes several surprising twists and makes good use of suspense.

Racketeers, harrying the produce business in customary gangster manner, bring Buck to New York. In a mysterious manner, trucks and trainloads of lettuce are destroyed. The prosperity of his grower friends is menaced. In typical wild west fashion Buck breaks up the ring. While he is the center of the melodrama, and also the romance which involves Miss Coleman, comedy contributions give the show a pleasing humorous quality. It may be expected that the ranking western star's following will turn out in full force for this offering, while exhibitors seeking to attract additional business may announce it as a different adventure-action attraction that holds much entertainment for any kind of audience.

Running time, 60 minutes. "G."

Overseas Previews

"The Rat"

(Imperator Prod.-RKO)

LONDON, Nov. 20.—This, the second Herbert Wilcox production made for Radio release, despite its exploitation of the personality and name of Anton—Prince Consort—Walbrook is disappointing. The wide public who warmed to the opulent canvas of "Victoria, the Great," is not likely to find the same satisfaction in this pasteboard and fancy dress variation on the outmoded theme of the Montmartre underworld. Walbrook, himself, sinuously moving through it in a closely fitting black silk shirt flashing his knife against those who break the code, protecting the virginal Odile and "rushing" a wealthy paramour, stealing valuable jewelry and living in a garret, which he invariably enters via the rooftops and an open window, scarcely succeeds in breathing life into a puppet-like role.

As "The Rat," terror of the underworld, who combines the characteristics of both Sir Galahad and Jack Diamond, Walbrook, to save his Odile confesses to the murder of her would-be seducer, but Ruth Chatterton, as his unalluring mistress, tells the world and an embarrassed court room that he spent the night in her boudoir. But "The Rat," turning his back on riches and romance, tells little Odile, angel child with the abbreviated frocks, that he will wait for her until her year in jail is finished.

That Walbrook does not shine is not to say he will not charm his fans, and that Miss Chatterton's polished performance produces no brilliance is a criticism of the material rather than the artiste.

Running time, 73 minutes. "A." FLANAGAN

"Queen's Local" Bought

HOLLYWOOD,. Dec. 2.—Paramount has purchased "Queen's Local," unproduced play by Albert Duffy and Marian Grant. It deals with cafe racketeering. Tentatively scheduled for the cast are Gail Patrick, Anthony Quinn, Porter Hall, Charles Bickford and J. Carroll Naish.

Reopen Washington Spot

BALLARD, Wash., Dec. 2.—LeRoy Johnson has reopened the Grenada here following renovations.

Parsons Joins Principal

HOLLYWOOD, Dec. 2.—Lindsley Parsons has resigned his post as supervisor for Boots and Saddles, producing westerns for Grand National, and has joined Principal as associate producer in charge of the Smith Ballew and Tarzan series.

Combine Oregon Firms

PORTLAND, Dec. 2.—Theatre Utilities Service has been combined with National Screen Accessories of Seattle, according to Harold McLeod.

"Navy Blue," Capital Lead With $28,800

WASHINGTON,. Dec. 2. — "Navy Blue and Gold," supported by Fred Waring and His Pennsylvanians, skyrocketed the gross at Loew's Capitol to $28,800, or $7,900 over the average week.

At Loew's Columbia, a repeat engagement of "The Prisoner of Zenda" took $4,500, to exceed par by $900.

The weather was seasonably cool during the first portion, and generally fair.

Total first run business was $67,900. Average is $73,700.

Estimated takings, exclusive of tax:

Five Days Ending Nov. 23:

"DINNER AT THE RITZ" (20th-Fox)
RKO-KEITH'S (1,836), 25c-55c, 5 days. **Gross:** $3,900. (Average, 7 days, $10,600)

Six Days Ending Nov. 24:

"BACK IN CIRCULATION" (F. N.)
METROPOLITAN — (1,591), 25c-40c, 6 days. **Gross:** $4,500. (Average, 6 days, $4,300)

Week Ending Nov. 24:

"THE PRISONER OF ZENDA" (U. A.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,500. (Average, first run, $3,660)
"CONQUEST" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days, 2d week. **Gross:** $8,600. (Average, first week, $15,900)

Week Ending Nov. 25:

"IT'S LOVE I'M AFTER" (W. B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Harriet Hoctor, Charles "Cookie" Bowers, the Four Kraddocks, Paul Sydell & Spotty, the Merry Mace Dancers, the Spurgate. **Gross:** $17,600. (Average, $18,400)
"NAVY BLUE AND GOLD" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Fred Waring and His Pennsylvanians, with "Poly" McClintock, Al Bottorf, Ethelyn Williams, Betty Atkinson, Gordon Goodman, "Scotty" Bates, the MacFarlane Twins, Tom Waring, Charlie Newman. **Gross:** $28,800. (Average, $20,900).

Quits G. N. Position

DENVER, Dec. 2.—Irving L. and Mrs. Jacobs are planning to continue their honeymoon in New York and Florida, and will leave as soon as a successor is named for Jacobs as district manager for Grand National here and in Salt Lake City, from which he resigned.

G. N. in New Offices

PITTSBURGH, Dec. 2.—Jules Lapidus and his Grand National staff has moved into their new headquarters after occupying temporary Film Row quarters for more than a year.

Midwest Houses Closed

KANSAS CITY, Dec. 2.—Theatre closings during the past week included H. C. Musgrave's DeLuxe at Oskaloosa, Kan., and the Roanoke, Vaughn Mann's 500-seater, in Kansas City. Two weeks ago the Brookside, 1,200-seater operated by W. D. Fulton, went dark here.

Leeves Joins National

KANSAS CITY, Dec. 2. — E. C. Leeves, district salesmanager for Western Electric sound in this territory for several years, has gone with National Theatre Supply to supervise sales in the Kansas City, Des Moines and Omaha areas.

"Navy Blue" Take Cincinnati's Top

CINCINNATI, Dec. 2.—"Navy Blue and Gold" gave Keith's the season's top at $8,600, up $2,100, and was held over. "The Awful Truth" accounted for $8,200, or $1,700 more than par at the RKO Capitol, where it played its second downtown week, and went into the third stanza. "The Perfect Specimen" broke even at $2,750 on its third week downtown at the RKO Grand. "Second Honeymoon" took $13,800 in eight days at the RKO Albee, where par is $12,000. It moved to the RKO Grand.

Total first run business was $52,450. Average is $58,700.

Estimated takings:

Week Ending Nov. 24:

"BREAKFAST FOR TWO" (RKO)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $5,250. (Average, $10,000)

Week Ending Nov. 25:

"SECOND HONEYMOON" (20th-Fox)
RKO ALBEE—(3,300), 35c-42c, 8 days. **Gross:** $13,800. (Average, 7 days, $12,000). Moved to RKO Grand.

"THE FIREFLY" (M-G-M)
RKO SHUBERT—(2,150), 35c-42c, 7 days, 2nd week. **Gross:** $6,800. (Average, $12,000). Held over.

"THE AWFUL TRUTH" (Col.)
RKO CAPITAL—(2,150), 35c-42c, 7 days, 2nd downtown week. **Gross:** $8,200. (Average, $6,500). Held over.

"THIS WAY, PLEASE" (Para.)
RKO LYRIC—(1,400), 35c-42c, 6 days. **Gross:** $4,400. (Average, 7 days, $6,500)

"THE PERFECT SPECIMEN" (W. B.)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $2,750. (Average, $2,750)

"IDOL OF THE CROWDS" (Univ.) 3 days
"BAD GUY" (M-G-M) 2 days
"RENFREW OF THE MOUNTED" (G. N.) 3 days
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,650. (Average, $2,450)

"NAVY BLUE AND GOLD" (M-G-M)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $8,600. (Average, $6,500). Held over.

Ambassador in Musical

HOLLYWOOD, Dec. 2. — Paramount is planning a musical about the Cocoanut Grove, night resort at the Ambassador Hotel. Tentatively scheduled for the picture, to be produced by George Arthur, are the Yacht Club Boys, Shirley Ross, Boby Hope, Ben Blue, Rufe Davis, Nell Kelly, Judy Canova, Benny Baker and Skinnay Enniss. Sy Bartlett and Olive Cooper are writing the story, to be called "Cocoanut Grove."

Develops Camera Device

HOLLYWOOD, Dec. 2. — Ernest Haller, Warner cameraman, is developing a new type of diffuser which will automatically adjust itself when the camera is moved from a closeup to a long shot. Under the present system, the diffuser must now be removed when the dolly shots are made and works only when the camera is stationary.

Plan Picture on W.U.

HOLLYWOOD, Dec. 2. — Paramount will film a story about the start and development of Western Union. Albert Lewin will produce. Talked of for leads are Joel McCrea, Bob Burns and Frances Dee. Ward Wing and Wilford Rothschild are writing the story.

Re-sign Thiele, Rasch

HOLLYWOOD, Dec. 2.—William Thiele, director, and Albertina Rasch, dance director, have signed new term contracts with M-G-M.

Out Hollywood Way

HOLLYWOOD, Dec. 2. — M-G-M's "Love Is a Headache" company is shooting around GLADYS GEORGE because she has a cold. . . . Warners have given a term contract to VIRGIL IRWIN, Chicago radio announcer. . . . LESLIE FENTON, veteran actor, is now a director in the M-G-M short subjects department, drawing as his first assignment "Captain Kidd's Treasure."

BRYAN FOY will do "Police Cadet," story based on the Los Angeles police training school, for Warners.

✚

Casting—RAY MILLAND in "Ensenada," Paramount. . . . STERLING HOLLOWAY, GUINN WILLIAMS and RAYMOND WALBURN to "Professor Beware," Paramount vehicle starring HAROLD LLOYD. . . . HENRY HULL and HERMAN BING in "Three Men in the Snow," M-G-M. . . . STANLEY FIELDS in "Arsene Lupin Returns," M-G-M. . . . WILLIAM FRAWLEY and FRANKLIN PANGBORN in "Mad About Music," Universal.

✚

Writers and Story Buys—M-G-M has purchased "Double Trouble," original by BERTRAND ROBINSON and ARTHUR PIERSON, and "She of the Triple Chevron," story of the Northwest Mounted Police by the late SIR GILBERT PARKER. It was from the latter that EDGAR SELWYN adapted his play, "Pierre of the Plains," also owned by M-G-M. . . . JEAN NEGULESCO and RICHARD FLOURNOY have joined the HAL ROACH writing staff. . . . LEONARD BERCOVICI is writing the screenplay of "Racket Busters" at Warners. . . . Paramount has purchased "Give 'Em the Axe," story by R. L. TEMPLETON and ADRIAN LEVY of the long standing feud between Stanford University and the University of California.

Charity Wins

Tuscaloosa, Ala., Dec. 2.—The $75 left in the Ritz Theatre Jack Pot fund will be given to the Tuscaloosa Junior Welfare Ass'n for use in its campaign against tuberculosis, Cecil B. Grimes, manager, decided after the State Supreme Court ruled that chance games are illegal.

Metro Sets British Production Schedule

LONDON, Dec. 2.—Metro has disclosed the continuance of British production with a January schedule which includes "Citadel," to be produced by Victor Saville, "Finishing School," to be produced by Michael Balcon, Hugh Walpole assigned to adapt "And So Victoria," and R. C. Sherriff doing the script on an air force film, "Shadow of the Wing."

It is reported that "A Yank at Oxford," the first Metro British production, was received well at a sneak preview. Al Lichtman sailed on the *Normandie* yesterday for New York, where he will arrive next Monday. It is said here that he plans to fly immediately to Hollywood. Also on the *Normandie* are Robert Taylor, who starred in "A Yank at Oxford"; Madeleine Carroll, Lionel Barrymore and Mrs. Ben Goetz.

Close at Barnesville

BARNESVILLE, O., Dec. 2. — The Ohio, which opened last summer, has closed because of the continued depression in local business and industry.

Looking 'Em Over

"Prairie Thunder"

(*First National*)

The action doesn't drag in this western. Dick Foran tears about from one exciting and noisy situation to another as he pursues his duties as a scout in the days of the west when telegraph lines and railroads were being pushed across the continent. The dirty work he has to contend with is done by a gang of outlaws who are selling rifles and ammunition to Indians in order to monopolize the wagon train industry.

In the course of his performance Foran rounds up the culprits and delivers them to an outpost. The Indians attack the place and set the prisoners free, following a slam-bang pitched battle. Foran and Ellen Clancy are taken prisoners by the departing attackers. Miss Clancy is taken to a hideout and Foran to the Indians' camp. He expects to die by torture, but his pal frees him. They rescue Miss Clancy and are off again to warn a wagon train of an impending attack. The attack comes and for about 20 minutes the audience is treated to a collection of stock scenes with dubbed in sound and fresh incidents during which many Indians and pale faces do fierce battle. In due time the Umpty Ninth Cavalry puts in an appearance and routs the savages. Foran gets the gang leader, the Congressional Medal, the rank of colonel and Miss Clancy. They are last seen riding off while Foran chants a robust outdoor air.

The unfolding of the yarn will keep audiences keyed up and thrilled. Miss Clancy, one of the prettiest of western heroines, speaks her lines well. Foran is his usual manly and scrapping self. Frank Orth and Wilfred Lucas are also featured. B. Reeves Eason directed.

Running time, 58 minutes. "G."

Production Holds Level, 34 in Work

HOLLYWOOD, Dec. 2. — Shooting remained at a keel even with last week's total of 34 pictures in work, as eight pictures started and eight finished. Twenty are being prepared and 73 are being edited.

Those starting were: Columbia, "Campus Frolics;" M-G-M, "Love Is a Headache;" Paramount, "Dangerous to Know;" 20th Century-Fox, "Shanghai Deadline," "Love on a Budget" and "Headline Huntress;" Universal, "Flash Gordon's Trip to Mars" (serial); Warners, "Everybody was Very Nice."

The tally by studio:

Columbia finished two, shooting three; preparing zero, editing time; Goldwyn, zero, zero, zero, two; Grand National, zero, zero, one, one; M-G-M, one, six, one, five; Monogram, one, zero, one, two; Paramount, zero, six, two, nine; Principal, zero, two, zero, one; Republic, zero, one, zero, zero; Selznick, zero, zero, zero, one; 20th Century-Fox, zero, six, four, six; Universal, one, two, two, five; Warners, two, four, two, 24.

In the short subjects field, Columbia started one, which is still shooting. M-G-M finished two, and RKO one. A total of eight are being prepared, and 11 are being edited.

Kincey Buys Another

CHARLOTTE, Dec. 2.—North Carolina Theatres, Inc., headed by H. F. Kincey, has acquired the Criterion from the S. W. Craver interests. Purchase of the Criterion completes the 1937 expansion program of the circuit which recently took over the Broadway. The Criterion will take over the policy of the State which will close Dec. 31.

With the purchase of the Criterion the Kincey interests have control of every white film house in Charlotte except the Charlotte. However, two new houses are being built.

Berlin Finishes Seven

HOLLYWOOD, Dec. 2.—Irving Berlin has finished seven songs for the next Fred Astaire-Ginger Rogers filmusical, "Carefree," formerly titled "Change Partners." The titles are "I Used to Be Color Blind," "Change Partners," "The Night Is Filled with Music," "What the Well Dressed Man Will Wear," "Let's Make the Most of Our Dream," "Carefree" and "You Can Be My Cave Man."

Mitzi Green will draw a featured role in the picture.

Order Intermissions

MEXICO CITY, Dec. 2.—Considering that it is imperative for film patrons to rest their eyes at intervals, the local, municipal government has ordered theatres to provide three intermissions during every performance. Each of these rests must be of not less than five minutes and after there has been an exhibition for 90 consecutive minutes.

Retitle "Fancy Free"

HOLLYWOOD, Dec. 2.—"Fancy Free," Ronald Colman vehicle, has been retitled "Free and Easy," by Hal Roach. "Fancy Free" is the title of a Shubert play.

Extension on U. A. Option Is Foreseen

(Continued from page 1)

indicate that tax and legal problems on both the American and British ends of the deal are still of major proportions. In addition, the lining up of new producers, pertinent to United Artists future product supply, and provisions for financing whatever new producers may be brought into the fold, have grown within the past week to problems which rank in proportion with any other confronting the option holders. David O. Selznick's withdrawal from United Artists, Frank Capra's return to Columbia and William LeBaron's decision to continue at Paramount, all, are reported to have upset to some extent the Goldwyn-Korda plans in this respect.

Lawyers and tax experts are still hard at work daily, as are the principals in Hollywood, trying to overcome to the obstacles in the path of a formal agreement. Authoritative sources are agreed that while the deal may be salvaged as a result of these efforts, the work in hand cannot possibly be completed by the expiration date of the option.

I. A. Heads Discuss Coast Investigation

(Continued from page 1)

say that it concerned the California investigation. He left for New York today.

Others attending the session included: Lou Krouse, secretary-treasurer, and John P. Nick, William P. Covert, Harlan Holmden, Richard Walsh, James Brennan, Floyd Billingsley and Roger Kennedy, all vice-presidents.

Academy Group Set For Editor's Awards

HOLLYWOOD, Dec. 2.—Harold J. McCord, chairman of the film editors' section of the Technicians' Branch of the Academy of M. P. Arts and Sciences, today announced the appointment of a committee to consider possible changes in the rules governing the film editing award.

The committee consists of McCord, Anne Bauchens, Martin Cohn, Hector Dods, Daniel Gray, William Holmes, Gene Milford, Maurice Pivar, Murray Seldeen, I. James Wilkinson and Gordon S. Mitchell, manager of the Academy technical bureau.

The committee holds its first meeting this week.

Cincy Church Has Film

CINCINNATI, Dec. 2.—Another source of theatre competition has developed here in the showing of regularly released pictures by St. Paul's English Lutheran Church, which currently is showing the Clyde Beatty film, "The Lost Jungle," a comedy and newsreel, as one of a series of similar programs at a nominal admission.

Dallas Appeal Plan Finished by Lawyers

(Continued from page 1)

Interstate, in conjunction with Thomas D. Thacher, appeal counsel for the defendants, and Paramount attorneys. The work will be reviewed today by attorneys for all defendants who, at the same time, will make a final decision on whether or not a move will be made to obtain a stay of the Dallas decree until such time as the appeal has been decided. Indications now are that no stay will be sought.

Wright and Moroney plan to leave for Dallas over the weekend.

Seek Quiz in "U" Action

An examination before trial of Herbert J. Yates, Sr., president of Consolidated Film Industries, Inc., and Ralph I. Poucher, vice-president, will be sought by John J. Tippett, Inc., before Justice Peter Schmuck in the N. Y. Supreme Court this morning. Tippett is suing Consolidated, Universal Pictures Corp., Eastman Kodak Co., Jules E. Brulatour, Inc., Jules E. Brulatour, Carl Laemmle, the Prince Stock Corp., and Maurice Fleckels for $600,000 for an alleged "conspiracy" to induce Universal to breach a five-year contract made in 1932 for the purchase of raw stock. The plaintiff alleges that large loans were made to Universal in order to induce the breach of the contract.

Drops Warner Action

Sanford Green, song writer, was permitted to discontinue his $5,250 breach of contract suit against the Vitagraph Corp. by Justice Timothy A. Leary in the N. Y. Supreme Court yesterday. Costs were awarded to the defendant. Green claimed that he was employed as a song writer under a one-year contract in November, 1936, and that he was discharged after nine weeks. Vitagraph admitted the discharge, but alleged that Green neglected his work. In the petition to discontinue the action Bernard L. Kamen, Green's attorney, stated that the plaintiff was in Hollywood seeking employment and is financially unable to make the trip for the trial.

Sues Over Vending Machine

Henny Leshay, owner of a candy store, filed suit in the N. Y. Supreme Court yesterday for a permanent injunction against the Tyron Amusement Corp., owners of the Loyal, on St. Nicholas Ave., and the Sanitary Candy Corp. to restrain the defendants from operating an automatic candy vending machine in the lobby of the house. The plaintiff claimed that her store lease granted exclusive rights to sell candy in the building and that the vending machine was operated in competition. Justice Louis A. Valente yesterday denied a motion for a permanent injunction pending trial. Both defendants filed affidavits that the machine was removed after the action was started.

Dismisses Color Film Suit

Judge Robert T. Patterson yesterday dismissed the suit of Emi Klamt and Ada V. Klamt against the American Natural Color Films, Inc., on the ground that the plaaintiffs and several of the defendants were "engaged in promoting an alleged process known not to belong to any of them." The defendants against whom the suit was previously dismissed are Bernhard Deltschaft, Albert Muller, Herbert Bertling, former Ambassador James W. Gerard and others. The action was based upon an alleged agreement made in Germany in 1934 between the plaintiff and Deltschaft, Muller and Bertling for the exploitation of an optical color film invention in the United States. Judge Patterson ruled that the plaintiff knew that the invention belonged to Stenger & Lehmann of Germany and refused to order enforcement of the 1934 contract.

Denies Union Case Dismissal

A motion of Local 306 of the M. P. Operators' Union to dismiss the second amended complaint brought against it, Allied M. P. Operators' Union and the I. T. O. A. by the Gotham Amusement Corp. and seven other independent exhibitors to enjoin enforcement of the January contract between the I. T. O. A. and the union was denied in the N. Y. Supreme Court yesterday by Justice Edgar A. Lauer.

Two previous complaints in this suit have been dismissed. Justice Lauer found that the third was sufficient in law and ordered Local 306 to serve its answer. The union contended that disputes under the contract must be settled by arbitration but the court held that this was unnecessary. The plaintiffs claim that the I. T. O. A. had no authority to bind them to a contract with the unions and that the action was not ratified by the board of directors. A permanent injunction restraining enforcement of the contract is sought.

McKay Testimony Heard

Willard S. McKay, Universal general counsel, was queried yesterday in connection with the Moore & Rothenberg anti-trust suit against major distributors, the Maine & New Hampshire and M. A. Shea circuits. The taking of depositions in connection with the suit was adjourned thereafter, with plans for resuming this preliminary legal work here on Dec. 14.

File New Theatre Plans

Plans have been filed for a 525-seat theatre at 72nd St. & Broadway, on the site of Hotel St. Andrew. Approximately $100,000 will be spent on the project which will include stores. Jurale Corp. is the company behind the new theatre. Saurette Schumael is president and Altina Sanders, vice-president. Peter Copeland is the architect.

Forgetful

Mexico City, Nov. 30.—A curious case of a Municipal Government granting an exhibitor a tax-free concession to provide a town with films, then eight years later calling upon him to pay imposts amounting to nearly $40,000, has arisen in Pueblo City.

In 1929, the Municipality gave Jesus Cienfuegos a franchise to operate a theatre the city had built, tax-free for 20 years. A new civic administration claimed taxes for eight years, contending that it knows nothing about the contract. The exhibitor has obtained a temporary injunction.

Griffis Firm Gets Share in RKO Option

(Continued from page 1)

Hertz, partner in Lehman Bros., is a member of the Paramount board.

Atlas and Lehman two years ago acquired, together, $4,893,327 RKO debentures and 605,731 shares of RKO common from RCA, for $5,000,000. At the same time, they obtained the option which expires at the end of this month to purchase for $6,000,000 like amounts of RKO debentures and common stock from RCA, comprising the balance of that company's RKO holdings. The Atlas-Lehman individual holdings have, of course, been reduced now by the amount of the Hemphill, Noyes participation.

The indicated failure of the option holders to exercise the agreement in full at this time means that RCA will be given representation on the new board of directors which will be proposed in the near future for the reorganized company. This would not be the case if the option were exercized in full by Dec. 31.

File Objections to Alger Plan for RKO

(Continued from page 1)

hearing on Dec. 21 to decide whether or not to confirm Alger's ruling. The MacPherson objections assert that 500,000 shares of Class B stock were illegally issued to RCA in 1928 and that 1,740,000 shares later issued in connection with a bond issue were also illegal. The objections stated that the special master should have decided that RCA "dominated" RKO, a contention which Alger specifically rejected. The last day to file objections to the report is Dec. 16.

"Fargo" Trailer Is Made for School Use

Paramount has produced a special "Wells Fargo" trailer for schools. It runs approximately 10 minutes and gives a recapitulation of transportation and mail service from early Pony Express days to the current air mail method.

Actual scenes of the picture are shown in addition to introduction of characters at the end of the subject. Not only does the subject serve educationally, but it is an excellent advance for the feature when exhibited in institutions of learning. O.

Commonwealth Gets 4

Commonwealth Pictures has acquired distribution rights in United States and Canada on four 16 mm musical shorts, "Sing, Bing, Sing" and "Blue of the Night," starring Bing Crosby, and "Singing Plumber" and "Singing Boxer," starring Donald Novis. These were originally produced by Mack Sennett and released by Paramount.

Again Delay Fuller Suit

NEW ORLEANS, Dec. 2.—The suit of George Fuller, Pensacola, Fla., exhibitor against seven major distributors and Saenger Theatre executives has been postponed indefinitely.

Montreal Circuit in Marked Profit Gain

TORONTO, Dec. 2.—A marked increase in profits is shown in the annual financial statement, for the year ended April 30 last, of the Confederation Amusements, Ltd., which owns and operates six theatres in Montreal. Net income for the fiscal year, after depreciation, totaled $68,202, as compared with $42,943 for the previous year.

Total interest charges of $33,183 were earned more than twice over, compared with a ratio of 1.20 for the year 1935-'36 while net available for dividends was $28,891, equivalent to $5.29 per share on the eight per cent preferred stock. Only $5,380 was available for dividends one year ago. A dividend of 75 cents per share was paid last August, the previous and initial payment on this stock being 60 cents in December, 1936.

Loew's Reports Gain For 2 Canada Units

Marcus Loew's Theatres, Ltd., of Canada, reports a net of $111,730 for the year ending Aug. 26. This compares with a net of $81,795 for the previous year and equals $8.79 per share on the common after the preferred dividends.

Loew's London Theatres, Ltd., also of Canada, had a net of $15,597, equal to 46 cents a share on the preferred. This compared with a net of $11,105 in 1936.

Hummel to Look into Australian Situation

CHICAGO, Dec. 2.—Joseph Hummel, foreign manager for Warners, stopped over briefly while en route to the coast from New York. He will sail next Wednesday on the *Mariposa* for Sydney, Australia, to look into the Hoyts-Greater Union situation as far as Warner product is concerned.

Hummel said he planned to be gone about five months and visit Java, Singapore, New Zealand, China, India, Japan and Manila.

CEA Intends Action To Cut Competition

LONDON, Dec. 2.—The general council of the Cinematograph Exhibitors' Ass'n, at its next meeting, will consider what is described as a grave situation caused by the increase of free shows and radio competition, which has taken various forms.

It has been proposed that the exhibitor organization approach the various interests responsible for the competitive shows with a view to their elimination.

Gets Five French Films

John S. Tapernoux, head of French M. P. Corp., has obtained the American distribution rights to five French films, "Feu Mathias Pascal," "Meet Miss Mozart," "Merlusse," "Helene" and "Un de Baumugnes." They will be shown at the Cinema de Paris here.

Curtiz on "Robin Hood"

HOLLYWOOD, Dec. 2.—Michael Curtiz has succeeded William Keighley as director of the Technicolor film, "The Adventures of Robin Hood." Keighley is ill.

The Newsreel Parade

Movietone News

Vol. 20, No. 24

(20th Century-Fox)

In its lead-off world events section Movietone News has four subjects—President Roosevelt starting his fishing trip, Vice-President Garner on a hunting trip, Mrs. Roosevelt at a charity dancing event, and the boy and girl winners of the 4-H health competition.

Apparently the President did not feel like posing. He is shown on the deck of the *Potomac*. This is followed by long shots of the departure of the vessel and then Marvin McIntyre and the newspapermen are shown at work at the Coral Cables Hotel. In the hunting sequence the Vice-President carries a deer on his shoulders and receives a pasteboard medal with Senator Guffey and the Polish ambassador looking on.

Lew Lehr introduces a bright note into the start of the six-day race, with a few trick camera and sound effects to give it punch. It's good.

Under an "Industry" caption shots are shown of telephone operators at work, "Information" doing her stuff, the time girl giving the hour, and the automatic switchboards operating. Very interesting. Instead of the usual style stuff, elaborate art toys of the former Czar are shown. The direction by Vyvyan Donner and comment by Helen Claire will interest women audiences.

Two kinds of aviation topics are shown—the Marines in formation at Quantico and sailors taking parachute jumps at Lakehurst. In the sports section natives sailing outrigger canoes provide some nice pictorial action, but men fishing for sharks fail to contribute any impressive footage.

The reel has plenty of variety.

Running time, 9 mins. J.

News of the Day

Vol. 9, No. 22

(M-G-M)

Smart editing of most of the topics of the latest issue of News of the Day puts life into some otherwise weak material. The President's departure from Miami is followed by a staged scene of Secretary Marvin McIntyre receiving an "important" wire at the Coral Gable Hotel headquarters. He rushes to a map to see where the President is—apparently the only man in the world who doesn't know—and the reporters pound madly at the typewriters when it is made known the President has caught a fish.

Mrs. Roosevelt is shown at the big charity party where the Afro-Cuban dancers did their voodoo stuff, a dance called "La Conga." Boy and girl winners of the 4-H health club contest are not exactly thrilling, and the manner of presenting the start of the six-day race is more or less routine.

Some clever work has been done, however, on scenes showing navy boys taking their final lessons in parachute jumping. Closeups of the youngsters sitting in the cabin of a blimp show how nervous they are. The camera follows them as they bail out, and other scenes, made from the ground, show the parachutes landing. This is good stuff for the men and boys. Aviation enthusiasts also will get a kick out of the Marine air maneuvers and bomb tossing at Quantico.

With football games ended, the sports department is taken care of by showing air views of the Rose Bowl, closeups of the principal players on the Alabama and University of California elevens, and cut-ins of some of the spectacular plays individuals have performed this season. Sport fans ought to like it.

Running time, 9½ mins. A.

Paramount News

No. 35

(Paramount)

A review of the football season certainly saved this issue. And while the resume on pigskin events is nothing new, the presentation and the idea behind it gives the compilation a refreshing slant. For instance, Pittsburgh voted the nation's number one team, Alabama to oppose California at the Rose Bowl, Fordham just misses the Bowl bid and then highlights of some of the season's unusual plays.

For the rest of the reel, Paramount presents skiing at Sun Valley, Idaho, with reindeer as pulling power for a few weary souls; Congress studying low-cost housing, with Senator Wagner discussing the benefits of such a bill, and the efforts of private interests in developing a "modern community" at Greenbelt, President Roosevelt is seen on his Miami vacation trip, while Vice-President Garner is pictured at St. Mary's, Pa.

A series of parachute jumps by Navy students at Lakehurst may provide a thrill for some patrons, but generally this issue is weak. Even the narrations were unexciting.

Running time, 9 mins. O.

RKO Pathe News

Vol. 9, No. 39

(RKO)

The selection of players for the All-American team occupies first place. Chick Meehan is seen as well as portraits of the various individuals involved in Clem McCarthy's narration. It is good material and football fans should like it.

President Roosevelt sails from Miami and the White House shifts from Washington to the Miami Biltmore as the chief executive tries his luck in the waters of the Dry Tortugas. Father Maslov, dean of the Russian Orthodox Cathedral in New York, is seen repairing the roof of the church himself, due to lack of funds. The six-day bike races get under way and are vividly filmed. *Vogue,* in collaboration with the reel editors, presents the latest feminine fashions which are in order at the north and south vacation spots. The models are pretty and the sequence is tastefully photographed. A finely documented clip concerns the proposed large expansion expenditure by the N. Y. Consolidated Edison Co. There are excellent scenes of the metropolis at night and the workings of the power supply system. The Navy's parachute jumping class do their stuff and are filmed in their downward progress from a blimp. These scenes are particularly good, catching facial expressions and extremely exciting movement.

It's a nicely balanced newsreel.

Running time, 9 mins. P.

Universal Newsreel

Vol. 9, No. 620

(Universal)

The fact that 10 subjects are included in this 800 foot release will convey an idea of the variety of material to choose from when you start eliminating. None of the subjects is outstanding in any vital way and the editors are to be complimented on their recognition of this fact in holding most of the subjects to 75 feet or less.

The contents, in order of their appearance, are the President's departure from Miami on his current fishing trip; the President's wife witnessing a Rockefeller Center performance of what the reel calls "Afro-Cuban dancers"; the banning of C.I.O. pickets from Jersey City by the local constabulary; the take-off of the French flier, Codos at Le Bourget field, on his non-stop flight from Paris to Brazil; the winners in the 4-H health contest at Chicago; a small game hunters' "paradise" at Shelby, O.; coast storms in the Pacific Northwest; a barefoot football team at Lynchburg, Va.; the start of the six-day bike race in New York, and student fliers making parachute jumps over Lakehurst, N. J.

You pay your money and you take your choice.

Running time, 9 mins. K.

"The Jester" at Cameo

"The Jester," (Der Purimspieler), Joseph Green's all-Yiddish musical, starring Miriam Kressyn, Hymie Jacobson and Zygmunt Turkow, opens today at the Cameo. This is the first Jewish picture to play at this house. Sphinx Films Corp. is handling distribution.

Senate Sees "Sacred"

WASHINGTON, Dec. 2.—Members of the U. S. Senate gathered at the National Press Club tonight as guests of Senator William Gibbs McAdoo of California to see "Nothing Sacred."

Wall Street

Gains Sprinkle Board

	Open	High	Low	Close	Net Change
Col.	15¾	16	15¾	15¾	— ¾
Cons.	1½	1½	1½	1½	.....
E. K.	148¼	151	148¼	151	+2
E. K., pfd.	158	158	158	158	— ½
G. T. E.	13⅝	13¾	13⅛	13¾	+ ½
Loew	48¼	50⅞	48	50⅞	+3⅛
Para.	12	12⅜	11⅝	12⅜	+ ¼
Para. 1	96½	96½	95	95	—3½
Para. 2	11⅛	11⅜	10¾	11⅜	.....
Pathe	5⅞	6⅛	5⅞	6⅛	+ ¼
RKO	4¾	4⅞	4⅝	4⅞	+ ⅛
20th Fox	21	21⅝	21	21⅛	— ⅝
20th pfd.	28⅝	28⅝	28⅝	28⅝	+ ½
Univ. pfd.	35	36	35	36	+1¾
W. B.	7⅝	8	7½	8	+ ⅜

Curb Issues Rise

	Open	High	Low	Close	Net Change
G. N.	1	1	⅞	1	.....
Monogram	1⅝	1⅝	1⅝	1⅝	+ ⅛
Sonotone	1¾	1¾	1⅝	1⅝	— ⅛
Tech.	18½	19⅛	18¼	19⅛	+1
Trans-Lux	2⅞	3	2⅞	3	+ ⅛
Univ. Corp.	2¼	2¼	2¼	2¼	+ ¼

Bonds Hold Levels

	High	Low	Close	Net Change
Keith 6s '46	85½	85½	85½	.....
Loew 3½s '46	97½	97½	97½	.....
Para. Pict. 6s '55	90	90	90	.....
W. B. 6s '39	78¼	78¼	78¼	+ ¼

(Quotations at close of Dec. 2)

Radio Aiding Films, States CBS Official

(*Continued from page* 1)

production—and profits. The other side of the subject—just as important, by the way—can wait until you people come to visit us."

To prove his point that broadcasting was not keeping crowds from amusements he cited the Forest Hills sellouts and the fact that the Yale bowl filled its 78,000 seats and turned away thousands in spite of the biggest broadcasting hookups in history.

"You and I know that all has not been sweetness and light in the relationship of our two industries insofar as it has concerned listener vs. spectator interest," he continued. "I have never been able to understand this feeling—this conviction, on the part of some exhibitors, that radio keeps people away from the movies. There is only one thing that can keep able-bodied people away from the movies—or away from radio—and that is a bad program. 'What,' you may ask, 'would be the situation if all of us—movies and radio—were blessed with good programs?' My answer to that would be that 'there is a millenium devoutly to be desired.' Together the radio and moving picture industries can cooperate to attain that end.

Record Hollywood Talent

"There has been a greater use of Hollywood talent on radio programs during the past year than ever before in the history of broadcasting. And there has been greater activity on the part of box-office cashiers during this same 12 months than ever before in the history of moving pictures. Loew's, Inc., as you know, has already paid out $6 a share in dividends on its common stock this year, and this morning's papers announced that another will be paid before the year ends, bringing this year's total dividends to $7.50 a share.

"Do you suppose that here might lie, in part, the explanation of M-G-M's consistent refusal to get excited about how radio has cut into movies' box-office?

"How many here, I wonder, realize that if every seat in every moving picture house in every community in the United States were occupied at the same time, less than one-eighth of the American radio audience would be 'at the movies.' Whenever you hear an estimate as to the size of some specific radio audience, it is good to remember how big is the total of all radio owners before you decide that there aren't enough people left over to go to the movies. As long as people like variety in their entertainment—(and they always will)—and as long as people like to share excitement and pleasure together—(and they always will)—there will be no danger of radio—or television—supplanting your product in the hearts of our citizens."

After quoting figures on the growth of radio advertising and the kinds of products included on the list Lewis pointedly remarked that films were not included on the list.

"Though you people here are selling entertainment," he went on, "you continue to use newspapers, magazines and the outdoors as media for your advertising. Why? As advertising men you know that it is not because radio keeps your customers at home, but because radio and radio advertisers do your advertising for you in the one major medium best suited to your needs.

"There are those who say that radio has contributed slightly to the realm of popular entertainment; that radio has had to depend on the stage and screen for its creative brains and talent. I have heard it said that the steady increase in our activities on the West Coast is proof that advertising agencies and broadcasters have failed to produce and direct successful programs; that radio has failed to develop talent of its own. I can't agree.

"Radio first went to Hollywood to keep up with its own artists, for whom it had developed a large enough popular following to make them sure-fire timber for movies. Each year finds more of them engaged in film work. Eddie Cantor is frank to admit that the success of his movies is the result of the nationwide following he attained through radio, and Burns' and Allen's nonsense was entertaining millions before Shirley Temple was out of her cradle.

"We are both in the business of providing popular, large-scale entertainment. Beyond that, you cannot say that we are in competitive business. Because we are engaged in the same general work, and because we are not competing in the sale of of our products, we are in an ideal position to work together for the betterment of the particular entertainment each of us tries to produce. We have found, as you have found, that an interchange of talent is mutually beneficial. We want to continue to use Hollywood 'big names,' Hollywood stories, and Hollywood music. On our part we are glad to see radio talent given a chance at the movies. And we are particularly anxious that, through intelligent cooperation, we may improve the quality of the work that bot hof us are striving so earnestly to do."

Says Radio Helped Music

Lewis pointed out that radio popularized classical music and made available to films such stars as Lily Pons, Grace Moore, Gladys Swarthout, Leopold Stokowski, Lawrence Tibbett, Nelson Eddy and Andre Kostelanetz. He mentioned the names of producers who had been signed for film work and pointed out that radio was in a better postion to experiment with new type programs than is the film industry.

"Hollywood must have some tangible evidence of what the public wants before it takes on the expense of a film production," he continued. "Radio still has the facilities for experimentation."

"Must Use Established Names"

"But we also are faced with conditions under which we cannot afford to take chances in what we offer to our audience. We have commercial sponsors spending thousands of dollars weekly to attract large nationwide audiences. When it comes to airing a big program at big cost for a sponsor, we are in the same position as your producers. We must use established names. That is where cooperation is most needed in the relationship of radio and movies, insofar as it concerns us. In asking frankly for that cooperation, we in Columbia are able to promise that we shall continue giving as freely as we receive. It is not only more blessed

(*Continued on page* 11)

CBS at the Ampa



"CBS Day" at the Ampa yesterday brought out ranking executives of the national network. William S. Paley's absence in Chicago and Edward Klauber's visit to the coast prevented their appearance. In this photograph are Frank Stanton, manager of the CBS research department, and Frank White, treasurer of the company.



At the head table. Left to right: L. W. Loman, CBS vice-president in charge of operations; Paul Lazarus, vice-president of Ampa; Mefford R. Runyon, CBS vice-president and director; William B. Lewis, CBS vice-president in charge of programs; Oliver Wakefield, comedian; Ralph Rolan, president of Ampa; Ted Husing, announcer; Guy Lombardo, orchestra leader; Hugh Kendall Boice, CBS vice-president in charge of sales; Frederick A. Willis, assistant to William S. Paley, and Al Pearce of the Ford program. Photographs by Cosmo-Sileo.

Guild Acts to Halt Airing of Screen Gossip

HOLLYWOOD, Dec. 2.—The first tangible program for the removal of objectionable radio comments by purveyors of film gossip was voiced today by Kenneth Thomson, executive secretary of the Screen Actors' Guild, who told MOTION PICTURE DAILY that, should the attacks upon the industry—and particularly upon the personalities connected with it—continue, the guild will ask the entire A. F. of L. membership to boycott the products of the commentators who offend.

That the aid of other unions could be enlisted in such a move as that outlined by Thomson is not doubted, inasmuch as the guild is strongly intrenched in labor circles on the coast because of its various moves to aid other unions which asked assistance in the past.

Discusses Warner-Zanuck

Thomson entered the Zanuck-Warner statement exchange today with an expression of amazement that "Harry Warner has seen fit to announce that the Producers Ass'n does not speak for him. We hope that the Warner attitude is not influenced by the fact that he has one of these so-called commentators under contract. The attitude voiced by the association may not be that of Warner. However, we are certain that this campaign has the support not only of all actors but also of the great body of fair-minded and decent people of these United States."

Jimmy Fidler, who almost a year ago irked the Guild by stating erroneously that the Guild was going on strike against the producers, is now under contract to Warners for four films.

Produces Latin American Shows

British American Prod., Inc., are now producing four radio campaigns for Latin America. These will be transcribed series, released under the following titles: "Intimate Moments in Hollywood," featuring Alyce Shupper, Latin-American writer and film critic; "The Glacier's Secret," "Spanish-American Musical Caravan," and the "Gypsy Kiss." B. A. P. have secured rights to "Hollywood Reporter," with Carlos Borcosque as commentator.

Hear Fessenden Case Defense

WILMINGTON, Dec. 2.—John V. L. Hogan, New York consultant engineer, was an all-day witness for the defense in the Fessenden patent infringement trial against Radio Corp. of America in Federal Court here today. Hogan's testimony was technical and centered around the use of short wave lengths instead of long waves in long distance radio communication.

★ NEW! HOWLERS ★
. . . Boners as they have been "pulled" in all walks of life! 13 Five Minute Scripts $10
STAR RADIO PROGRAMS, INC.
250 Park Avenue, New York City

Radio Is Assisting Films, W. B. Lewis Informs Ampa

(*Continued from page* 10)

to do so. It is also plain good common sense."

One of the big laughs of the program was the introduction of "Lord" Oliver Wakefield as Lewis by Ralph Rolan. Wakefield started with an English accent and floundered through a half dozen incoherent sentences before the audience burst into a roar of laughter.

The program—all CBS talent—was varied. Rolan presented Ted Husing as master-of-ceremonies. He introduced L. W. Loman, vice-president in charge of operations; Hugh Kendall Boice, vice-president in charge of sales; Mefford R. Runyon, vice-president and director; Frederick A. Willis, assistant to the president; David Ross, announcer; Andre Baruch, announcer; Paul White, director of special events, and Al Pearce of the Ford program. Pearce took over the duties of master-of-ceremonies. He also presented Guy Lombardo to the assembled guests.

Among the entertainers were: the Symphonettes, with Hugh Marsh at the piano; Arline Harris, "the human chatterbox," who is on Pearce's program; Buddy Clark, who sang, with Walter Gross at the piano. "Lord Bilgewater" (Monroe Upton) was introduced.

Other CBS executives and personnel present were: Maurice Gaffney, trade editor; Bill Cohan and Davidson Taylor, music consultants; Frank White, network treasurer; Frank Stanton, manager of the research department; Helen Sioussat, assistant to Sterling Fisher of Columbia's talks and public affairs department; W. C. Gittinger; sales manager; J. J. Karol, director of research; William Ensign, assistant sales manager, and Vic Ratner, director of sales promotion.

Representing the Mutual network were Ted Streibert, vice-president; Fred Weber, general manager; Arthur Samuels and Adolph Opfinger of the WOR and Mutual program departments, respectively; Bob Schmid, sales promotion director, and H. C. McLaughlin, sales manager of WHK-WCLE, Mutual affiliate in Cleveland.

G. E. Plans Station At Coast Exposition

SAN FRANCISCO, Dec. 2.—Construction of a 25,000-watt short wave station at Belmont, 20 miles south of here, will be started early in January by General Electric Co.

The station will be the official broadcasting station for the 1939 Golden Gate International Exposition. Expected to be completed by the fall of 1938, the station will broadcast to the Far East and South America, via directional antenna, on 9,530 and 15,330 kilocycles.

Ten Best Named on Chicago's Programs

CHICAGO, Dec. 2.—Statuettes for the best Chicago radio performances were awarded at the Radio Ball held at the Medinah Athletic Club. Ten awards were made by Paul Whiteman, as follows:

Actor, best sustaining performance, Hugh Studebaker; actress, Betty Winkler; actor, bit part, Bill Thompson; actress, bit part, Templeton Fox; announcer, Bob Brown; best written program, "Vic and Sade," by Paul Rhymer; male singer, Edward Davies; girl singer, Vivian della Chiesa; singers group, Escorts and Betty; best production, Fibber McGee and Molly, handled by Cecil Underwood.

Loan Co. Adds 2 Broadcasts

Confidential Personal Loan, Inc., will supplement its present schedule of three broadcasts weekly on WHN by adding two more, effective immediately. The contract is for 26 weeks. The programs offer Associated Recordings. Bachenheimer-Dundes & Frank, Inc., is the agency.

Stern to Have New Program

Bill Stern, NBC sports announcer, will inaugurate a new weekly series of programs entitled "Sports Scraps" Dec. 12 at 11:45 A. M. over the Blue. Stern will review the highlights in sports and will present guests.

CBS November Time Sales Rise by 9.2%

CBS time sale revenue for November, 1937, amounted to $2,654,473, up 9.2 per cent over the November, 1936, total, which was $2,429,917. The month marked the biggest November in CBS history, and the second largest month since the network was formed.

The cumulative total for the year thus far is $25,935,500, an increase of 25.1 per cent over the 11-month cumulative total for the same period last year, which was $20,734,795.

Blum Heading Sales Of Radio Method Co.

Leon Blum, formerly general director of WBBM, CBS Chicago outlet, and more recently radio consultant to advertising agencies, has been appointed director in charge of sales and promotion for Radio & Film Method Corp. here. Blum will direct the presentation of radio shows, both live and transcribed.

Blum has had considerable experience in the entertainment field, having been a director for Paramount, United Artists and Fox. He is also the author of many books on the art and technique of broadcasting.

Shift Musical Announcements

WHN, having made a survey indicating that radio audiences forget the names of musical numbers when they are announced before they are played, has decided the names of all selections will be announced after they are heard during sustaining programs. The survey was made by the program department.

Plan Repeat on Penner

R. B. Davis Co., sponsors of the Joe Penner program on CBS, will add a repeat program beginning Jan. 2. The repeat will be from 11 to 11:30 P. M. The regular program is heard Sundays from 6 to 6:30 P. M. Ruthrauff & Ryan is the agency.

A. L. Alexander Will Resume Broadcasting

A. L. Alexander, who caused a radio furore with his "Good Will Hour" program last year when it was sponsored by Chase & Sanborn over NBC, and subsequently barred from the air because of action by the New York Bar Ass'n, will return to the networks, tonight, for *True Story Magazine's* "Court of Human Relations" series. The deal was completed last night. The contract is for 52 weeks.

"Court of Human Relations" is broadcast Fridays from 9:30 to 10 P. M. over the Red network, and in its present form it resembles somewhat the barred "Good Will Court." The first 15 minutes is based on a dramatization of a story taken from the sponsor's magazine. The final 15 minutes is devoted to a discussion of the action of the characters in the play by a jury selected from the studio audience. It is understood, however, that when Alexander assumes command of the program, it will undergo a radical revision in format, and that it will be patterned as closely to the banned "Good Will Hour" as is possible without running into legal complications.

Cook Agency Takes Period on NBC-Red

Thomas Cook & Son-Wagons-Lits, Inc., will sponsor "Travel Talks" by Malcolm La Prade over 11 stations of the NBC-Red network beginning Dec. 12. The contract is for 13 weeks, and the agency is L. D. Werthheimer Co., Inc.

The series was presented over CBS last season, after several years of broadcasting over NBC.

"Death Valley Days," sponsored by the Pacific Borax Co., will be renewed for 13 weeks beginning Dec. 31. The series, one of the oldest in radio, is heard over 23 NBC-Blue stations Fridays from 8:30 to 9 P.M. McCann-Erickson is the agency.

Two Sponsor WNEW Program

Jules Chain Stores Corp. and Madison Personal Loan Co. are sponsoring transcribed broadcasts of the Zeke Manner "Gang" on WNEW. Both contracts are through the Klinger Adv. Corp.

Browne Plans News Series

Lewis Browne, who has been appearing on "Headlines and Bylines" Sundays over CBS, will start a weekly news comment quarter-hour on Monday from 7:15 to 7:30 P. M.

Imperial Tobacco Co., Ltd.
OF CANADA
presents
KEN SISSON
Director, "Canada, 1937"
With a 30-piece orchestra
16-voice choir and soloists
Over a coast-to-coast network of Canadian Stations
Fridays, 10 to 10:45 P.M., E.S.T.

THE PRESIDENT HAS THE FLOOR!

(*Listen!*)



An unsolicited letter from Charles W. Picquet, President of the Theatre Owners of North and South Carolina and noted Southern showman:

"We have given 'NAVY BLUE AND GOLD' the best booking possible and any further word of commendation from me is superfluous. However, I cannot refrain from stating that it is the finest college picture ever made. In fact, it is the only one which I have seen that measures up to what such a picture should be. That picture should certainly be shown in every theatre in America. I am sure every exhibitor who has had the fortune to have it dated will be grateful to you for making 'NAVY BLUE AND GOLD'!"

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 132 NEW YORK, SATURDAY, DECEMBER 4, 1937 TEN CENTS

Skouras Gets Greece Sales Of 20th-Fox

Will Also Distribute in Bulgarian Territory

Spyros Skouras, operating head for National Theatres, has concluded a deal whereby he will handle the 20th Century-Fox distribution in Greece and Bulgaria. Skouras has a nephew by the same name who will be in charge of the foreign offices.

The National Theatres' operating head concluded a deal with Ben Miggins, European sales manager, on his recent vacation abroad. It was revealed at the same time that the Skourases also operate a number of theatres in Athens.

Skouras is now on the coast with Edward Zabel, A. S. Gambee and John Healy and from there will hold meetings with divisional operators of the National circuit throughout the country. The Skouras party is due back Dec. 19.

Four A Board Meet Put Over to Dec. 9

The meeting of the board of the Associated Actors & Artistes of America, parent organization of the performers' unions, was adjourned yesterday to Dec. 9 following the transaction of routine business. Next week's meeting is scheduled to take up the jurisdictional claims of the American Federation of Actors, which were not considered yesterday due to the absence in Hollywood of Ralph Whitehead, A. F. A. president.

The A. F. A.'s claims include jurisdiction now held in part by the Burlesque Artists Ass'n and Chorus Equity.

Patent Trial Ends In Fessenden Case

WILMINGTON, Del., Dec. 3.—Trial in the patent action brought by Helen May Fessenden, widow of Dr. Reginald Fessenden, against RCA, charging infringement of three patents involving short-wave radio communication, was brought to a close here today. The court set Jan. 3 as the deadline for the plaintiff's briefs, Feb. 3 for the briefs of the defendants, Feb. 15 for the plaintiff's reply and Feb. 15 as the date for argument.

The plaintiffs today called Leo A.

(*Continued on page 4*)

More Radio—P. 4

Buying Pool Being Talked In St. Louis

Hope to Keep Present Clearance Plan

ST. LOUIS, Dec. 3.—Independents here are discussing a buying pool to "freeze" the present clearance situation and to handle insurance, accessory purchases and other expenses as well as film buys.

Clarence Kaimann of North St. Louis and about 50 others are said to be active in the movement. Walter Kalbfeld of the Pauline in the northwestern section of the city, Walter Thimmig of the McNair in South St. Louis and Vic Thein of the Palm on Union Boulevard are also reported to be promoting the idea.

It is reported that clearance is more of a worry than film rentals. The present clearance situation has been in effect for some time, but it is said that some of the larger companies are delaying in deciding the status of some of their houses, thereby upsetting current clearance arrangements for smaller exhibitors. These contend there should be no rearrangement of clearance at this time.

In addition to battling over clearance the combine will take care of the purchase of all theatre supplies with the hope of making savings.

Columbia to Revamp Story Departments

D. A. Doran, in charge of stories and talent in the east, will leave for Hollywood on Wednesday to reorganize the story department of Columbia. The reorganization will affect both the eastern and the studio departments.

According to the statement from the home office, "the reorganization is prompted by the studio's increasing demand for a more specific type of material which will tie in more efficiently with current production plans."

Final School Film Report Due Dec. 8

A final report on the films selected as suitable for educational purposes in schools is scheduled to be presented to the next quarterly meeting of the M.P.P.D.A., tentatively set for Dec. 8. The report will catalogue the material which has been selected by the reviewing committee in order to identify the pro-

(*Continued on page 2*)

Grainger Quits "U"; Contract Is Settled

James R. Grainger officially severed his affiliation as general sales manager of Universal last night. He declared the company's contractual commitment to him which runs until next July had been respected and met in every way. "I am leaving with the friendliest of feelings toward all concerned," he added.

Grainger has no immediate plans. He is leaving New York shortly to attend the dinner for A. H. Blank in Des Moines on Thursday and then will proceed to the coast, but not directly to Hollywood.

His successor, of course, will be W. A. Scully, currently eastern district manager for M-G-M. The latter assumes his post Jan. 3. In the interim, Frank J. A. McCarthy, eastern sales manager for Universal, is assuming the general sales managership.

Paramount "Strike" Ends at Milwaukee

The exhibitor "buyers' strike" against Paramount in the Milwaukee and adjoining area has been settled along the lines of the agreement reached by the company with exhibitors in the Philadelphia territory, Charles Reagan, Paramount western division manager, said yesterday.

The settlement negotiations were concluded by Allen Usher, district manager for Paramount, and a committee representing the I. T. P. A. of of Wisconsin and Northern Michigan.

The settlement brings the exhibitor "strike" demonstration to a virtual end throughout the country, as agreements were reached earlier in all territories with the exception of Los Angeles.

Dallas Appeal Will Be Filed Next Week

The defendants' notice of appeal from the Dallas anti-trust suit decision will be filed in U. S. District court at Dallas next Wednesday or Thursday, it was stated here yesterday following a conference of attorneys on the appeal plans which were completed here this week.

George Wright, Dallas counsel for the defendants, will leave New York tomorrow. He is making several stopovers en route so is not scheduled to arrive in Dallas until four or five days following his departure. The notice of appeal will be filed, however, immediately upon his arrival. Thereafter, the record of the case will be sent to Washington and the appeal hearing docketed with the U.

(*Continued on page 3*)

Erpi Contract Closed; Altec Is New Name

Transfer Involves 4,500 Service Accounts

The deal by which Altec Service Corp., headed by L. W. Conrow and other former Erpi officials, takes over the latter company's theatre sound equipment servicing and installation business was closed yesterday and is effective immediately.

Altec takes over from Erpi approximately 4,500 servicing contracts with theatres throughout the country under the deal. No cash consideration is involved in the transfer of the business, it was learned authoritatively. Erpi, however, will receive a percentage of the collections of the new company during the life of the contracts, full responsibility for the administration of which passes to the new company.

All of Erpi's emergency stock inventories will be under the jurisdiction of the new enterprise and will be maintained complete. Erpi is to be reimbursed for these, it was learned, on a consignment basis, payment for parts to be made by the new company as they are used. As reported earlier, however, a downtown group headed by Roswell C. Tripp and Howard P. Engels will participate in the financing of the new company. This financing involves provision for ample working capital.

"Although Altec is a separate corporate entity in which Erpi has no financial interest," Whitford Drake,

(*Continued on page 3*)

Roxy Fees Hearing Will Resume Today

A hearing on applications for fees totaling $612,000 for services in connection with the Roxy reorganization was adjourned to today by Federal Judge Francis G. Caffey after a lengthy session yesterday.

Judge Caffey yesterday dismissed the application of Carl Erickson for a broker's fee of $50,952 after Walter

(*Continued on page 3*)

French Censor Adds Strict Regulations

PARIS, Nov. 25.—A decided increase in the rigidity of French censorship regulations has been made effective by the Ministry of National Education and transmitted to the French Syndical Chamber of Film

(*Continued on page 2*)

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Duvivier Reported Quitting Metro Lot

HOLLYWOOD, Dec. 3.—Julian Duvivier, who directed "Carnet de Bal" for a French independent company, is understood to be dissatisfied with the stories selected for him by M-G-M, for whom he is under contract for six months, and is preparing to return to France in March without making a picture.

Louis B. Mayer is said to be anxious to have Duvivier make an American version of "Carnet de Bal," but the director is not in sympathy with plans outlined for the picture.

Korda Delays Trip East

HOLLYWOOD, Dec. 3.—Alexander Korda, scheduled to leave for New York tonight via plane, delayed his departure until next Wednesday. The U. A. board is slated to hold its postponed meeting Dec. 8, following which Korda will take off for New York.

Rites for Walter O'Hara

MONTREAL, Dec. 3.—Funeral services were held today for Walter O'Hara, for the past 12 years with the local 20th Century-Fox sales staff. He is survived by his wife and five children.

Purely Personal

HAROLD F. OXLEY, manager of JIMMIE LUNCEFORD and his Orchestra, has returned to New York from a two-month sojourn in Hollywood where LUNCEFORD's band was featured at Sebastian's Cotton Club. OXLEY also manages EDGAR HAYES and His Orchestra.

•

GERALD MARKS, writer of "Is It True What They Say About Dixie," has fully recovered from his illness and is back at his quarters in IRVING CAESAR's office. He proved his fitness to the boys with a rendition of his "Concerto."

•

SAM E. MORRIS, vice-president in charge of foreign distribution for Warners, left for the coast yesterday on the Century to confer with H. M. WARNER, JACK L. WARNER, HAL B. WALLIS and IRVING ASHER on foreign production and sales policies.

•

NORMAN H. MORAY, short subject sales manager for Warners, will leave Monday for Washington where he will spend three days. The following week he will visit Chicago and in March he will start on a tour of all exchanges.

•

JACK CONWAY and MAUREEN O'SULLIVAN will arrive from England Monday on the *Normandie*, en route to the M-G-M studios on the coast.

•

CLINTON M. WHITE, assistant general manager of G. B., is due in Chicago today from Milwaukee on a tour of middle west exchanges.

•

MARY MORRIS, PHILLIP TERRY, JOHN BEAL, WALTER FERRIS and KUBEC GLASMON have been re-signed by M-G-M.

•

JOHN STONE, producer of the Charlie Chan series for 20th Century-Fox, arrived yesterday on the *American Legion*.

•

ALFRED WRIGHT, 20th Century-Fox attorney, will leave tonight for the coast by plane.

•

CLAIRE DODD will arrive in town Monday and will stay at the Sherry-Netherland.

•

NED E. DEPINET will fly to Hollywood tonight via American Airlines.

•

BILL JAFFE left for Miami Beach yesterday morning.

•

E. H. GRIFFITH is at the Warwick.

•

NEIL F. AGNEW returned from the coast yesterday.

•

. . . Washington

CLAUD W. LAND, manager of Warners' Central, is the father of SANDRA LORAINE LAND, the first.

CHARLES STERN, United Artists division manager, was a visitor.

CHARLES SCHWERIN is the new branch manager for Artcinema.

JACK HOWE, former booking representative for BURGESS NELSON, has been named manager of the Nelson in Mount Jackson, Va.

Birthday Present

Hollywood, Dec. 3.—Walt Disney, Mickey Mouse's father, will give himself an elaborate birthday present on Sunday, which will be his 36th birthday. The present will be the completed film, "Snow White and the Seven Dwarfs," the first feature length cartoon in the history of the business, said to be $1,200,000 worth of animation, and three years in the making.

20th-Fox Men Going To Ira Cohn Dinner

William Sussman, William J. Kupper, William C. Gehring, William J. Clark, Jack Skirball and Harvey Day will leave tomorrow for Pittsburgh to attend the banquet to be tendered by exhibitors for Ira H. Cohn, branch manager for 20th Century-Fox in that territory.

Other 20th Century-Fox sales executives who will attend the dinner Monday night at the William Penn include Edgar Moss, George A. Roberts, Sam Gross, Sam Wheeler, Sidney Samson, I. J. Schmertz and J. J. Grady.

Sidney R. Kent Returns

Sidney R. Kent, president of 20th Century-Fox, returned from the coast yesterday.

Roach-Mussolini Plans to Be Aired

LOS ANGELES, Dec. 3.—Details of Hal Roach's agreement with Vittorio Mussolini to produce pictures in Italy will be aired in Los Angeles Superior Court, it has been ruled by Superior Judge W. Turney Fox, who overruled a demurrer of Roach in the $30,000 damage suit filed against the producer by Dr. Renato Senise. Dr. Senise alleged that Roach and he entered into a contract whereby Dr. Senise would act as his agent in Italy to form a company to produce films.

Roach had charged that the suit contained no cause of action, but Judge Fox ruled otherwise. No date has been set for trial.

Time-Guild Contract Talks Are Set Back

The meeting between March of Time and the Screen Actors' Guild officials which had been scheduled for today to seek an agreement on the reel's claim of being exempt from the provisions of the guild's contract has been postponed to Monday.

Aubrey Blair, secretary-treasurer of the guild's junior division, arrived from Hollywood yesterday and, with Mrs. Florence Marston, eastern representative of the guild, will endeavor to settle the organization's dispute with March of Time over the latter's claim to a newsreel status.

Horne Leaves for Coast

Hal Horne, whose contract with Walter Wanger expires Dec. 7, left for the coast yesterday to confer on a new connection. He had been in New York several months. Harry Kosiner, Horne's assistant, will assume charge of Wanger's eastern activities.

French Censor Adds Strict Regulations

(*Continued from page* 1)

Producers through the director of the censor board, Edmond See.

Approval will be denied without question to films: having a tendency to ridicule the army or damaging to its prestige; liable to shock the national sentiments of foreigners, thus possibly leading to diplomatic incidents; showing armed attacks and any similar criminal action which might have a harmful influence on youth.

In exceptional cases approval will be granted to war films, which have been on the increase recently, and all films based on military or police activities. It will be necessary for producers to submit scripts before production on all films planned which have reference to national institutions, defense and like subject matter.

American interests fear a considerable increase in the number of imported films which will be banned, while French producers are particularly disturbed by the new regulations, in the sense that they may have the effect of requiring pre-production censorship.

Graetz Says French To Make 150 Films

Film producers in France will make about 150 pictures next year, compared to 125 scheduled for this season, Paul Graetz, president of Paris Export Film, stated yesterday. There are about 30 independent companies working in France, he said, and the tendency is to make quality rather than quantity pictures.

Graetz has just returned from the coast where he spent five weeks studying production. He will sail next Wednesday on the *Normandie* after 10 weeks in this country.

French Technicians Sign

PARIS, Nov. 25.—The French Syndicate of the Cinema Production Technicians, formerly known as the General Syndicate of Film Artisans, has signed the collective contract with producers. The agreement between the producers and the players' union also has been signed.

Ampa's Loew-M-G-M Luncheon Postponed

Loew-M-G-M day, scheduled for next Thursday by Ampa, has been postponed until after the first of the year, it was announced yesterday. Howard Dietz, who was scheduled to be master of ceremonies, and several of the guests slated to appear on the program, will be absent from the city.

A new program is being lined up for Dec. 9 with guests and talent to be announced later.

Final School Film Report Due Dec. 8

(*Continued from page* 1)

ducer-owners of the selected pictures.

Will H. Hays is scheduled to arrive in New York from the coast tomorrow but present indications are that the quarterly board meeting may be adjourned to Dec. 15 due to the absence from the city of numerous board members.

Erpi Contract Closed; Altec Is New Name

(*Continued from page* 1)

Erpi president stated, "complete technical cooperation and engineering information will be extended by Erpi on a consulting basis."

Altec will make its headquarters in the Fisk Bldg., where the Erpi home offices have been located for many years. The deal completes Erpi's divestment of its theatre sound equipment activities, leaving the company solely as a licensing agency for Western Electric, and terminating at the same time A. T. & T.'s direct association with the theatre field.

In commenting upon Erpi's reason for divesting itself of sound equipment maintenance activities, Drake said, "The service function is vitally important to the motion picture industry and as Erpi is reducing its activity in the sale of sound reproducing equipment in this country, proper expansion of the servicing activity would be difficult, hence, it is believed the best interests of both the industry and our employees, is served by the creation of this new enterprise."

Roxy Fees Hearing Will Resume Today

(*Continued from page* 1)

Reade, independent circuit operator, testified that he had nothing to do with interesting 20th Century-Fox in the Roxy reorganization, as claimed by Erickson. The latter based his application for a fee on the contention that he had been instrumental in bringing Reade and 20th Century-Fox officials together on a reorganization plan.

The remainder of yesterday's session was given over to the claims of independent bondholders' committees for compensation for their services. The claims are being opposed by White & Case, attorneys for the principal bondholders' committee, on the ground that other committees contributed nothing to the reorganization and, consequently, are not qualified for allowances.

Dallas Appeal to Be Presented Next Week

(*Continued from page* 1)

S. Supreme Court. It is expected to be reached for hearing in that court by next March or April.

The defendants have made no plans for applying for a stay of the Dallas court's decree in the interim.

G. N. Revives "Wagons"

HOLLYWOOD, Dec. 3.—Grand National has revived plans for "Snow Covered Wagons," announced for the 1937-38 season as a color feature, but which probably will be made in black and white because of the failure of the Keller-Dorian color deal. Charles Logue has been assigned by producer Bud Barsky to write a new treatment and screenplay for it.

The story deals with the Donner expedition from Missouri to California, from the novel by Julia Cooley Altrocci.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wells Fargo"

(*Paramount*)

HOLLYWOOD, Dec. 3.—For years producers have been striving to build a picture that would embrace the epic qualities that made "The Covered Wagon" and "The Iron Horse" great. Frank Lloyd did it with "Cavalcade" and many think with "Mutiny on the Bounty." With the aid of advanced screen knowledge and technology he has attained that standard in "Wells Fargo," a typical American picture.

Bigger than anyone in it; bigger in its appeal to human emotions because of its story quality and the impressiveness of its vast production scope than words can express, "Wells Fargo" is the romance of stirring adventure, heroism and ambition. Through its characters it details the romantic visioning and development of sea-to-sea communication and transportation, empire building and the saving of a nation. It is also the romance of a great love story and the affection and loyalty that blossomed in turmoil and danger, founded on the rocks of internecine strife and a love that was triumphant when the country was again united.

Fashioned episodically, but held together by a strong continuity, the picture, blending fact with fiction, tells the story of Wells Fargo from the day it started out from Batavia, N. Y., through the years when it was the only solid banking house in San Francisco in the days of the gold rush madness to the time when, hearkening to the appeal of Abraham Lincoln, it transported bullion in the dark days of the Civil War to save the United States as an undivided country. It is potent in its power to stir patriotic sensibilities. This story, which has no villain, has for its companion quality the story of a man's love for a woman and a woman's love for a man, the human interest character of which is always close to the heart. It is devoid of any forced or artificial theatrics.

The simple and gripping story is expertly played by Joel McCrea, Bob Burns, Frances Dee, Henry O'Neill, Mary Nash, Ralph Morgan, Lloyd Nolan, John Mack Brown and Porter Hall, as well as by a long list of supporting characters. Under the guidance of Frank Lloyd it makes no stars, permits no one to monopolize the limelight, yet delivers just what people expect when they pay their money to see a quality show.

The story on which it is based was written by Stewart Lake. It not only evidences that patient research must have been made in quest of authenticity and detail but also a thorough knowledge of what American audiences expect to find in a semi-historic romance drama. In adapting it to screenplay form Paul Schofield, Gerald Geraghty and Frederick Jackson not only were careful to preserve the spirit and appeal of the original but to endow the theme with a movement and scope that made Lloyd's job of directing as well as the work of the players in interpreting it comparatively easy. While the work of the players carries the story, the quality of the musical score arranged by Victor Young and directed by Boris Morros, and the dramatic caliber of the photography directed by Theodor Sparkuhl and special effects supervised by Gordon Jannings materially enhance the various contrasting moods.

It is the kind of attraction that any exhibitor can be proud to offer his patrons. It may also be anticipated that if "Wells Fargo" is given the benefit of any kind of exploitation support, it will give any competition a strong run for popularity and money-getting honors.

Running time, 113 minutes. "G."

R C A Promotes Four

Frank R. Deakins, former RCA Photophone sales manager, has been elected a vice-president of RCA Mfg. Co., George K. Throckmorton, president, reported yesterday. Henry C. Bonfig and Vance C. Woodcox, formerly sales executives with the manufacturing company, also have been elected vice-presidents. Robert Shannon, a vice-president, has been made general manager, in addition.

Plan High Point Union

SALISBURY, N. C., Dec. 3.—Organization of an I.A.T.S.E. local at High Point is under discussion as a result of a recent four-state conference here. Up to the present High Point has been under the jurisdiction of Greensboro. Another meeting of the union is to be held at Greensboro, Jan. 23.

Dreher to Head Award

HOLLYWOOD, Dec. 3.—Carl Dreher has been named chairman of the board of judges for the scientific or technical award by Major Nathan Levinson, chairman of the Technicians' Branch of the Academy.

It will be Dreher's sixth term in this post. He will be assisted by John Arnold, Farciot Edouart, Lloyd Goldsmith, Grover Laube, J. M. Nickolaus, Gordon Sawyer, John Swain and S. J. Twining.

Win Richmond Suit

RICHMOND, Dec. 3.—Wilmer & Vincent have won a suit in Federal Court against the Venetian Amusement Corp., operator of the Carillon, for enforcement of a seven-year operating contract. The contract calls for payments of $50 a week for advisory and supervision services.

Variety Club

Detroit

DETROIT, Dec. 3.—Members of the local Variety Club were guests of the Chrysler Corp. at a luncheon in the company's Highland Park plant, after which they toured the plant as guests of JOHN J. CATON, director of the Chrysler Institute of Engineering, who was a recent speaker at the club's noon luncheon in the Book.

Next Monday's luncheon will not be held, but the annual election of officers will take place in the club rooms that evening at 8 P. M.

A party to mark the formal opening of the club's new quarters in the Book-Cadillac will be held on Saturday evening, Dec. 11.

More than 500 Barkers and their friends attended the annual feather party of the club in the grand ballroom of the Book, which netted a tidy sum for the welfare fund of the club.

Trucks to Use Posters

HOLLYWOOD, Dec. 3.—Paramount has completed a tieup with the Railway Express to use display posters exploiting "Wells Fargo" on its 11,000 trucks throughout the United States.

In addition, blowups of illustrated telegrams will be displayed in all Western Union offices.

Fannie Hurst Signed

HOLLYWOOD, Dec. 3.—Samuel Goldwyn has signed Fannie Hurst to write the story and screenplay for the next Goldwyn musical to be produced in 1938. She will go to the coast as soon as she has completed preliminary work in New York. Jascha Heifetz will be one of the stars.

Acquire Pinski Story

Collective Film Producers, Inc., has acquired David Pinski's "Jacob, the Blacksmith" for early production. Pinski is preparing the screen treatment.

"Uriel Acosta" will be the third picture for the company.

Wall Street

Board Issues Gain

	Open	High	Low	Close	Net Change
Col.	16	16	16	16	+ ¼
E. K.	158	162	158	160	+9
E. K., pfd.	158	158	158	158	.....
G. T. E.	14¼	14¾	14¼	14⅝	+ ⅞
Loew	51¾	54	51¼	52⅞	+2
Loew, pfd.	105	105	105	105	+4
Para.	12⅝	13	12½	12⅝	+ ¼
Para. 1.	98½	98½	98½	98½	+3½
Para. 2.	11½	11⅞	11½	11¾	+ ⅜
Pathe	6¼	6⅜	6¼	6⅜	+ ¼
RKO	5⅛	5⅛	5	5⅛	+ ¼
20th Fox	21⅝	22	21½	21⅝	+ ½
Univ., pfd.	37	37	37	37	+1
W. B.	8	8¼	7⅞	7⅞	— ⅛

Advances General on Curb

	Open	High	Low	Close	Net Change
G. N.	1	1	1	1	.....
Sentry	5/16	5/16	5/16	5/16	.....
Sonotone	1¾	1¾	1¾	1¾	+ ⅛
Tech.	19⅞	20	19½	19½	+ ⅜
Trans-Lux	3⅛	3⅛	3⅛	3⅛	+ ⅛
Univ. Corp.	2¾	2¾	2½	2½	+ ¼
Univ. Pict.	4¼	4½	4¼	4½	+ ¾

Loew Bonds Up Fractionally

	High	Low	Close	Net Change
Loew 3½s '46	98	97⅝	97⅝	+ ⅛
Para. B'way 3s '55	63	63	63	.....
W. B. 6s '39	78	78	78	— ¼

(Quotations at close of Dec. 3)

Mutual Billings in Gain for November

Mutual network billings for November, 1937, registered an increase of 1.2 per cent over the billings for the same month last year. The total for the month was $230,274, compared to the November, 1936, total of $227,543.

The cumulative billings for 1937 totaled $1,648,781, as against the cumulative billings for the same 11-month period last year of $1,691,466, a decline of 2.5 per cent. However, excluding the political billings for the cumulative period last year, the total actually shows a 3.5 per cent gain for the period over the 1936 total for the same period.

Standard Oil Renews U.P. News Readings

The Standard Oil Co. has renewed the Esso "Marketers" United Press news readings, over WJZ, New York; KDKA, Pittsburgh; WRC, Washington; WGY, Schenectady; WBZ-WBZA, Boston. The renewals are for the full year of 1938.

The news periods are presented four times daily, six times a week for five-minute periods. Marschalk & Pratt is the agency.

Patent Trial Ends In Fessenden Case

(*Continued from page* 1)

Kelly, Jackson Heights, L. I., consulting engineer, in rebuttal. Under cross examination, he pointed out specifically just what method was claimed in the Fessenden patents in which short radio waves are used instead of long waves in long distance communication. The defense rested today, calling John V. L. Hogan, New York consulting engineer, as its last witness.

To Broadcast Coulee Bids

SPOKANE, Dec. 3.—Mutual plans to broadcast an hour program from here when bids for completion of the Grand Coulee dam are opened, Dec. 10. Mutual's nearest station outlet is at Seattle. KGA, an NBC station, will carry the program here. Frank A. Banks, Bureau of Reclamation engineer stationed at Coulee dam, will read bids. John C. Page, commissioner, will speak.

Problem Program to Start

A new problem program with audience participation will begin over WHN, Dec. 6, from 8:30 to 9 P.M. The title is "It Is the Law." Dramatizations will be based on authentic civil cases. Before revealing the true decision rendered in the case, the studio audience will be afforded the opportunity to offer their solution.

Norman Dewes Joins KFWB

SAN DIEGO, Dec. 3.—Norman Dewes, former sound technician at Universal Studios, and technical engineer with KFWB, Hollywood, has joined KFSD, NBC-Blue affiliate here, in the latter capacity.

John Royal Goes to Coast

John Royal, NBC vice-president in charge of programs, took off for Hollywood today, to be gone 10 days on network business.

Radio Personals

GRETCHEN DAVIDSON and Carleton Young, both of the "Carol Kennedy's Romance" cast on CBS, have been tested by 20th Century-Fox . . . Jerry Danzig and Dave Driscoll of Mutual's special events department, will appear on Sheila Barrett's program over NBC Sunday when Sheila burlesques their program, "Let's Visit." . . . Warden Lewis E. Lawes will guest appear on Dave Elman's "Hobby Lobby" Dec. 8. . . . Milton Rettenberg, accompanist and musical director for the "Singing Lady," has been appointed a receiver in supplementary proceedings by the Supreme Court . . . Dan Walker, *Daily News* columnist, will appear on Jack Eigen's "Newsreel" program over WMCA Sunday . . . Emil Coleman's son, Harry, who recently graduated from Bucknell, is now writing the musical arrangements for his dad's orchestra. . . .

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Chicago Town Pump

CHICAGO, Dec. 3.—Les Tremayne, suffering from a bullet wound in his left hand, was able to appear on the "First Nighter" show, despite the injury. A target pistol accidentally discharged caused the wound. . . . Fritz Blocki's production, "Skelly Court of Missing Heirs," starts at a new time this week, Sunday evening at 9:30 P. M., C.S.T. The program is fast becoming one of the most popular in the middlewest judging from the letters received. . . . WIND presents two new shows this week, "Mind Your Manners" and "Crime Never Pays."

Bayuk Cigars and Parker Bros. are using one-minute announcements on WENR. . . . Charles L. Garland and Edwin Shomo have joined Radio Sales, Inc. . . . Francis X. Bushman is back in Chicago to do drama roles for WGN. . . . Freddy Martin and band start an engagement at the Ritz-Carlton Dec. 7. . . . Joseph MacDonald, formerly with the legal department of NBC is now representing them in the same capacity here. . . . Merrit R. Schoenfeld of NBC Chicago sales is back from a vacation trip, as is C. L. Menser of the production department.

✚

Hollywood Town Pump

HOLLYWOOD, Dec. 3. — Harrison Holliway of KFI-KECA has appointed Jimmy McKibben to the production staff of the twin stations, replacing Bob Heistand in the transcription department, when the latter becomes assistant production manager. . . . Jeanette MacDonald has been made the official sponsor of the Greensboro High School grid team. Greensboro, N. C., is the home of Vicks, which sponsors her radio program . . . R. L. Watkins Co., of New York, through Blackett-Sample-Hummert, is sponsoring "Wife Vs. Secretary," on KFI for a year. It will be a 15-minute electrical transcription Mondays through Fridays . . . Horlick's have renewed "Lum and Abner" on KFI until Aug. 26, next year. The program is heard Mondays, Wednesdays and Fridays.

Name Radio Contact

Hollywood, Dec. 3.—Major studios each have appointed one man in publicity departments to handle all radio commentator contacts, under a plan approved recently by studio publicity department heads. This was done in connection with the issuance of "Hays office" credentials identifying the air columnists and assistants.

A meeting of the eight has been held with Tom Pettey, press contact man for the Producers' Ass'n.

"Final" to Change Sponsor on Sunday

"Five Star Final," featured on WMCA and the Inter-City network, will resume broadcasting under a new sponsorship Sunday, with Community Opticians handling the series. The contract is for 13 weeks and is placed by the Commonwealth Advertising Agency of Boston. The program is broadcast Mondays through Fridays from 7:15 to 7:30 P. M., under the direction of Phil Barrison.

WMCA's three-hour daily afternoon sports and variety program, "Six Star Revue," also has been purchased by Community Opticians on a participation basis with General Mills, who have been underwriting the series. With the new sponsorship added to General Mills, there are four other periods on the show available for participation, it is revealed.

Takes Time on KYW

PHILADELPHIA, Dec. 3. — The Richard A. Foley advertising agency, with Larry I. Everling handling the account, has bought time on KYW, here, for a series of 15-minute discussions on psychology and sociology by John G. Nason. The agency bought the time for the Freihofer Baking Co., which will use it in the interests of Freihofer Bread.

Four Promotions Are Set at Station WLW

CINCINNATI, Dec. 3.—Four promotions at WLW, all effective immediately, have been made by James D. Shouse, vice-president of the Crosley Corp. and general manager of WLW.

E. C. Krautters becomes assistant sales manager and Eldon A. Park, assistant program manager. Lee House moves up from production to the head of continuity, the post vacated by Krautters. Bob Franken will handle traffic, previously Park's assignment.

Bob Dunville, assistant manager of KMOX, St. Louis, has joined WLW in an executive capacity. Frank M. Smith, who resigned as manager of WLW a few weeks ago, but preferred to remain on the job until appointment of his successor, has left his post to become advertising manager of the Gruen Watch Co. here. Robert Jennings has taken over Smith's duties pending appointment of a permanent successor.

Mutual Sets Charade Series

"Guess Who," a new series of dramatic charades, goes on the air from 9 to 9:15 P.M., Dec. 12, over Mutual. The programs will consist of weekly dramatizations based on lives of famous people, whose identities will be concealed.

Don Lee Plans New Television Program

LOS ANGELES, Dec. 3.—Practical television broadcasts directly from a radio studio will be started shortly after Jan. 1 by KHJ, Don Lee station here. The television broadcasts, according to Louis Allen Weiss, Don Lee general manager, are a result of the years of experimentation by Harry B. Lubcke, Don Lee engineer.

Lubcke has been sending television shows from his home since 1932 and has devised methods of transmission of live talent programs directly from radio theatres over a 20-mile radius, he said. However, no technical details of the Lubcke method are available at the moment. About eight months ago he invited radio amateurs to write to him for information on how to build their own television sets, and now there are about 100 sets in the 20-mile radius which Lubcke's present equipment covers.

Rights Reserved

At that time Lubcke issued warnings that no rights to the equipment to go into the home manufactured sets would be given the amateur set builders. It is understood that the Lubcke devices are mostly of his own invention and bear patents or have patents applied for. The cathode tubes employed in his sets, however, are RCA's.

The station to be utilized for the television is X6XOA, Don Lee experimental high frequency transmitter. The first program to go out by television may be George Jessel's "30 Minutes in Hollywood." The Lubcke television shows heretofore have been from films.

Lee has filed application with the F. C. C. for an increase in power of his television transmitter from 150 to 1,000 watts.

To Drop 2 NBC Programs

Two current sponsored programs on NBC will not be renewed beyond their present contract dates. The programs are "Kaltenmeyer's Kindergarten," sponsored by the Quaker Oats Co. Saturdays on the Red network, through Lord & Thomas, and the Sheila Barrett program, "The Time of Your Life" for the Gruen Watch Co., offered Sundays on the Red through McCann-Erickson. The former goes off the air Dec. 25, the latter Dec. 26.

KTSM to Join NBC in January

KTSM, El Paso, will join the NBC network some time in January instead of in April, 1938, as was originally calculated by NBC. The lines to the station are being completed much more rapidly than was at first thought possible, thus hastening the affiliation date.

Al Mitchell Is Renewed

Al Mitchell, "The Answer Man" on WOR, has been renewed for a full year on that station. The program is broadcast three times weekly, Tuesdays, Thursdays and Saturdays. McCann-Erickson is the agency.

Sally Eilers on "Hotel"

Sally Eilers, Joseph Schildkraut, Neil Hamilton and Marcia Mae Jones will offer preview scenes from their picture, "The Lady Misbehaves," on "Hollywood Hotel" Dec. 10 over CBS.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 133 NEW YORK, MONDAY, DECEMBER 6, 1937 TEN CENTS

E. K. O'Shea May Succeed W. A. Scully

Will Work with Him at Metro Until Jan. 1.

E. K. O'Shea, former Buffalo branch manager, is reported as likely successor to William A. Scully, eastern M-G-M district manager, who on Jan. 1 will join Universal as general sales manager. O'Shea is due to arrive from Detroit today to work with Scully until he is officially appointed to the district manager's post.

Ralph Maw, who has been assistant to O'Shea in Buffalo, is now the manager. O'Shea in the past few months has been acting as temporary district manager in the midwest while Jack Flynn, district manager with headquarters in Detroit, has been pinch hitting for Sam Shirley, Chicago M-G-M manager. Shirley has been ill for some time and is now back on the job. Flynn, likewise, has returned to Detroit, relieving O'Shea, who is now scheduled to make his headquarters at the New York exchange.

With the return of Abe Montague, Columbia sales manager, from the coast today, a decision will be reached by Lou Weinberg on joining Universal as assistant to Scully.

Jeff Lazarus Is Now Paramount Producer

HOLLYWOOD, Dec. 5.—Jeff Lazarus, Paramount story editor, has been added to the company's producer roster by Adolph Zukor. Lazarus will work in association with William LeBaron who continues as managing director of all production. Lazarus will continue to serve on the Paramount story board.

Coincidentally, Bogart Rogers and A. M. Botsford were named as personal assistants to LeBaron.

It is expected that a further realignment of studio personnel will be made on Monday during the visit here of home office executives. The effect probably will be to substantially reduce operating overhead.

Guild and Time to Seek a Compromise

A compromise agreement for the settlement of the Screen Actors' Guild dispute with the March of Time over the latter's claim to a newsreel status which would exempt it from becoming a signatory to a guild contract will be offered officials of the reel at a meet-

(*Continued on page 3*)

Carolina Exhibitors' Unit Begins Jubilee Meet Today

PINEHURST, N. C., Dec. 5.—The silver anniversary convention of the Theatre Owners of North and South Carolina will begin here tomorrow morning at the Carolina Hotel, preceded by the directors' meeting and a preview of "Nothing Sacred," at the Carolina Theatre, which will be held tonight.

A series of addresses relative to exhibitor problems will feature the two-day meeting, with the annual banquet and ball to be held Tuesday night in the Crystal Room of the hotel. The addresses will be delivered tomorrow morning after the meeting is called to order by Charles W. Picquet, president of the organization. A golf tournament will be held at the Pine Needles course, with Jack Kirby in charge, tomorrow afternoon, when a tea for the women present at the convention will be served. Tuesday morning, the closing session will be devoted to a general business meeting, the report of the resolutions committee, unfinished business and the election of officers.

The speakers and their subjects will be as follows: "The Need for a Strong Theatre Owners' Organization," by Martin Quigley, president of the Quigley Publishing Co.; "The Program for Fair Trade Practices," by Ed Kuykendall, president of the

(*Continued on page 6*)

Metro Product Talk To Start This Week

HOLLYWOOD, Dec. 5.—With the arrival of C. C. Moskowitz from New York Saturday and the scheduled arrival of Al Lichtman on Tuesday from London, after a two-month visit, important production conferences are expected to get under way at the M-G-M studios with Nicholas M. Schenck, president, Louis B. Mayer and Edward J. Mannix.

Mannix returned from Boston last Thursday after attending the funeral

(*Continued on page 6*)

Report Canada Fees Not to Be Increased

TORONTO, Dec. 5. — Contrary to previous advices, official intimation has come from the Canadian Performing Rights Society that the society's fees for theatres of the Dominion during 1938 will probably be unchanged. Some adjustments are expected with respect to fees for other music users including broadcasting stations, it is said.

The schedule of fees for theatres

(*Continued on page 6*)

Record Crowd Due At Allied Meeting

COLUMBUS, Dec. 5.—A record attendance is predicted for the three-day regional conference of Allied States exhibitor units opening at the Neil House here tomorrow, under the auspices of the I.T.O. of Ohio, due to the national and local significance attached to many of the subjects included in the meeting's order of business.

Among the principal topics listed for discussion or action are the introduction of legislation to ban or restrict Ascap's operations in Ohio, the Paramount sales policy, and the proposed earmarking by the state of admission tax receipts for poor relief. The latter is scheduled to be acted on by a special session of the state legislature now under way here. Ohio exhibitors will oppose it on the ground that it will make possible the progressive increase of the admission tax rate to correspond with any increase in relief fund requirements in the future.

Speakers who are scheduled to address the conference include Abram

(*Continued on page 6*)

Will Outline Altec Organization Today

Executive appointments for the home office and field staff of the newly organized Altec Service Corp., which were tentatively set recently are scheduled to be confirmed at a press luncheon to be given by the new organization at the Astor today.

L. W. Conrow is president of the new servicing company, which includes the bulk of the former executive staff of the Erpi operating department. George L. Carrington is

(*Continued on page 6*)

Testimonial to Cohn To Be Held Tonight

PITTSBURGH, Dec. 5.—The local film industry tomorrow will honor Ira H. Cohn, 20th Century-Fox branch manager, at a banquet at the William Penn. The affair is a sell-out with many distribution executives coming on from New York to attend.

Cohn has been with 20th Century-Fox for 20 years and this week his office chalked up a record in the short subject sales contest as part of the

(*Continued on page 6*)

Begin Talks To Name New Board of RKO

Atlas-Lehman, RCA Will Have Majority Vote

RKO reorganization factors have begun discussions looking to the selection of a new board of directors for the reorganized company, authoritative sources disclosed on Saturday. The board will consist of nine members who will be designated to serve for an initial term of two years.

Although there is no official indication at this time of the manner in which representation on the new board will be apportioned, current reports indicate that the bulk of the representation will go to Atlas Corp., Lehman Bros. and RCA, which together control about 85 per cent of the RKO debentures outstanding and approximately 50 per cent of the outstanding common stock. A minimum of five of the nine board members is viewed as a possible representation for these interests.

Rockefeller Center, to which the RKO reorganization plan proposes to grant 460,000 shares of new RKO common in settlement of its $9,150,000 claim, is certain to receive a representative on the board. On this basis, unsecured creditors other than Rockefeller Center, and minority security holders would receive a maximum representation on the board of three members.

RKO management executives would be designated by the Atlas-Lehman interests and are expected to include Leo Spitz, president, and Ned E.

(*Continued on page 6*)

Roxy Fee Requests Have Final Hearing

Final hearing on the applications of various parties for $612,000 in fees for the reorganization of the Roxy Theatre took place Saturday before Federal Judge Francis G. Caffey. Consideration was given to the application of White & Case, attorneys for the Pound bondholders' protective committee which proposed the reorganization plan which was finally accepted. They asked for $66,565.

Harold P. Seligson, attorney for the Tipton bondholders' protective committee, one of the minority committees, objected to the allowance on the ground that it was too high and

(*Continued on page 6*)

Radio—Page 7

MOTION PICTURE
DAILY
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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Legion Approves 10 Of 11 New Pictures

The National Legion of Decency, in its list of 11 new pictures for the current week, has approved seven for general patronage, three for adults, and has classed one as objectionable in part. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Aus Liebe zum Vaterland" (German), "Beg, Borrow or Steal," "45 Fathers," "Frontier Town," "Jalisco Nunca Pierde" (Spanish), "Mr. Boggs Steps Out," "The Singing Outlaw." Class A-2, Unobjectionable for Adults—"Big Town Girl," "Meet Miss Mozart," "Nothing Sacred." Class B, Objectionable in Part—"El Baul Macabro" (Spanish).

Bingo Case Collapses

MILWAUKEE, Dec. 5.—An attempt to prosecute Lawrence Burnett, manager of the Plaza, for running a Bingo game fell down when an assistant city attorney said no city ordinance covered the subject.

Police Chief Joseph T. Kluchesky says he will seek state warrants when Bingo takes on the aspect of public gambling.

Insiders' Outlook

By RED KANN

THIS is a success story in a capsule. It is the yarn, in a flash, of Monogram, which, one of these years, might well prove a modern illustration, anew, of the old one about big oaks and little acorns. A year ago, the company was not even active. Today, it has thirty exchanges across the country, its own selling crew, about 4,000 signed contracts, comfortably close to $2,000,000 in signed business and twenty negatives either playing theatres or reposing in cans waiting to pop out and meet release dates. . . .

▼

It may strike you like another slice of the same, old baloney to tell you that this handsome accomplishment traces directly to W. Ray Johnston; that, as big a hulk of a man as he is, this slight bouquet, no doubt, will make him shrink a little under whatever impact it may have. The facts, nevertheless, cannot be contravened and they show clearly how successfully an operation, within the limits of its field, Monogram is. One of the Johnston assets is his knowledge of his niche in his own particular market. He does not aim to be a major producer. He knows the exhibitor must pay high for major product and he also knows Monogram must sell cheaply to average down the cost of the theatre operator's total film buy. He has cut, and is cutting, his own cloth accordingly.

▼

One of his proclivities finds him spending a goodly number of hours each week, pencil in hand and yellow sheets of paper before him, fixing budgets months in advance. For instance, and as a marker of how well he snuggles to the line, there was his profit and loss statement for August. Doped out months ago, it reached within two per cent of his estimates. He also forecast—and accurately—a quarter of a year in futures what his income would be as it applied to the August conclusions. At the beginning of the season, Johnston told his franchise holders: "Monogram will give you entertainment. We can't compete in the name market. We will try to give you marquee titles and good stories that will please the patrons who buy tickets and, always, shows that you will not be ashamed to sell or exhibitors to play in their theatres." Four thousand exhibitors in this country very obviously agree. . . .

▼ ▼

Sam Goldwyn has signed Jascha Heifetz. Paramount either has signed, or is flirting with, Jose Iturbi. It is known, of course, Yehudi Menuhin has rejected a contract from the same company. "100 Men and a Girl," while it may not have set out with such a purpose, not only is entertaining the public, but has struck out valiantly in the cause of classical music, winding in and out of the accepted Hollywood production formula. It is not rash to assume, therefore, that something new, and potentially very worthwhile, is stirring in and around the Hollywood hills.

▼

However, and in this one instance anyway, London has beaten Hollywood to the punch. Lothar Mendes is around the town with a picture, self-directed, called "Moonlight Sonata," which is the name of a stirring and beautiful something, if you remember, written by a musical giant named Beethoven. In it and playing the theme song, which is a sacrilegious way of putting it, is Ignace Jan Paderewski, close to his eighties now and, of course, internationally renowned as a pianist. Paderewski also appears throughout the film as its central and motivating dramatic element in a pleasantry of love which almost goes astray until his lovely rendition of the sonata brings the misunderstood and misunderstanding lovers together. . . .

▼

"Moonlight Sonata" is keyed to the quiet mood. It has no hysterics and it has no great climaxes. It is in the spirit of good music and it is performed in the subdued mood by Marie Tempest, who definitely is an actress; Queenie Leonard, for comedy; Eric Portman, for slight villainy; and Charles Farrell and Barbara Greene, for romance. Paderewski plays Rachmaninoff and Liszt, too, and is surprisingly at home as an actor. He cuts a venerable and patriarchal figure, charming and dignified. No one, naturally, can foretell how a picture of this calibre will go in America. It suggests, however, a world of ballyhoo, keyed to the proper restraining note. Available figures from radio sources on the increasing millions who listen weekly to the representative music broadcasts, such as the Philadelphia Orchestra, the Philharmonic of New York, the Ford and the General Motors hours suggest strong possibilities. Listening and looking are two different things, but there must be a hearty portion of that audience that might entertain the opportunity of seeing and hearing Paderewski in what no doubt, will be his only film effort.

Purely Personal

Y. FRANK FREEMAN, Paramount theatre head, leaves for Chicago today and will go to Des Moines from there for the A. H. BLANK 25th anniversary dinner on Thursday. NEIL F. AGNEW will start for the same affair later and, if possible, will stop off at Columbus to attend the Allied regional conference there. BARNEY BALABAN, Paramount president, and STANTON GRIFFIS, chairman of the executive committee, are scheduled to arrive in Des Moines for the affair on their way east from Hollywood.

•

NED E. DEPINET delayed his departure for the coast by plane until yesterday. He will arrive in Hollywood this morning for conferences with LEO SPITZ, president of RKO.

•

HAROLD S. DUNN, Far Eastern manager for Warners, has gone to Miami for a vacation and will return to New York in a few weeks and then leave for his headquarters at Shanghai.

•

THOMAS ORCHARD, associate March of Time producer, is in Washington.

•

LOUIS DE ROCHEMONT, March of Time producer, has returned from a brief trip to Boston.

•

CHARLES R. ROGERS and WILLIAM PIERCE, executive secretary, left for the coast on Saturday after two weeks here.

•

SUSANNE KAAREN, G. N. player, is in town for the approaching holidays.

•

COLETTE LYONS, Warner player, will arrive today on the *Normandie*.

•

. . . *New Haven*

GEORGE COMDEN, the father of a baby boy, and SAM ROSEN, a baby girl.

IRVING BONOFF is ill and confined to his home.

RUTH FISHMAN, daughter of ABE, of the Fishman Circuit, will be married to LAWRENCE CAPLAN, executive secretary of Allied Theatres of Connecticut, on Dec. 26.

MARY LAMPERT, daughter of NATHAN LAMPERT, owner of the Moosup, played the violin when lights failed, and was enthusiastically received by the audience.

•

. . . *Pittsburgh*

NELLIE REINSTEIN of the Warner exchange, is recovering from an appendicitis operation.

BOB CLAYMAN and his wife, RUBY RUBINOFF, have returned from their honeymoon in New York.

DAVE BROUDY is recovering from a serious illness and will be back on the job soon.

OSCAR LEVANT was in town visiting his family for the first time in more than a year.

PAUL KLEINERMAN is now managing the Linden, a neighborhood house in Bellevue.

Guild and Time to Seek a Compromise

(*Continued from page* 1)

ing today with Aubrey Blair and Mrs. Florence Marston, representing the guild, it was learned on Saturday.

The proposed compromise will include provisions for a supplementary agreement to the guild's contract calling for definition of newsreel and theatrical material in March of Time releases, the newsreel material to be exempt from the contract and the theatrical material to be subject to the contract. Provision will be made for the submission of differences arising under the agreement to a settlement committee consisting of one representative of the guild and one of March of Time. In the event that the committee is unable to agree, provision is made for the addition of a third member, acceptable to both, with the vote of the majority to be final.

March of Time has been adhering to guild contract requirements heretofore, but has not yet become a signatory of the guild contract.

C. I. O. Invades Houston

HOUSTON, Dec. 5.—The first C. I. O. local to include film operators in Houston has been organized here. It is called M. P. Operators and Stagehands Local No. 693. George C. Mitchell is president, J. H. Naquin, secretary-treasurer, and G. H. Polk, business agent.

Bryan Foy to Start Four

HOLLYWOOD, Dec. 5. — Bryan Foy will put four pictures in work by Jan. 17. They are: "Penrod and His Double Trouble," with Billy and Bobby Mauch; "That's My Sister," "For the Defense," with Ronald Reagan in the lead, and "The Singing Cowboy," with Dick Foran.

Sells Frisco House

SAN FRANCISCO, Dec. 5. — The Strand, subsequent run owned by Herman Cohen, operator of the United Artists and Embassy here, has been sold to J. J. Franklin, formerly of Franklin Theatres, Honolulu.

Sign Chester Morris

HOLLYWOOD, Dec. 5.—Chester Morris has been signed to a long term contract by RKO. His first will be "Crime."

Wall Street

Mixed Board Activity

	Open	High	Low	Close	Net Change
Cons., pfd..	6¾	6¾	6¾	6¾	— ¼
E. K.....	158	160½	158	159	—1
G. T. E....	14½	14½	14	14	— ⅝
Loew	53	53½	52¼	53¼	+ ⅜
Para.	12⅝	12⅝	12⅜	12⅝	.....
Para. 2.....	11⅝	11⅝	11½	11½	— ¼
Pathe	6⅜	6⅜	6⅜	6⅜	.....
R. K. O....	5⅛	5⅛	4⅞	5	— ⅛
20th Fox...	22¼	22¼	22	22	+ ⅜
20th pfd....	27⅞	27⅞	27⅞	27⅞	— ¾
Univ., pfd..	35	35	35	35	—2
W. B.....	8	8	7⅞	7⅞	.....

Fractional Curb Change

	Open	High	Low	Close	Net Change
G.N.	1	1	1	1	.....
Technicolor.	19⅜	19⅜	19	19⅛	— ⅜
Univ. Corp.	2¼	2¼	2¼	2¼	— ¼

(Quotations at close of Dec. 4.)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Checkers"

(*Twentieth Century-Fox*)

HOLLYWOOD, Dec. 5.—"Checkers" is a grand old title steeped in box-office tradition and Jane Withers is a fine young name rich in marquee value. Stuart Erwin and Una Merkel are manifestly suitable company. Customers putting the two and two together and shoving their money through the wicket in expectation of getting a spanking racetrack picture for it are as safe as if buying a ticket on War Admiral to show. The production is snugly, smartly and precisely in what swing musicians eloquently refer to as "the groove." It may bear little or no resemblance to the original "Checkers," but it looks exactly like sure-fire entertainment.

The screenplay is by Lynn Root, Frank Fenton, Robert Chapin and Karen de Wolf, from an original story by the first two of these, and direction is by H. Bruce Humberstone with John Stone carrying complete responsibility as associate producer. Just which of these persons the pleased patrons have to thank for the thorough knowledge of racing revealed is not, of course, clear to the naked eye. The whole group may have spent considerable time at Santa Anita, Del Mar or similar educational institutions. This is by way of saying that the story, unlike most committed in the interests of improving the breed, abides by the rules, customs, even the fetishes of the sport of kings. It is, in short, a swell job, a plausible story hewn out of common experience and pointing out, without pointing, that following the ponies is an exciting, but not particularly remunerative, occupation.

Not to spoil a good story by half-telling it, this version of "Checkers" presents Miss Withers as a young lady devoted to her improvident Uncle Erwin's race horse, which breaks its leg and is nursed back to health on a farm owned by Miss Merkel, who would marry Erwin if he would give up racing. Marvin Stephens is effective as a jockey who figures importantly in exciting events which turn out to everybody's satisfaction. Miss Withers is, naturally, the mainspring of the picture, but there is no coddling of situations to throw emphasis upon her and she accomplishes her objectives without resort to the prerogative commonly given juvenile stars. The picture may be safely billed as her best to date by a wide margin.

Running time, 80 minutes. "G."

Looking 'Em Over

"Lightnin' Crandall"

(*Republic*)

Here is another Bob Steele performance in a western melodrama that will effectively register with its proper audience. Steel gives his usual brisk characterization and actively engages in vivid action where he uses his fists and Colt to thrilling advantage.

The plot loses little time in setting forth that Steele is a well known gun fighter in Texas. He does not like the attendant notoriety. Settling down in Arizona appeals to his taste and he conveniently lets the appellation "Lightnin'" die. In his new environment he runs into a range war. Events become so annoying that he buckles on his holster and soon is his old self again. Following much riding, fighting and general fussing around the country the film reaches a noisy conclusion. Peace hovers over the valley again and Steele finally settles down with Lois January.

Charles King, Frank La Rue, Ernie Adams, Earle Dwire, Horace Murphy and Lloyd Ingraham lend capable support. Sam Newfield directed.

Running time, 64 minutes. "G."

Gable's Vacation Off

HOLLYWOOD, Dec. 5. — Switching plans at the last minute, which would have given Glark Gable a 10-week vacation in Europe, M-G-M has started shooting on "Test Pilot," in which Gable, Myrna Loy, Spencer Tracy, and Lionel Barrymore have the leading roles. It had been supposed generally that the picture would be postponed because of Gable's desire for a vacation.

Westinghouse Dividend

Westinghouse Electric & Mfg. Co. has declared a dividend of $2 per share on the preferred and common stock, payable Dec. 21 to holders of record Dec. 7.

221 Date "Tovarich"

"Tovarich" has been dated in 221 situations for playing during Christmas and New Year's weeks, according to Warners.

Short Subjects

"Cadet Champions"

(*Columbia*)

Athletics at West Point are covered in this News World of Sports issue. The cadets are seen in various exercises and finally on the sporting fields. It has a lot of movement and manages to be interesting. Running time, 9½ mins. "G."

"Rhapsody in Zoo"

(*Universal*)

In this Mentone number, "animals" sit in the gallery and watch the humans perform, but the "applause" of the audience is surely only a matter of politeness, for the most part. A series of vaudeville turns, occasionally fair, in a setting that is hardly clever. Running time, 16 mins. "G."

"Here's Your Hat"

(*Vitaphone*)

"Cookie" Bowers" mimicry easily tops the entertainment offered in this musical. It is one of those night club affairs and offers the usual singing, dancing and orchestral numbers, none of which stands out. There is a slight plot involving a hat check girl whose desire to see the floor show gets her into difficulties with the head waiter. It's fair. Running time, 20 mins. "G."

"Getting Your Money's Worth"

(*Lenauer-International*)

Here, for the consumer's benefit, laboratory tests on shoes and bottled milk are filmed, revealing, in the former, manufacturing substitutions, and in chemical tests on milk that grade A is no better than grade B. The two types are shown to have almost identical bacteria counts and butter fat content. Audiences should be stirred by the revelations. The Film and Photo League produced it. Running time, 9 mins. "G."

"Vitaphone Pictorial No. 4"

(*Vitaphone*)

Three interesting subjects are adequately covered in this reel. The last in color. A woman who draws with brush and pencil gripped in her mouth, a number of well known prize-fighters shown in their training camps doing various exercises and the manufacture of rubber dolls. The last sequence will be found engrossing. Running time, 10 mins. "G."

"The Dumb Cluck"

(*Universal*)

This cartoon, in which an animated rooster demonstrates to Oswald his contraption for fighting fire, aided by a trained elephant on roller skates, is far more silly than it is clever and amusing, and emerges as a less than routine cartoon in consequence. Running time, 7 mins. "G."

"Screen Snapshots 17-3"

(*Columbia*)

The usual assorted clips depicting life in the film colony as the fans like to see it. In addition to the general run of material, Anita Louise is revealed as a harpist. She plays "The Rosary." Running time, 10 mins. "G."



FOR COMPLETE HOLIDAY

HAPPINESS!

The New UNIVERSAL
presents

ALICE FAYE

in

YOU'RE A SWEETHEART

GEORGE MURPHY · KEN MURRAY and his stooge Oswald
CHARLES WINNINGER
ANDY DEVINE · WM GARGAN · FRANCES HUNT · FRANK JENKS
CASPER REARDON

Directed by
DAVID BUTLER

Screen Play by Monte Brice and Charles Grayson
Original Songs by Jimmy McHugh
and Harold Adamson

Produced by
B. G. De SYLVA

CHARLES R. ROGERS
Executive Vice-President
IN CHARGE OF PRODUCTION

Begin Talks To Name New Board of RKO

(*Continued from page* 1)

Depinet, head of the picture subsidiary. The proposed slate of directors may be in readiness for submission to Federal Judge William Bondy by the time of the next scheduled hearing on the reorganization plan, Dec. 21, or soon thereafter. In any event, the proponents of the plan must submit their board recommendations to Judge Bondy prior to court confirmation of the plan.

Other matters of major import to the reorganization which remain to be disposed of within the same time limitation are the ascertainment of the amount of working capital which the reorganized company will require and the designation of the value of the new securities to be issued to Atlas Corp. in connection with the latter's underwriting of the $1,600,000 financing proposal.

While the time by which the RKO reorganization plan can be confirmed by the court rests entirely with Judge Bondy's future procedure in conducting hearings on objections to the plan, conservative quarters estimate that it will be March or April before the company is free of court supervision.

Carolina Meeting Will Begin Today

(*Continued from page* 1)

M.P.T.O.A.; "Problems of the Independent Exhibitor," Walter Vincent, president of Republic; "What Is Congress Preparing for Us?" by Edward Levy, general counsel of the M. P. T. O. A.; "Organization Problems," by Milton C. Moore, president of the Southeastern M.P.T.O.; "How to Get the 'Seldom-Evers' Interested in Coming to the Theatre," by Roy Smart, Charlotte exhibitor; "History of the Theatre Owners of North and South Carolina," by A. F. Sams, Winston-Salem, and "Black and White in Pictures," by Montgomery S. Hill, of the Kincey-Albany Circuit, Greensboro.

Taxation, radio competition and other problems wil be brought up for discussion.

Pinehurst was selected for the meeting as a gesture to Picquet, operator of the Carolina Theatres, who has served as organization president for 14 years, and has been an exhibitor here for 20 years. The local organization was formed in Charlotte in 1913, with 26 members.

Ordered 55 Cuts in Ohio

COLUMBUS, Dec. 5.—The Ohio censors reviewed a total of 621 reels in November, and ordered 55 eliminations. In October, 672 reels were reviewed with 35 eliminations. There were 504 reels reviewed and 22 eliminations in November, 1936.

Close Kromocolor Sale

PATERSON, Dec. 5.—Title to the Kromocolor Laboratory at Paramus has passed to Border Realty Co., which recently purchased the property at public auction for $60,000.

Roxy Fee Requests Have Final Hearing

(*Continued from page* 1)

stated that the Pound committee obstructed the minority group in its effort to get a better offer from 20th Century-Fox.

Barrow, Wade & Guthrie, certified public accountants, asked for an allowance of $13,434 and Howard S. Cullman requested $120,000 in addition to the $80,000 previously received. Joseph M. Hartfield, one of the attorneys for White & Case, admitted the value of Cullman's services but said that in view of the fact that the total of applications for fees is more than double the amount available for payment all will have to trim their claims and that Cullman will have to revise his request accordingly.

Proskauer, Rose & Paskus, Cullman's attorneys, asked for $50,209 in addition to fees previously received.

Judge Caffey reserved decision and requested all attorneys to submit briefs in support of their claims.

Sues on Koster Contract

A suit for $30,000 agent's commission against Henry Koster, Universal director, brought by Ernest Wiesenberg, a Viennese agent, was revealed in the N. Y. Supreme Court on Saturday when Justice Peter Schmuck directed Koster to furnish a bill of particulars. The agent claims 10 per cent of Koster's salary up to 1941 and estimates the director's present earnings at $60,000 annually. Weisenberg stated his contract with Koster was made in February, 1936.

Tax Lien Names Metro

A tax lien for $17,142 was filed against the Metro Pictures Corp. by Joseph T. Higgins, Collector of Internal Revenue, in the U. S. District Court on Saturday. The lien was filed for alleged unpaid taxes on the rental of films in 1920 and was addressed to Metro in care of Loew's, Inc.

Report Canada Fees Not to Be Increased

(*Continued from page* 1)

only for the coming year has been submitted to the Copyrights Appeal Board for consideration at the meeting of the board early in December for approval or otherwise, depending upon the necessity of studying protests against the fees by theatre owners or associations. The schedule is as follows:

Theatres, 800 seats and under, operating three days per week or less, five cents per seat per annum; 800 seats and under, operating six days per week, 10 cents per seat; 801-1,599 seats and operating six days per week, 12 cents per seat; 1,600 seats and over, six days per week, 15 cents per seat.

Buy "Champion Luck"

HOLLYWOOD, Dec. 5.—"Champion Luck," magazine story by I. A. R. Wylie, has been purchased by M-G-M. It is a story of dog racing.

Monogram Signs Cooper

HOLLYWOOD, Dec. 5.—Jackie Cooper has been signed by Monogram to a new contract under which he will appear in two productions next season.

Greetings on Film

Hollywood, Dec. 5.—M-G-M is sending Christmas greetings via trailer to every foreign country where its product is shown. This will be the first time the Christmas trailer will be distributed in other countries.

The trailer, produced under the guidance of Frank Whitbeck, will feature Judy Garland.

Four Metro Winners Are Due This Month

Four M-G-M foreign sales contest winners will arrive from their respective territories this month. The first, Leo Berger, manager of the Prague office, is due today on the *Normandie*. All will spend about a week in New York as guests of the company and then proceed to Hollywood.

Arriving later in the month will be A. H. Kenner, manager at Adelaide, and G. Levy, manager of Perth, Australia, and E. F. O'Connor, Havana manager. Next month, four others are scheduled to visit America. They include G. Del Papa, manager at Florence, and N. Papini, Bologna, Italy; J. S. Squier, sales manager in England; and D. King, manager at Cardiff, England.

T. A. Connor and A. Gibson, the first two winners to come from England and New Zealand, returned from Chicago yesterday and today will sail for home on the *Lafayette*. While in this country they visited Niagara Falls, the Grand Canyon, the M-G-M studios in Hollywood, Palm Springs, Catalina and Chicago.

Metro Product Talk To Start This Week

(*Continued from page* 1)

of his wife, who was killed in an auto accident at Palm Springs. Howard Strickling accompanied Mannix. Spencer Tracy and his wife, who went east to attend the funeral, are due this week.

Accompanying Lichtman on the *Normandie* reaching New York tomorrow are Jack Conway and Maureen O'Sullivan, who went to London for "A Yank at Oxford," first M-G-M film to be produced in that country. Robert Taylor, reported on the same boat, has cancelled his reservations until a later date. On the boat also are Madeleine Carroll, Max Factor and Andre David, director of Agiman Films.

Testimonial to Cohn To Be Held Tonight

(*Continued from page* 1)

fifth S. R. Kent sales drive. The exchange also took fifth place on total delivery, marking a double event for Cohn and his associates.

Among the out-of-town 20th Century-Fox executives slated to be on hand tomorrow night will be William Sussman, William J. Kupper, William C. Gehring, Jack Skirball, William J. Clark, Harvey Day, Edgar Moss, George A. Roberts, Sam Gross, Sam Wheeler, I. J. Schmertz, Sidney Samson and J. J. Grady.

Record Crowd Due At Allied Meeting

(*Continued from page* 1)

F. Myers, chairman of the board of Allied; Nathan Yamins, Allied president; Neil F. Agnew, Paramount vice-president in charge of distribution, and Ralph W. Wilkins, member of the Ohio tax commission.

The first session will be held Monday afternoon with Martin G. Smith of Toledo, regional vice-president, in charge, and with exhibitor representation in attendance from Ohio, western Pennsylvania, West Virginia, Kentucky, Michigan and Indiana. A meeting of the board of the Ohio unit is scheduled for Monday night.

The first general business session will be held Tuesday afternoon, with Smith presiding. The annual banquet will be held that night with Gov. Martin L. Davey of Ohio and Supreme Court Judge Arthur H. Day scheduled to attend. Entertainment will comprise the major part of this program.

The election of officers and directors will occur during the final session Wednesday afternoon.

Dietz Cancels

Howard Dietz, director of advertising and publicity for M-G-M, who had been scheduled to discuss his company's radio show policies and aims at the conference, telephoned last night that he would be unable to attend because of the Monday night opening in Boston of a stage show on which he collaborated. William A. Scully, eastern and southern division manager for M-G-M, who will become general sales manager of Universal Jan. 1, also advised P. J. Wood, in charge of convention arrangements, that he would be unable to attend.

The entire Ohio legislative body has been invited to attend the Tuesday night banquet. A large exhibition of theatre equipment, accessories and construction equipment will be held in connection with the conference. A. E. Meyer, sales manager of the International Projector Corp., will attend the meeting.

Will Outline Altec Organization Today

(*Continued from page* 1)

operating manager; Bert Sanford, Jr., sales director; Stanley W. Hand, executive staff representative for the field, and E. Z. Walters and H. M. Bessey complete the home office executive staff.

Heading the eight national sales districts are W. W. Simons, New York; L. J. Hacking, Boston; E. O. Wilschke, Philadelphia; A. Fiore, Atlanta; R. Hilton, Chicago; F. C. Dickley, Detroit; O. Hunt, Kansas City, and H. W. Dodge, Los Angeles. Numerous branch offices are to be set up within these districts.

H. B. Snook Promoted

Homer B. Snook, formerly assistant treasurer of RCA Photophone, has been placed in charge of all Photophone sound equipment sales to theatres and industrial producer licensees, H. L. Sommerer, manager of the Photophone division, reported on Saturday.

Radio Personals

BILL WARE, WCAU news man, was in town Saturday to meet Louise Davies, Texas girl who became his bride that night. . . . Hal Gordon, tenor, has just been placed under management of the NBC artists service. . . . Nancy Swanson hereafter will be billed as "Armanda Shaw." She too has just been signed by NBC's artists bureau. . . . Martha Tilton, who sings with Benny Goodman's band, has just completed her first film, a short for Columbia. . . . Chick Webb's orchestra returned to the Savoy Ballroom yesterday and will be heard three times weekly over WEAF. . . . "The Four Inkspots" open in Binghampton for a four-week engagement Dec. 10. . . . Ralph Bellamy will be the guest of Elza Schallert over NBC Thursday.

✚

NBC has just added to its guest relations staff their first Chinese-speaking guide, Paul Dilley. . . . Jackie Coogan and Betty Grable, the honeymooners, will appear on Georgie Jessel's program over Mutual Dec. 12. . . . Roland Young will be the guest of Radie Harris Dec. 8.

✚

San Francisco Town Pump

SAN FRANCISCO, Dec. 5.—Jack Lyman, formerly with radio division of the San Diego and Dallas Expositions, has joined KGO's production staff . . . Anne Loos, for five years in radio dramatics in Duluth, and one year at WGN, Chicago, has joined KGGC's staff . . . Oliver Edwards, South Carolina tenor formerly heard on Carefree Carnival (KPO-Red net), is now soloist with Carvel Craig's band, aired nightly over KYA . . . After eight years at NBC here, as interviewer and home economics director, Marjorie Gray has resigned to pen scripts for the Sperry Flour Co. "Martha Meade" show, aired daily on KPO . . . KSFO has installed a complete set of Western Electric "salt shaker" microphones, replacing old equipment.

Concentrate on "Howlers"

Star Radio Programs, Inc., is concentrating its sales effort on its new program, "The Howlers," a five-minute show made up of "boners," which it is offering as a substitute for the customary spot announcements usually bought by sponsors desiring only brief air time.

M-G-M Seeking Bradley

CHICAGO, Dec. 5.—Truman Bradley, news commentator, is being offered contracts for film roles by three studios. M-G-M appears to be the most interested, having offered Bradley a contract which will allow him to continue with his radio work while on the coast.

KTOK Takes U. P. Service

OKLAHOMA CITY, Dec. 5.—KTOK, Oklahoma City's newest station, on Dec. 13 will begin receiving full United Press leased wire news service, the radio wire to be put on the air six or eight times a day. The United Press teletype will operate 18 hours a day in the studio.

Television Permit Heads FCC Hearings

WASHINGTON, Dec. 5. — Hearings before the F. C. C. this week will start off tomorrow with an examiner's hearing on the application of the Allen B. Dumont Laboratories for a construction permit for a television station to be located at Upper Montclair, N. J., to operate with 50 watts power on the 46,000 and 56,000 kilocycle frequencies.

Other hearings scheduled for the current week are as follows:

Dec. 7, before an examiner: Applications of Odessa Broadcasting Co. for a 1,310-kilocycle, 100-watt daytime station at Odessa, Tex., and National Life and Accident Insurance Co. for a 1,370-kilocycle station at Nashville, with 100 watts power night, 250 watts day.

Dec. 8, before an examiner: Applications of William F. Huffman for a 580-kilocycle, 250-watt station at Wisconsin Rapids, Wis., and W. H. Kindig for a 710-kilocycle, 500-watt station at Hollywood, Cal.

Cleveland Plea Scheduled

Dec. 9, before the commission: Applications of WBRC, Inc., for an 880-kilocycle, 1,000-watt station at Cleveland; KWTN, Watertown, South Dakota, for change of frequency from 1,210 to 1,340 kilocycles and increase of power from 100 watts to 250 watts night, 500 watts day; KGDY, Huron, South Dakota, for change of frequency from 1,340 to 1,210 kilocycles and extension of time from day to unlimited, to operate with 100 watts night, 250 watts day; Roberts-MacNab Co. and Gallatin Radio Forum, contesting applications for a 1,420-kilocycle station at Bozeman, Mont., the former seeking 100 watts night, 250 watts day and the latter 250 watts, daytime only.

Dec. 10, before an examiner: Application of WGBI, Scranton, for increase of night power from 500 to 1,000 watts.

Powel Crosley, Jr., Optimistic

CINCINNATI, Dec. 5.—Powel Crosley, Jr., president of Crosley Radio Corp., expressed his belief that 1938 would see much better conditions, and indicated his confidence in the future by announcing the heaviest newspaper advertising campaign in the company's history, in addressing 500 distributor, sales and service managers of the refrigerator division, at a convention here.

Picks 165 Winners

Cincinnati, Dec. 5.—A new high record of accuracy in predicting the outcome of national collegiate football games was established this season by Bob Newhall, WLW sports commentator. He picked 165 winners against 41 losers, an average of 80 per cent. Predictions were made on the "Saturday Afternoon Football Jamboree" over WLW and the WLW Line. The Jamboree was sponsored by the Kellogg Company.

U. S. Comment to Be Broadcast in Canada

MONTREAL, Dec. 5.—A new program entitled "The United States" is to be inaugurated by the Canadian Broadcasting Corp. shortly. It will originate in New York on alternate Fridays at 8:45 P. M.

The program will feature commentaries on United States affairs as they affect Canada. Steven Cartwright will be in charge. Cartwright, who is now managing editor of Current History, is a Canadian and formerly edited the *Canadian Forum.* He was at one time private secretary to Vincent Massey, Canadian High Commissioner and former Canadian Minister to the United States.

CBC Takes NBC Symphony

MONTREAL, Dec. 5.—The C. B. C. has decided to take over the NBC symphony orchestra program Saturday evenings and will air it regularly.

The concert was formerly handled by private stations which interrupted the program several times for fulfillment of advertising commitments. These interruptions drew such protests from local listeners that the show was dropped last week. The corporation, in deciding to take it over, said it would carry it over CBM, Montreal.

Tobacco Show on Short Wave

The Imperial Tobacco Co. program on the Canadian network, with Ken Sisson directing, is now being broadcast over seven short wave stations in Canada. Thirty-seven long wave stations are carrying the program, with the point of origin CFCF, Montreal.

Hollywood Town Pump

HOLLYWOOD, Dec. 5.—Gary Cooper will be guest star on the initial Warners-Lucky Strike "Your Hollywood Parade" December 8. . . . Norma Talmadge, recovered from an appendectomy, returned to "30 Minutes in Hollywood" Sunday. . . . "Help Thy Neighbor," job getting program on KHJ Sunday afternoons, has been re-signed for 13 weeks by Haas-Baruch & Co., Los Angeles food product wholesalers.

Joe Penner is following the trend of network programs with "Little Theatre" drama offerings. . . . John Boylan, KFI-KECA continuity writer, was married Saturday to Rowena Devine, writer for film fan magazines.

Sam Hayes has concluded his six-month contract with Bank of America for news programs on the Columbia Pacific network and a new deal with another sponsor is looming.

The Pasadena Boys' Choir has started a Friday night concert series on KFI. . . . Arvin Dale, local night club singer, has been signed to head his own program on KEHE. Claude Sweeten and his orchestra will support. . . . Incidentally, Claude Sweeten's "Sweeten Music" has left the KEHE airwaves temporarily until after the holidays. The program was heard Monday nights.

NBC Month Sales Off But Year Shows Gain

NBC billings for the combined Red and Blue networks for November, 1937, amounted to $3,381,346, a decline of 2.5 per cent from the figure for the same month last year, when the total was $3,468,728.

Cumulative billings for the 11 months of 1937 totaled $35,012,200, up 13.1 per cent over the cumulative total for the same period in 1936, amounting to $30,965,360.

The Red network figures for November, 1937, were $2,288,866, off five per cent compared to the November, 1936, billings of $2,408,286. The 11-month total for the Red network was $24,636,919, up 21.8 per cent over last year's total for the same period.

The Blue network November sales total was $1,092,480, up three per cent over last November's total of $1,060,442. The cumulative total for the Blue this year is $10,375,281, off 3.4 per cent compared to last year's total for the corresponding 11 months.

CBS Publicity Shift Make by Luther Reid

Luther Reid, recently placed in temporary charge of the CBS press division, has made a personnel revision of the department as his first major step to improve the CBS publicity setup. The changes are temporary, pending a test of the change.

Bruce Fouce and Wally West of the commercial and sustaining publicity divisions, respectively, have been detached from those duties and have been placed at the news desk. Holly Noble, formerly of the news desk, has been given a group of commercial and important sustaining programs. Jack Skinner, formerly handling commercial publicity, is now handling publicity of sustaining programs.

Bob Baral, formerly of *Variety* and more recently of NBC's publicity division, has been added to the CBS publicity staff to handle night assignments. Jack Slocum, formerly of the over-night staff, has been transferred to the day staff, where he will handle commercial assignments.

WWVA Asks Increase Up to 50,000 Watts

WASHINGTON, Dec. 5.—Application for an increase of night power from 5,000 to 50,000 watts has been filed with the F. C. C. by WWVA, Wheeling, W. Va. The station has pending an application for a change of frequency from 1,160 to 1,140 kilocycles.

Authority to construct a new station at Lawton, Okla., to operate on 1,420 kilocycles with 100 watts power has been filed by John C. Head.

Other applications received by the commission include requests from KLAH, Carlsbad, N. M., for increase of day power from 100 to 250 watts; KONO, San Antonio, for an increase of day power from 100 to 250 watts, and W1XAL, Boston, for an increase in power for its shortwave station from 20,000 to 50,000 watts.

New Musical Series to Start

"Studies in Contrast," a new musical series with Ernie Fiorito's orchestra and Sylvia Froos as vocalist, will begin over Mutual Dec. 10 from 9:30 to 10 P. M.

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Fine Grain
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Scratch Resistant
Non-Halation
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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 134 NEW YORK, TUESDAY, DECEMBER 7, 1937 TEN CENTS

MGM Re-signs L. B. Mayer; Ends Resignation Rumor

Quigley Urges Fight on Film Propagandists

Tells Carolina Meeting Organization Needed

PINEHURST, N. C., Dec. 6.—Members of the Theatre Owners of North and South Carolina were urged at the opening of their Silver Jubilee convention at the Carolina Hotel here today to resist vigorously the attempts to employ the screen for political, economic and social propaganda, in an address by Martin Quigley, president of Quigley Publishing Co., on "Radicalism—An Industry Peril."

"A strong, alert and vigorous organization is necessary," said Quigley, "to render successful defense of the motion picture and the industry—and the nation itself—against those alien influences which would infect us, our industry and our country with a plague which has brought untold misery to millions of men, women and children in other lands."

Pointing to the propaganda in other media of expression, Quigley said, "Among the great media of expression and among the great influences on public opinion there remains the motion picture which thus far has es-

(*Continued on page 5*)

Martin Quigley's speech on propaganda in the films appears in full on page 5.

Columbus Regional Is Held by Allied

COLUMBUS, O., Dec. 6.—At Allied's regional meeting held here today discussions were heard on a variety of subjects, chief among which were: stronger central regional organization, closer cooperation with the national organization, the institution of a national sales survey, the effect of radio programs on theatre attendance and the increase of the Federal admission exemption to 50 cents.

Among those attending today's meeting were Nathan Yamins, Abram F. Myers, Sidney Samuelson, W. A. Steffes, Martin G. Smith, Arthur Price, Jack Whittle, Ray Branch, Fred Herrington, I. R. Holycross, Frank Sanders, Arthur Howard, Ernest Schwartz, and the following I. T. O. directors: Henry Greenberger, John Kalafat, Nat Charnas, Harold Bernstein, Frank W. Huss, Max Stearn, J. Real Neth, Robert Menches L. F. Eick, R. E. Myers, John Perkas, Dwight Jones and J. W. Trunk.

No Hitch in Selznick-M-G-M Deal in Sight, States Whitney

"There are no hitches in the David O. Selznick deal with M-G-M and a contract will be signed in a few days," John Hay Whitney, chairman of the board of Selznick International, stated yesterday on his return from Europe. Under terms of the deal Selznick will make from seven to eight a year, each budgeted at $1,000,000.

Selznick will continue as a separate organization and will have call on all M-G-M facilities. It is now a matter of working out a few details before signatures are affixed to the pacts.

It was learned that the deal whereby Selznick will move to M-G-M was started about a year ago by Al Lichtman, vice-president of M-G-M, who returned on the same ship with Whitney.

Ratification Of Copyright Treaty Aimed

By BERTRAM F. LINZ

WASHINGTON, Dec. 6.—Ratification of the copyright treaty before the end of the special session will be sought by Senator Duffy of Wisconsin, but the measure will not be brought up for the next 10 days, in order that the Senate may have an opportunity to dispose of more pressing legislation. An agreement has been entered into that the copyright treaty shall not be taken up before Dec. 15, but it is probable it will be called up at the earliest opportunity thereafter.

Ratification of the treaty, which

(*Continued on page 10*)

Lichtman Sets 5 More M-G-M English Films

By BILL ORNSTEIN

Pleased by the success of "A Yank at Oxford," first film to be made in England, M-G-M has lined up five more pictures for production in Great Britain, Al Lichtman, vice-president of Loew's, stated on his return yesterday from a seven-week trip to England, France and Budapest.

The next five productions will be "The Citadel," "So Victoria," "Good-Bye, Mr. Chips," "Finishing School" and "Shadow on the Wing." Elizabeth Allen's contract has been extended by the company and she will

(*Continued on page 8*)

No Para. Studio Changes, Says Griffis, Back from L.A.

No changes in the Paramount studio executive setup are contemplated by the company, Stanton Griffis, chairman of the executive committee, said yesterday on his return to New York from the studio where, with Barney Balaban, Paramount president, Griffis spent the past three weeks.

The executive committee chairman denied current reports that a former executive of Paramount, now a producer for another major studio, would rejoin the company in a ranking studio capacity.

"No negotiations have been conducted with the person mentioned," Griffis said.

Griffis, who is a partner in Hemphill, Noyes & Co., when questioned

(*Continued on page 10*)

E. J. Mannix, Sam Katz, B. Thau Also Given New Pacts

HOLLYWOOD, Dec. 6.—Confirming information published exclusively in MOTION PICTURE DAILY Nov. 27, Nicholas M. Schenck, president of Loew's, Inc., stated tonight that Louis B. Mayer has agreed to sign a new five-year contract as head of the M-G-M studios. Simultaneously, Schenck issued the announcement that new contracts have been negotiated with E. J. Mannix, Sam Katz and Benjamin Thau.

The five-year extension of the Mayer contract projects the producer's tenure through 1943. His current pact had a year still to run. Mayer, in an official statement, said:

"I am happy to say that rumors of my contemplated resignation are untrue. After discussion with Mr. Schenck I have decided to remain with the organization of which I am so proud and to continue my very happy association with Mr. Schenck. At no time has there been any question of friction between myself and any member of the executive staff and rumors of the same are without foundation."

The rumors referred to swept Hollywood on Sunday, following a reported conference between Mayer and Schenck at Palm Springs Saturday night in course of which, according to intimate associates, Mayer expressed dissatisfaction with the present

(*Continued on page 8*)

Weinberg to Decide On "U" Move Today

Lou Weinberg, circuit sales contact for Columbia, will make a definite decision today on joining Universal as assistant to William A. Scully, new general sales manager.

With the return of Abe Montague, general sales manager for Columbia, yesterday from the coast, conferences were held with Weinberg. Up to a late hour last night Weinberg had not made up his mind.

Neither Montague nor Weinberg could be reached for statements, although reports had been circulating that the latter would not leave Columbia for the Universal offer. No one at Universal would talk.

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Lorant, Representative.
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Blank Train Leaves New York Tomorrow

Two special cars on the Commodore Vanderbilt will carry the New York contingent of executives to the testimonial banquet to A. H. Blank in Des Moines on Thursday evening. New York's film offices will be well represented, executives from every company planning to attend.

The banquet will honor Blank on his 25th year as an exhibitor. The two cars have been taken by Paramount and 20th Century-Fox, men from each of the companies occupying most of the two cars, with other executives filling in. The train will leave New York tomorrow from Grand Central at 4:20 P. M., arriving in Des Moines at 6 P. M. on Thursday. The New York group will leave Des Moines at 5:10 A. M. Friday, arriving in New York Saturday morning.

Woodwards Here on Deal

Tracy and Howard Woodward, who produced the "Struggle to Live" shorts for A. J. Van Beuren, arrived from the coast yesterday to negotiate distribution for "Adventures of Chico," first feature to be produced by them in Mexico.

Purely Personal

RUBY and MILTON SCHWARZWALD observed their 21st wedding anniversay with a function in the Palm Room of the Park Central last night. As usual with the Schwarzwald affairs, a goodly crowd was there.

•

LEO BERGER, M-G-M general sales manager in Prague; MONA MARIS and MAX and DAVIS FACTOR were among the passengers arriving yesterday on the *Normandie*.

•

CLINTON M. WHITE, G. B. assistant general manager, is in Chicago winding up a two-week tour of exchanges. He will return to New York tomorrow.

•

JEAN LENAUER of the Filmarte left yesterday for Washington where he will attend the opening of "The River," Government-produced film.

•

JAMES BASEVI, who created the special effects in "The Hurricane" and "San Francisco," will arrive from Europe today on the *Aquitania*.

•

JOHN LODER, G. B. star, and his bride, MICHELINE CHEIREL, will arrive in New York today and will sail tomorrow on the *Aquitania*.

•

NEIL F. AGNEW, J. J. UNGER and CHARLES REAGAN will leave tomorrow for Des Moines to attend the A. H. BLANK testimonial dinner.

•

W. RAY JOHNSTON, president of Monogram, arrives from the coast tomorrow or, at the latest, Thursday.

•

DR. HERBERT T. KALMUS, president of Technicolor, arrived from the coast yesterday.

•

GLORIA SWANSON will head for the Columbia studios in Hollywood today.

•

GRACE MOORE will leave today for Chicago.

Paine Resigns from Post at Universal

Charles B. Paine, assistant to Robert H. Cochrane, retiring president of Universal, yesterday resigned his post, effective immediately.

Paine was one of the veterans on the executive staff of Universal, having been with the company in an executive capacity for 14 years. He declared yesterday that he has no immediate plans for the future, and declined to comment on the resignation, which took the form of a simple press release from the company's publicity department.

Paine joined Universal in 1923 as a member of the export department and eight months later was made assistant to E. H. Goldstein, then treasurer of the company. Paine continued as assistant treasurer through two more treasurerships, being finally elected treasurer in 1928 and continuing in this capacity until early this year when he accepted the post of assistant to the president.

Fight Blue Laws

Bellows Falls, Vt., Dec. 6.—This town and Windsor County are in the throes of an uprising against Blue Laws as a result of the arrest of an exhibitor for operating on Sunday.

Some men carried muskets, obeying the law for protecting their wives against Indians. Others raked their lawns and played golf. Some stores refused to sell tobacco. Food stores declined to make sales.

The laws date back to 1770.

Judge Caffey Speeds Action on Roxy Fees

In an effort to speed final adjustment of fees for attorneys and committees in the Roxy reorganization Federal Judge Francis G. Caffey yesterday announced that he was issuing a series of opinions dealing with each application for a fee, as he decided it. Two opinions rendered yesterday revealed that Judge Caffey "would resort to apportionment" because applications for allowances were more than double the amount available.

Exact figures which were revealed yesterday were $636,788 in applications with $287,000 on hand. The claim of Carl Erikson for brokerage fees amounting to $50,952 was formally expunged. Clarence Bonynge, official stenographer, was allowed $5,063 and Barrow, Wade & Guthrie, accountants, were allowed $6,934.

Decision was reserved on a request for an additional $6,500 by the accountants. A number of attorneys for bondholders' committees were allowed $1,763 as disbursements.

Exchange Union to Meet

Members of the Film Exchange Union, Local 51, will meet tonight at the Cadillac Hotel to discuss a number of pending topics.

"Nothing Sacred" to Get Third M. H. Week

"Nothing Sacred" will go a third week at the Music Hall. The picture grossed $59,400 in the first four days of its second week, thereby beating the holdover gross figure by approximately $3,400.

Schenck to Aid Drive

LOS ANGELES, Dec. 6.—Joseph M. Schenck has been named chairman for Southern California in the "fight infantile paralysis" campaign waged in honor of President Roosevelt's birthday. The appointment was made by Keith Morgan, chairman of the executive committee.

Indorsements of the campaign have been given by Eddie Cantor, John W. Considine, Jr., and W. S. Van Dyke.

Defer Hays Board Meet

The meeting of the board of the M. P. P. D. A. which has been scheduled for tomorrow was postponed without date following the return of Will H. Hays from Hollywood yesterday. Indications are that a date for the meeting will be set within the next few days, with possibilities of the session being held next week.

"Snow White" in Funnies

"Snow White and the Seven Dwarfs," the story from Grimm's Fairy Tales which Walt Disney will release as a feature-length Technicolor subject, will also be used by King Features as a subject in its newspaper comic sections starting Dec. 12, and continuing weekly thereafter.

Set "Tovarich" Tieup

Warners have arranged a national tieup on "Tovarich," which will be generally released on Dec. 25, with Distinctive Creations, manufacturers of "Lip-Lite," which will include breaks and ads in numerous magazines and newspapers, as well as dealer displays in stores throughout the country.



Paramount pictures the Winning of the West



FRANK LLOYD'S

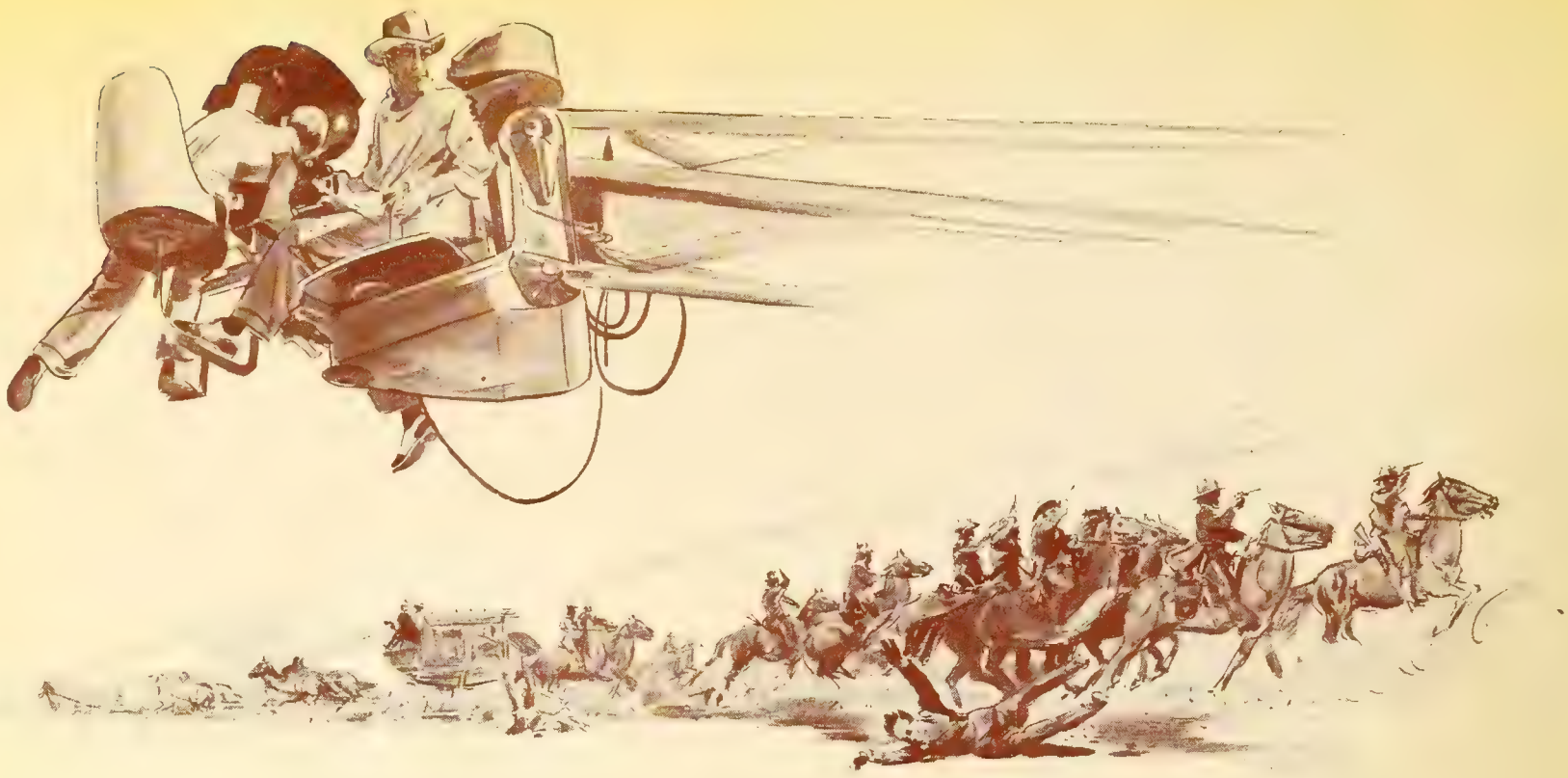
"WELLS FARGO"

Joel McCrea Bob Burns Frances Dee

Lloyd Nolan • Henry O'Neill • Porter Hall • Robert Cummings
Ralph Morgan • Mary Nash • John Mack Brown • Barlowe Borland

A PARAMOUNT PICTURE • PRODUCED AND DIRECTED BY FRANK LLOYD • ASSOCIATE PRODUCER, HOWARD ESTABROOK

SCREEN PLAY BY PAUL SCHOFIELD, GERALD GERAGHTY AND FREDERICK JACKSON • BASED ON A STORY BY STUART N. LAKE



To take the epic sweep of "The Covered Wagon" add to it the flaming adventure of "The Texas Rangers," the thundering power of "The Plainsman" and top it all off with the poignant heart interest of Frank Lloyd's "Cavalcade," is a master achievement. Yet, critics and preview audiences alike insist that in "Wells Fargo," Frank Lloyd has done just this—has built an even greater triumph for himself than his glorious "Mutiny On The Bounty," his never-to-be-forgotten "Cavalcade"—has built for Paramount the greatest of all that historic sequence of mighty Western romances for which Paramount has been justly famous since "The Covered Wagon" first started its epic march into the hearts of America.

"Wells Fargo" will be released to the entire nation on December 31.

Paramount Pictures

Quigley Urges Fight on Film Propagandists

(*Continued from page* 1)

caped the blight of radical propaganda." He urged continued resistance for the "the attack is clever and determined."

Walter Vincent, president of Republic Pictures, said that Hollywood executives would never listen to advice from outside and do not know what the public wants in films.

"These Hollywood executives," said Vincent, "build a Chinese wall about themselves. They know only Hollywood, Palms Springs, Mexico, Honolulu and perhaps New York and London. This explains why so many pictures which do well in New York, die like a dog in Painted Post, which spot is so important to exhibitors."

A. F. Sams, of Winston-Salem, a charter member, spoke of the work the organization has done in preventing the enactment of bills in Washington and Raleigh which would have been unfair to the theatre owners.

Kuykendall Hits Radio

Ed Kuykendall, president of the M. P. T. O. A., and Vincent critized the radio programs sponsored by producers and the use of film stars on programs.

Said Kuykendall: "Most of the stars of pictures who appear on radio program are unfitted. Some of the singers sound like dying calves in a thunder storm. They seem to be eager to do anything for money."

Vincent declared: "Few picture stars are suitable for the radio. A few have added to their drawing power at the theatres but a much larger number, who do not have proper broadcasting talent and personality, have injured the pulling power of pictures in which they appear."

Kuykendall spoke at length against Government regulation of any sort and stated that during hearings in Washington when copyright regulations were being discussed by committees Rudy Vallee appeared and crooned songs while witnesses who had come great distances waited in the ante-room for the concert to cease. Chorus girls were also brought down to entertain the Congressional committees, he said. When Vallee was asked why he had appeared and if he was interested in the copyright laws he said that he had only appeared because he had been asked to sing for the statesmen.

Criticises Score Charges

The M. P. T. O. A. president said that the industry was not opposed to labor but that at present labor appears to be moving too fast and becoming too radical.

Score charges were declared unfair and on the way out by Kuykendall, who likewise predicted a modification in the forcing of the buying of short subjects.

Speeches at today's session were of such length that a number on the program were put off until tomorrow morning so that the golf tournament and tea for the women, scheduled for this afternoon, could be held.

The important speech by Montgomery S. Hill of Greensboro, N. C., on the intermingling of white and negro actors in films, will be made tomorrow, as will that of Ed Levy, general counsel of the M. P. T. O. A., on "What Is Congress Preparing for Us."

Charles W. Picquet, veteran president, was in the chair and Robert E. Denny made the address of welcome.

The two-day session will end tomorrow with the election of officers.

Others present were Milton C. Moore, Jacksonville; Roy Smart, Charlotte; A. F. Sams of Winston-Salem, and Oscar Lamb. The annual banquet was held this evening, with Harry Buchanan as toastmaster.

Text of Quigley Address

PINEHURST, N. C., Dec. 6.—Following is the complete text of the address of Martin Quigley on "Radicalism—An Industry Peril," delivered here today before the members of the Theatre Owners of North and South Carolina:

Two years ago I had the privilege of addressing the members of this association.

On that occasion I availed myself of the opportunity to communicate to you certain profound apprehensions which I then entertained. These apprehensions were relative to dangers confronting the motion picture at the hands of those who would employ it for political, economic and social propaganda—for its usefulness to them in their giddy ambition to remodel men and affairs according to their own particular notions.

Locale Appropriate

I am happy that I chose that subject for discussion with you men and women of North and South Carolina—you citizens of these states who are so thoroughly representative of those ideals of democracy upon which this nation became great.

I am anxious today to return to this subject because the events of the past two years have greatly emphasized the grounds for the apprehension which I expressed on the former occasion.

If next year and the year after we are not to be even more violently disturbed over the conditions that confront us then it will be only because men and women such as you have taken the trouble correctly to inform yourselves upon the trend of the times and then proceeded to do something effective about it.

Says Radicals Eye Films

There remains in the eyes of the radical propagandists one medium of expression and one influence upon public opinion which thus far vainly excites their envy. That medium is the motion picture.

They are doing very well with the stage. The Federal Government, for instance, at a current cost to taxpayers of a million dollars a month has permitted the Federal Theatre Project, which was originally described as being for the relief of unemployed actors, to be dominated by political extremists who have produced and presented to great numbers of people plays such as "Injunction Granted" and "Power," each of which partake of the essential character of Communistic propaganda.

They are doing very well with many of the newspapers, a fact we are reminded of when we note, for instance, that the Moscow correspondent of one of the great American press associations for six recent critical years is an enthusiastically professed Communist.

They are also doing very well even with certain segments of the church, a fact which is confirmed by the active assistance of several prominent churchmen to such an organization as the League Against War and Fascism, which is a league against war and fascism secondly, if at all, and is first and last a league for Communism.

And they have little to complain about relative to another great influence upon public opinion—Radio. Under the silly and unrealistic notion that Communism is just another political theory like state's sovereignty or woman's suffrage—and not a dream both delirious and vicious, the awakening from which would leave a ruined civilization—radio authorities lend their facilities to Red propagandists.

These authorities accept the argument that under the American principle of freedom of speech these propagandists are entitled to be heard even though adoption of the philosophy they preach means sudden death to all free speech. Communists assert that those who are devoted to the ideals of democracy are stupid. Perhaps in this they are right.

Calls Films Independent

Among the great media of expression and among the great influences upon public opinion there remains the motion picture which thus far has escaped the blight of radical propaganda.

This has not been easily accomplished. It will not be easy to make good the escape in the months and years ahead. The attack is clever and determined.

For instance, they will tell you that the entertainment film has failed in its mission. They admit that the entertainment film has indeed entertained but in keeping with their usual muddle-headed reasoning they still insist that it has failed in its mission. What they mean of course is that it has failed to adopt their mission as its own. They are bitter in their criticism because the entertainment film does not presume to be an educational medium. Their quarrel with this is that they know if the film once undertook to teach they would then get their chance to dictate what it would teach.

Seek Entering Wedge

They assert that the film should deal with the vital subject of modern life—with schemes and dreams of a political, economic and social character. Obviously they do not wish the screen to deal with these subjects along the established lines of American democracy. What they are seeking is a chance to muscle in, gain an influence over the production of the motion picture and then use it for the propagation of their own notions.

They want the film to be realistic—to deal with the facts of life in the raw. They are unhappy because the people are made happy in the theatres. They want the screen to shock and embitter patrons so that the ranks of the discontended will be enlarged, giving to them recruits in greater numbers to flock to their magical cures for what's wrong with the world.

They are against religion which they say is the opium of the people, meaning that it encourages people to be good citizens and not revolutionaries. They regard the entertainment film also as an opium because it generates contentment and happiness and not disorder and discontent.

There is here, gentlemen, a job for you to do—not only for the security and welfare of your business but for the security and welfare of the nation as well.

But you cannot do the job singlehandedly. You are opposed by a determined cult whose members are actuated with the fervor and zeal of a crusader.

Asks for Action

This twenty-fifth anniversary of your association is an appropriate occasion for a re-valuation of the needs and advantages of organization.

Within the industry for your protection and prosperity you need a strong, alert and vigorous organization—now and always. And only with that kind of an organization can you hope to render successful defence of the motion picture and the industry—and the nation itself—against those alien influences which would infect us, our industry and our country with a plague which has brought untold misery to millions of men, women and children in other lands.

Exploitation Awards Decided on "Dallas"

Prizes totaling $1,025 have been awarded to nine theatre exploitation men by United Artists in association with *Motion Picture Herald* for campaigns on "Stella Dallas." The judging was finished Monday by a committee which included George J. Schaefer, A. W. Smith, Jr., and Monroe Greenthal for United Artists; Ben Washer, representing Samuel Goldwyn, and Terry Ramsaye and A-Mike Vogel for *Motion Picture Herald.*

The winners are: Ray Bell, Palace, Washington, $500; Marsline K. Moore, Hollywood, Fort Worth, $200; Charles Schlaifer, United Artists and Embassy, San Francisco, $100.

Other winners were: Ray O'Connell, Capitol, Lancaster, Pa.; Joseph A. Di Pesa, Loew's State and Orpheum, Boston; Harry MacDonald, Warner, Milwaukee, who won $50 each; Harry Rubin, Tivoli, Michigan City, Ind., $25.

Bill Saxton of Loew's Century, Baltimore, and Sidney Gates of the Gates, Portsmouth, Va., tied for eighth place and an extra $25 prize was added.

Martin in Lazarus Post

HOLLYWOOD, Dec. 6.—Quinn Martin, for four years assistant to Jeff Lazarus, head of the Paramount editorial board, will succeed to the post when Lazarus takes over his duties as Paramount producer.

Maury Cohen to Quit

HOLLYWOOD, Dec. 6.—Maury Cohen, RKO producer, will leave the company upon completion of his contract late this month.

CRASH WAR

SUBMA



PAT O'BRIEN • WAYNE MORRIS
GEORGE BRENT

FRANK McHUGH • DORIS WESTON

Screen Play by Frank Wead, Warren Duff & Lawrence Kimble • From a Story by Frank Wead • Music by Max Steiner • A First National Picture

RNING!



RINE D-1

holds over at the Fox Theatre, Frisco, after crashing all the records of every Warner picture that ever played there! Take the tip . . take the extra time you'll need!

MORE RECORDS TO THE BOTTOM OF THE SEA!
See those tremendous returns in Albany, Worcester, Buffalo, Akron, Pittsburgh, Louisville, Hartford, Bridgeport, New Haven!

LLOYD BACON of 'Here Comes The Navy' and 'Devil Dogs' fame directed this Cosmopolitan Prod'n for WARNER BROS.

Lichtman Sets 5 More M-G-M English Films

(*Continued from page* 1)

next appear in the leading role in "The Citadel," which Victor Saville will produce. "Finishing School" will have an all-English cast and a prominent British actor is now being signed for the main role. Hugh Walpole is now working on the screen adaptation for "So Victoria" and R. C. Sherriff has just completed the script for "Good-Bye, Mr. Chips," by James Hilton. The Royal Flying Corps is cooperating with M-G-M on "Shadow on the Wing," Litchman stated.

Litchman said that only three retakes were necessary for "A Yank at Oxford." The picture was previewed at a theatre in Luton, England, and he brought back with him 83 cards signed by patrons and expressing their opinion of the picture. The film will be released in America the end of January and in London in March.

"Citadel" Next Month

"The Citadel," second M-G-M British film, will not go into production until next month, Litchman said. The others will follow in the order named. Litchman said he found the English trade extremely cooperative and it welcomed the establishment of M-G-M studios in England. Although negotiations are under way for taking over a large studio there, nothing definite has been done. "A Yank at Oxford" was produced at Denham.

"Balalaika," currently showing in England, was purchased by Litchman and it will be produced by M-G-M as a pretentious musical. The M-G-M executive also closed a deal for A. J. Cronin's "Three Loves." "The Citadel" is by the same author who is now in Hollywood on a vacation.

Asked how many M-G-M will produce in England, Litchman said: "We are proceeding very modestly and slowly and feeling our way. There is no set number, but we are planning a continuity of production to build up our key organization there."

Talent from Hollywood will be sent over from time to time, he said, although no one is set to leave for England at the moment.

Conditions are very good in England, Litchman said, and picture theatres are doing a fine business. Generally speaking, he added, pictures which do business in the United States repeat in England.

Queried on theatre expansion plans, Litchman said: "We have a big circuit in England. There is the Empire, seating 3,200, and the Ritz, next to it, with 400 seats."

This was the Loew executive's first trip abroad in 15 years, he said, and he had a "marvelous time." Litchman left for the coast by plane last night.

John Farrows Return

John Farrow, husband of Maureen O'Sullivan, M-G-M player, arrived yesterday from England and will leave for the coast today to start on his seven-year Warner contract as a director. Miss O'Sullivan, who accompanied her husband on the *Normandie*, will leave today for Hollywood.

Arrivals



John Hay (Jock) Whitney, chairman of the board of Selznick International, as he arrived from Europe on the Normandie yesterday.



Al Lichtman of Loew's, Inc., and Joseph H. Seidelman of Columbia also among the returning travelers. Photos by Metropolitan Photo Service.

Wall Street

Fractional Fluctuations on Board

	Open	High	Low	Close	Net Change
Col.	15½	15½	15	15	—1
Cons.	1½	1½	1½	1½	.....
Cons., pfd.	7	7	7	7	+ ¼
E. K.	158¾	159¼	158¾	159¼	+ ¼
G. T. E.	14¾	14¾	14¾	14¾	+ ¼
Loew	54	54	52	52	—1¼
Para.	12½	12½	12⅛	12⅛	— ½
Para. 1	97	97	97	97	—1½
Para. 2	11⅜	11⅜	11⅜	11⅜	— ⅜
RKO	5	5	4¾	4¾	— ¼
20th Fox	21⅞	21⅞	21¼	21¼	— ¾
Univ., pfd.	35	35	35	35	.....
W. B.	8	8	7½	7⅝	— ¼

Little Change on Curb

	Open	High	Low	Close	Net Change
G. N.	1	1	15/16	1	.....
Sentry	5/16	5/16	5/16	5/16	.....
Sonotone	1⅞	1⅞	1¾	1⅞	.....
Tech.	19½	19½	18⅛	18⅝	— ⅛
Trans-Lux	2⅞	2⅞	2⅞	2⅞	— ¼
Univ. Corp.	2¼	2¼	2¼	2¼	.....

Loew, W.B. Bonds Advance

	High	Low	Close	Net Change
Keith 6s '46	84½	84½	84½	.....
Loew 3½s '46	98½	98½	98½	+ ⅝
Para. B'way 3 '55	90¾	90½	90½	.....
Para. Pict. '47	75	74⅞	74⅞	— ⅛
W. B. 6s '39	79½	79⅜	79½	+ ½

(Quotations at close of Dec. 6)

Ben Goetz to Return For Holiday Season

Ben Goetz, in charge of M-G-M production in England, will sail from abroad Dec. 18 to spend the Christmas holidays here and also attend the wedding of his sister. His wife returned from abroad yesterday on the *Normandie*.

Jack Conway, Bob Taylor and Lionel Barrymore will sail tomorrow from London on the *Queen Mary* en route to Hollywood.

Madeleine Carroll Back En Route West

Madeleine Carroll returned from a vacation abroad yesterday on the *Normandie* and will remain in New York for about five days before proceeding to the coast. She has a five-picture contract with Walter Wanger, she said, the first slated being "The River is Blue," which will start in January. The second will probably be "Rupert of Hentzau."

Schiller in Central Europe for Columbia

J. Schiller, formerly district manager for Universal in Central Europe with headquarters in Prague, has been named to a similar post for Columbia, Joseph Seidelman, foreign head for Columbia, stated yesterday on his return on the *Normandie*. A. Stein is the new sales manager for France and Belgium with offices in Paris, according to Seidelman, Stein formerly held the same position with M-G-M.

New Columbia offices have been opened in Brussels, and Alexandria, Egypt, with managers to be named later in the week, it was stated.

No decision has been reached on Columbia's production plans in England, Seidelman said, because "we are waiting for the quota law to materialize and then see what we have to do." Seidelman believes that the Americans have let the English situation get out of control and it will cost them (Americans) a lot of money.

Seidelman spent three months in France, England and Italy.

Pact to Mayer Ending Report Of Resignation

(*Continued from page* 1)

setup and requested that he be released from his contract. Customarily reliable sources believe it was his intention, if released, to effect a purchase of Universal on terms which would give him complete charge of that company. Schenck was reported to have offered to tear up the existing Mayer contract if the production head were insistent and is further said to have invited Mayer and a third party not officially associated with M-G-M affairs, to sit in upon the discussions which were held in seclusion Sunday and which resulted in the meeting of minds indicated in today's announcement.

It could not be ascertained from either company tonight whether the renewal of the Mayer contract is to be taken as an assurance that the reported deal for the release of David O. Selznick productions will be consummated immediately. In this connection it is worthy of note that John Hay Whitney, chairman of the board of Selznick International, stated upon disembarking at New York today, "There are no hitches in the David O. Selznick deal with M-G-M and a contract will be signed in a few days."

It is understood here that the deal has been held in abeyance pending the outcome of the Schenck-Mayer negotiations.

Ira Cohns Get Trip Abroad from Friends

PITTSBURGH, Dec. 6.—Ira H. Cohn, manager of the 20th Century-Fox exchange here, was presented a trip to Europe for himself and his wife tonight at the testimonial dinner in his honor at the William Penn hotel. More than 450 attended the affair honoring Cohn on the completion of 17 consecutive years of service with the same company.

In addition to local exhibitors and civic leaders, a number of home office executives were on hand for the dinner. The Cohns will sail in a couple of weeks, returning here around the first of February.

Among those present were: Hon. Frank J. Harris and C. C. Kellenberg, chairmen; George Roberts, Edgar Morse, William Sussman, William J. Kupper, John M. Harris, Martin Moskowitz, E. C. Grainger, William J. Clark, Harvey B. Day, Jack Bloom, Harry A. Mersay, Sam Gross, D. J. Schmertz, Sam N. Wheeler, J. J. Grady, Al Davis, Ed Bergman, Sam Lichter and Bert Stern.

Actors to Meet Dec. 13

A membership meeting of the eastern Screen Actors' Guild is scheduled for Dec. 13 at the Astor. Aubrey Blair, secretary-treasurer of the junior guild, and Mrs. Florence Marston, eastern representative for the guild, are scheduled to address the session.

Blair and Mrs. Marston will confer again today with March of Time officials on proposals for meeting the reel's claims to being exempt from the guild contract.

Altec Closes Deals With 2 Companies

Altec Service Corp., the new company operating the former Erpi theatre sound equipment servicing and installation business, has closed agreements with National Theatre Supply and Motiograph, Inc., whereby those companies will act as agents in the selling of Altec service, L. W. Conrow, president and chairman of the new company, said yesterday.

Immediate expansion moves are planned by Altec, Conrow stated, and will include an increase in branch offices and supply stations to a total of 42. In addition, a new laboratory is being constructed at East Newark to conduct experimental and research work in sound reproduction and to serve as a liaison between the company's technical field force and the Bell Laboratories, whose technical aid is being made available to the new company.

Executives Added

In financial roles in the new enterprise in addition to Roswell C. Tripp, whose association with Altec was reported earlier, are W. J. Alford and Matthew Robinson. Tripp, formerly, was with Munds, Winslow & Potter, Wall Street investment firm, and is a director in numerous companies, among them Montreal Aircraft and Liquid Carbonic. Alford is secretary and general manager of the Continental Paper Co., Ridgefield, N. J. Robinson is on the directorate of a number of corporations, including the Greyhound Co. and Mississippi Valley Barge Line Co.

Tripp, Alford and Robinson are on the Altec directorate. Other board members are G. L. Carrington, vice-president and general manager; H. M. Bessey, secretary and treasurer, and H. W. Dodge, Pacific Coast district manager. Altec is controlled by the management, with Conrow and Carrington holding the majority stock interest.

Branch Managers Named

Other officers of the company are E. Z. Walters, comptroller; Bert Sanford, Jr., and Stanley W. Hand, sales directors. The eight district sales managers were listed in MOTION PICTURE DAILY yesterday. Branch managers are A. J. Ragemacher and A. F. Lyman, New York; J. A. Cameron, Boston; Warren Connors, Philadelphia; Henry Moog, Atlanta; E. C. Schreiber, Detroit; D. L. Turner, Chicago; C. J. Zern, Kansas City, and S. M. Pariseau, Los Angeles.

Walter Woodward has been appointed regional sales manager for the southeast.

"O'Neills" Get Morning Time

"The O'Neills," sponsored by Procter & Gamble, will be heard from 10:45 to 11 A. M., instead of from 2:15 to 2:30 P. M., as originally announced, beginning Jan. 3 over CBS, when the program will transfer from NBC to CBS.

Street Railway Going on WHN

Street Railway Advertising Corp. will sponsor a new series of programs over WHN beginning Dec. 13 and continuing seven times weekly for 13 weeks. The programs will be for 15 minutes each, noon daily. The contract was placed direct.

Lloyd Sees Radio as No Menace to Screen

In the sense that radio is educating the public to a liking for better things in entertainment, the air medium is of assistance to the screen, rather than a menace to it, in the opinion of Frank Lloyd, veteran Paramount director, expressed from the depths of a Savoy Plaza easy chair yesterday.

The director, who is here for the start of a tour of previews on his latest picture, "Wells Fargo," which he considers the best picture he has yet done, declared his belief that producers will answer the complaint of exhibitors relative to the appearance of film stars on the air. That answer, in the personal opinion of Lloyd, will take the form of radio programs which will advertise the product of the screen to the fullest extent, but which will at the same time be entertaining.

Calls Program "Appetizer"

The radio program he described as what might be termed an appetizer, rather than a full meal. The film, he believes, does offer a full meal of entertainment. It is his belief that appearance on the air of established screen personalities, who were developed via the screen, does them no good, while players who attained their popularity on the air should continue to broadcast.

At the same time he presented an idea for the use of the radio as a means of advertising the screen product, which is his own. In essence, it is that the advertising program should consist largely of music, with brief interjections of comment, much in the manner of a descriptive rendition of the famous "1812 Overture." Such a program, short in length, he conceives as highly effective and offering valuable selling material. He pictured "Wells Fargo," for example, as a symphony, perhaps with a brief touch of the story in interlude fashion. Such an idea is now in work on the coast, but has not progressed as yet to the specific decision stage.

Another Lloyd radio idea for advertising is the use of the air by a studio perhaps once every two or even three months, with highlights, entertainingly presented, of that studio's leading pictures about to be released.

Lloyd sees more extensive use of tinting films, believes color should be used judiciously at all times, and in no case recommends that color and black and white be used in the same film, on the ground that too sharp a contrast is presented. He pointed out, for example, that the use of color would have resulted in scenic effects much too beautiful for the rugged type of story which "Wells Fargo" is.

Lloyd will leave here tomorrow morning to return to the coast, with preview stopovers planned at Boston, Chicago, St. Louis and other key cities.

Swing Authority

San Francisco, Dec. 6.—Mort Werner, KJBS "singing announcer," the west's outstanding "swing record" authority, will leave for New York Dec. 20, on the invitation of the Hot Record Exchange, to discuss possible sale of several rare copies dating back to the early days of swing. Werner's library of over 9,000 popular discs is valued at more than $15,000. One platter alone includes Ted Lewis, Fats Waller, Benny Goodman, Jack Teagarden, Joe Venuti and Eddie Lang.

No Threat Yet from Television—Whitney

John Hay Whitney, chairman of the board of Selznick International, returned from England yesterday on the *Normandie* and said that after making a survey of television, he believed "it is still in an interesting stage and will be no threat to theatres."

"The public in England is apathetic to television," he said, despite the two weekly broadcasts, "It is still in the development stage." Home sets, he stated are priced too high and run as much as $300.

Although he stated the main purpose of his trip was to make three appointments abroad, these will wait until after the M-G-M deal with David O. Selznick has been signed. It is planned to enlarge the Selznick International offices in Paris and London and Whitney will return to England in March.

Students to Discuss Peace

"Students in Peace" will be the topic of three men on WEAF tomorrow night from 11 to 11:15 P. M. They will present three viewpoints on what attitude the United States should take on the Japanese invasion of China. The speakers will be: James Tumulty, president of the Students' Council of John Marshall Law School, Jersey City; Joseph P. Lash, national secretary of the Students' Union, and Arthur Northwood, Jr., president of the Students' Federation of America.

Name Transamerican Agent for Crosley

Transamerican Broadcasting & Television Corp. has been named the exclusive national sales representative of the two Crosley stations, WLW and WSAI, both in Cincinnati. The new arrangement is effective immediately, according to word from James D. Shouse, Crosley Radio Corp. vice-president.

"Doctor Dollar" New Series

Vocational Service, Inc., will sponsor a new series of programs titled "Doctor Dollar" over two NBC stations, WEAF, New York, and WMAQ, Chicago, beginning today. The series will be broadcast Tuesdays from 7:45 to 8 P. M., and will consist of dramatizations of odd days of earning money. The contract is for 13 weeks, through Critchfield & Co. of Chicago. The series will originate in the studios of WMAQ.

Rice to Pick Team Dec. 10

Grantland Rice will announce his 1937 All-American football selections on the Cities Service program Dec. 10. His selections are annually featured on the Cities Service program.

Kenny Baker Is Re-Signed

Kenny Baker has been signed for 26 additional weeks on the Jack Benny program. The new contract will become effective Jan. 2 and will keep Baker on the program until June, 1938. Young & Rubicam is the agency.

Musicians Demands Shift Opera Plans

RCA's plans to sponsor the Saturday matinee performances from the Metropolitan Opera House over the Blue network were halted abruptly a few minutes before air time last Saturday when the Musicians' Union, Local 802, unexpectedly demanded full sponsored program rates for the musicians participating in the broadcast. As a consequence of RCA's refusal to meet the increased cost of sponsoring, approximating $3,000 per weekly program, the show was presented as a sustaining feature.

Pay to musicians for a commercial program amounts to $12 an hour for each man. The programs average three hours on the air, and the Met musicians' pit is usually occupied by approximately 80 men.

Last year RCA had a somewhat similar experience with the musicians' union for the same series of broadcasts, but a compromise measure was achieved then, permitting the programs to be aired under their aegis. The compromise called for a payment by RCA of $12 extra per man. This year, with the musicians tightening down on the radio industry, Local 802 refused to compromise, asking the full rate of $12 per hour.

Oddly enough, the American Guild of Musical Artists made no demands for extra compensation for the broadcast.

Court Upholds FCC On St. Louis Permit

WASHINGTON, Dec. 6.—Orders of the F. C. C., granting a construction permit for a new station to the *St. Louis Star-Times* over the opposition of KSD of that city were affirmed today by the District of Columbia Court of Appeals. The court also upheld orders of the commission in a contest in Utah.

In the St. Louis case, it was contended by KSD that the commission should have considered its application for increased facilities, filed earlier, before considering an application for a new station. In its decision, the court held that priority of filing was not a sufficient reason for preferential treatment.

Commission officials pointed out following the decision that the case gave conclusive evidence that the F. C. C. is not attempting to restrict newspapers in the operation of broadcasting facilities.

Segal Is Suspended, Smith Freed by FCC

WASHINGTON, Dec. 6.—Paul M. Segal was suspended from practice before the F.C.C. for two months, beginning immediately, and George S. Smith, his associate, was exonerated of charges of improper practices, in a decision rendered by the commission on Saturday in the first disbarment trial ever to be conducted by the Federal agency.

The decision followed consideration of testimony taken during a trial in October, which lasted more than a week, and which was featured by the disqualification of Commissioner George H. Payne.

The two attorneys had been charged with setting up "dummy" stations, allegedly to deceive the commission.

No Changes in Para. Studio, Says Griffis

(*Continued from page* 1)

concerning a story published by Motion Picture Daily to the effect that the investment firm had been given a participation in an option held by Atlas Corp. and Lehman Bros. to acquire the balance of RCA's holdings in RKO, observed, "Hemphill, Noyes has no interest in RKO securities."

Griffis reported that considerable study had been given in the course of the Hollywood sessions to methods of reducing studio costs to bring them more in line with currently lower receipts and that the study had resulted in "some reductions." He insisted, however, that no change would be made in the company's release schedule, as a result, and that none of the economies which has been instituted or was discussed involved a sacrifice of production quality.

Balaban Predicts 2 Big Ones Monthly

Hollywood, Dec. 6.—Barney Balaban, president of Paramount, entraining for New York today said: "As the result of viewing pictures already completed or in work I am convinced Paramount is in the position to assure two box-office attractions every month during the balance of the 1937-'38 season ending September, 1938."

Balaban added: "Productions viewed are proof to me that Paramount's last half of its releasing season will be even stronger than the first half. Starting with "True Confession" during Christmas week, we will release a program that includes such sure-fire attractions as "Wells Fargo," "Every Day's a Holiday," "Thrill of a Lifetime," "The Buccanneer," "Romance in the Dark," "The Big Broadcast of 1938," "Doctor Rhythm," "You and Me" and "Professor Beware."

"Mr. Zukor and Mr. LeBaron have planned a most ambitious program for 1938-'39," Balaban said. "And, reviewing these plans with them, I was convinced that the 1938-'39 program will enable Paramount to continue its upward progress in quality and box-office value."

Flash Previews

"Larger Than Life." . . . Crammed full of laughs. . . . Frank McHugh in his Caspar Milquetoast characterization.

"Partners of the Plains." . . . "Hopalong Cassidy—action, adventure, gun and fist battles and comedy in this case are secondary to romance.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

To Attend Phila. Party

Pittsburgh, Dec. 6.—Headed by Harry Kalmine and John H. Harris, a big Pittsburgh delegation will head for Philadelphia this weekend to attend the annual Variety Club banquet Sunday night and from there will proceed to Albany to attend the testimonial dinner in honor of Si Fabian on Monday night.

Patterson Wins Suit Over Jungle Picture

An interlocutory decree in the infringement suit brought by Frederick Beck Patterson against Century Prod., Inc., Samuel Cummins, Empire Laboratories, Inc., Richard Fiedler and the Bob-Ed Theatres Corp. which held that the defendants infringed on the plaintiff's copyright was confirmed by the U. S. Circuit Court of Appeals in a 10-page opinion by Judge Harris B. Chase yesterday.

Patterson claimed that he filmed 15,000 feet of wild animal scenes during a hunting trip in Africa in 1927. Later he copyrighted the film as a "motion picture in a photoplay" and exhibited the picture without admission charges to various private audiences under the title "Shooting Big Game with a Camera." The defendants were alleged to have used 1,000 feet of the film in their picture, "Jungle Killers."

Patterson's copyright was attacked on the ground that he failed to re-register with the copyright office after cutting the film into a photoplay and because the copyright notice appeared on only the first reel. Judge Chase overruled the objections.

No Stay Granted to Time, Inc.

Federal Judge John W. Clancy refused to grant a temporary injunction to Time, Inc., publishers of *Life,* to restrain the Ultem Publications, Inc., from continuing to publish a fan magazine under the title of *Movie Life* in the U. S. District Court yesterday. Judge Clancy stated "serious questions of fact" required a trial of the suit. Time charged that the use of similar color and type, together with the use of the word "life" on the cover tend to infringe on its trade mark. A permanent injunction is asked.

Vocafilm Suit Is Delayed

Trial of the anti-trust suit of Vocafilm Corp. of America against A. T. & T., Western Electric and Erpi was adjourned to Feb. 7 in the U. S. District Court yesterday. Vocafilm asks $65,953,125 damages.

Weisman Allowed to Pay Fee

Milton C. Weisman, equity receiver of Fox Theatres Corp., was authorized yesterday to pay Louis Karasik, his attorney in the anti-trust suit brought against A. T. & T., Western Electric and Erpi an additional $343 by Circuit Judge Martin T. Manton. Karasik previously had received $6,000 in fees in connection with an $18,000 settlement of the suit.

Argue Perelman Case

Philadlphia, Dec. 6.—Harry Perelman's long-standing double feature case was argued today before the U. S. Circuit Court of Appeals. B. M. Golder represented Perelman and Morris Wolf appeared for the defendant companies.

Ralph Lewis Dead

Hollywood, Dec. 6.—Ralph Lewis, veteran character actor on the silent screen and on the stage, is dead here from injuries he received in an automobile accident on Oct. 24. He was 65 years old. Lewis entered film work in 1912. He is survived by his widow, Vera Lewis.

Urges Action

American producers and distributors should wake up and act on the proposed English quota laws before it is too late, Joseph H. Seidelman, foreign head of Columbia, stated yesterday. He feels that imposing new restrictions on importation of films is unfair and that this country imposes no quota laws governing British films in this market.

Aim at Ratification Of Copyright Treaty

(*Continued from page* 1)

the senate acted upon favorably at the last session, only to rescind its action later, is planned for the special session in order that there may be ample time for consideration of revision of the copyright law during the coming regular sessions. As reported to the Senate 10 days ago, the treaty provides for adherence to the International Copyright Convention one year after its ratification, making it necessary to revise our domestic copyright laws during the coming session if the necessary changes therein are to be made before the United States enters the union.

Screen "Wells Fargo"

Paramount staged a preview of "Wells Fargo" at the Paramount last night.

Actors' Guild Will Meet on December 17

Hollywood, Dec. 6.—The first meeting of the Screen Actors' Guild since the session at which announcement was made of the signed contract with the major studios will be held Dec. 17 at the Woman's Club of Hollywood.

The question to be discussed at the time will deal exclusively, according to Ken Thomson, executive secretary, with problems affecting free lance and day players.

Members will be asked to submit ideas for remedying conditions in the free lance and day players' ranks, to be taken up by the guild officers for consideration in outlining the program for conferences with producers, over the basic contract, as specified in the pact.

Hub Robbery Ruse Fails

Boston, Dec. 6.—John Carroll, manager of the Paramount, was kidnapped this morning by three men seeking to burglarize the theatre. Carroll was forced from his own automobile while driving home alone and was taken to a garage, where, at the point of a gun, he was compelled to reveal the combination of a safe in which lay $2,600 in weekend grosses. Carroll persuaded the bandits, however, that only a small sum of money was in the theatre and that the risk of getting even that was too great because of the night cleaners. He was finally released unharmed in the suburbs. He informed the police, who rushed a guard to the theatre.



SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
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Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40



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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 135 NEW YORK, WEDNESDAY, DECEMBER 8, 1937 TEN CENTS

Myers Urges Continued Use Of Litigation

Only Means to Hand, He Tells Ohio Meeting

COLUMBUS, Dec. 7.—Exhibitor pressure for industry reforms by legislation and litigation was urged today by Abram F. Myers, general counsel of Allied States Ass'n, in an address before the two-day annual convention of the I. T. O. of Ohio, in progress here at the Neil House.

Myers, in a lengthy address, cited the lack of success which he said has resulted from the various "point programs" which have been brought forward for the settlement of distributor-exhibitor problems, and said with reference to his proposal for litigation and legislation, "This does not mean that it is not worth while to attempt to marshal nationwide agreement on a program or to coordinate the efforts of all exhibitors in support thereof. But in pursuing what is at best a remote possibility, they should not in the slightest degree abate their efforts to secure relief by the only methods presently available."

He pointed out the problems to be

(*Continued on page 7*)

Stevenson Heads Carolina Owners

PINEHURST, N. C., Dec. 7.—The Theatre Owners of North and South Carolina, at the closing session of their two-day Silver Jubilee Convention at the Carolina Hotel here today, elected S. S. Stevenson of Henderson, N. C., as president to succeed Charles W. Picquet, who declined to stand for reelection. Picquet had completed 14 consecutive years as president of the

(*Continued on page 7*)

Commons Group Still Weighs Council Plan

LONDON, Dec. 7.—Consideration of amendments to the proposal for a Film Council to be incorporated in the new Films Act was continued today in the House of Commons Committee working on the legislation.

The session was featured by the vigorous labor opposition. Adopting a conciliatory attitude, Oliver Stanley, president of the Board of Trade, met

(*Continued on page 2*)

Radio—Page 7

Decision Is Reserved in Perelman Case

Third Reargument Heard In Philadelphia

PHILADELPHIA, Dec. 7.—Judges Joseph Buffington, J. Warren Davis and J. Whitaker Thompson in the U. S. Circuit Court of Appeals today reserved decision at the conclusion of the third rehearing of the Perelman double feature case. The court gave no indication of when its decision will be handed down.

The rehearing was granted the attorneys for the six major companies who were defendants, Warners, Paramount, Fox, RKO, United Artists and M-G-M, so that they might introduce two points. Morris Wolf and Edward Weisl, representing the companies, claimed the clause in the contract restraining exhibitors from dual billing, claimed by the plaintiff to be illegal, was reasonable. They held it a protection for the industry and public and therefore not a violation of law.

The other point was that evidence had not shown the producers combined in violation of anti-trust laws to discriminate against exhibitors who ran duals. They argued that the six defendant companies had decided "individually and independently" to strive for elimination of duals. They de-

(*Continued on page 2*)

Conciliation Ideas Sought in Toronto

TORONTO, Dec. 7.—Following the establishment of a conciliation committee, representing all branches of the film business in Canada, notification has been sent to all exhibitors requesting that suggestions for remedial measures within the trade be sent to the headquarters of the Toronto Board of Trade at the King Edward Hotel. All recommendations for the betterment of the business will be considered. This invitation now places the matter of grievance settlement up to the theatre owner.

M-G-M Sales Heads To Meet in Chicago

All M-G-M district and division sales managers will convene at the Palmer House, Chicago, Saturday for a two-day session. At the same time, it is expected that E. K. O'Shea, former Buffalo branch manager, will be named to succeed William A. Scully as eastern district manager.

William F. Rodgers has arrived

(*Continued on page 2*)

Stolen Record

Portland, Ore., Dec. 7.—"The Awful Truth" broke all first week records at the Paramount here since Hamrick-Evergreen has managed the house, a matter of three years, but all the money did not go into the bank.

On the last day of the first week, a holdup man spoke so convincingly to the cashier that he was given about $200, then escaped.

Agreement Near on RKO Option Renewal

Negotiations for an extension of the option on the bulk of RCA's remaining debentures and stock of RKO may be concluded by the investment syndicate headed by Atlas Corp. and Lehman Bros. within the next week, principals in the negotiations stated yesterday.

As reported in MOTION PICTURE DAILY of Dec. 3, the negotiations now in progress involve the acquisition of a small part of the RKO securities under option within the next few weeks and an extension of the option on the remainder for an as yet undetermined period.

Reports published in metropolitan newspapers yesterday that the option would be extended for six years, with one-sixth of the securities being picked up annually, were described by principals as "pure conjecture." While insisting that details of the extension

(*Continued on page 2*)

Group Leaves Today For Blank's Dinner

Approximately 20 film executives from New York will leave this afternoon on the Commodore Vanderbilt to attend the testimonial banquet in Des Moines tomorrow night for A. H. Blank, commemorating his 25th anniversary as an exhibitor. The men will leave in two special cars, and will return to New York Saturday morning.

Y. Frank Freeman, Paramount theatres operating head; Austin Keough, Paramount executive, and

(*Continued on page 2*)

Cleveland Theatres Facing New Taxation

CLEVELAND, Dec. 7.—A plan to raise $500,000 for city funds, advocated by City License Commissioner Joseph E. Cassidy, provides application of license fees for every business activity. Included in the list of new things to license are film and vaudeville houses. At the rate of 20 cents a seat per year, it is estimated that the theatre license fee should raise $24,000 annually.

U. A. Option Agreement Is Reported Off

Tax and Legal Obstacles Given as Reasons

By AUBREY FLANAGAN

LONDON, Dec. 7.—The Samuel Goldwyn-Alexander Korda agreement for exercising their option to purchase the outstanding three-fifths of United Artists common stock is "cold," it was reported here today in well-informed quarters on the eve of the oft-postponed United Artists stockholders' meeting in Hollywood.

Legal and tax obstacles to the deal on both sides of the Atlantic are given as the reasons for the apparent collapse of efforts to consummate the financing agreement for the exercise of the option. It was officially indicated that incipient efforts to negotiate an extension of the option beyond Dec. 23, its expiration date, have been discontinued and that the stockholders will be informed at their meeting tomorrow that there is little prospect of the option being exercised.

Unconfirmed reports hold that the option will be permitted to lapse and that efforts will be made later by Goldwyn and Korda to negotiate a new one in the event that the deal can be salvaged by extensive revising.

Clarify the Rule on Holding Ticket Stubs

By BERTRAM F. LINZ

WASHINGTON, Dec. 7.—Regulations requiring theatres to retain for not less than three months the portions of admission tickets taken up by them were today interpreted by the Internal Revenue Bureau in such a way as to relieve certain exhibitors from that requirement.

The bureau rules that where a film theatre does not sell reserved seat tickets to cover particular seats or boxes; does not sell tickets to ticket brokers or speculators; does not sell any tickets for an amount in excess

(*Continued on page 2*)

Weinberg Will Keep His Columbia Post

Lou Weinberg, circuit sales contact for Columbia, will continue in that post and not join Universal as assistant to William A. Scully, new general sales manager, on Jan. 1, it was stated officially yesterday at the Columbia home office.

Weinberg for the past two days

(*Continued on page 2*)

MOTION PICTURE DAILY
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Commons Group Still Weighs Council Plan

(*Continued from page* 1)

the labor criticism of the advisory committee clause of the council proposal with an agreement to withhold further pressure until the bill has had its third reading in Commons. Stanley, explaining it was his wish to remove the routine work from the complete council, agreed that a less cumbersome solution than the advisory committee is possible. The discussion by the committee of the separate quota proposals was postponed until Thursday.

Astaire to Join Goldwyn

HOLLYWOOD, Dec. 7. — Fred Astaire, following the completion of his next film, will leave RKO and sign a term contract with Samuel Goldwyn, it was stated here today.

Theatre Trailer Corporation
A TRAILER ON EVERY PICTURE
Produced by Experienced Showmen
HOME OFFICE: 630 9th Ave., N. Y. C.
ADOLPH POLLAK General Mgr.

Decision Reserved In Perelman Case

(*Continued from page* 1)

clared continuance of double features will bring about cut-throat competition and lead to undesirable films.

B. N. Golder, attorney for Perelman, contended the producers "got together" in illegal combination to drive the small exhibitors out of business, unless they discontinue double bills.

The Circuit Court first upheld Judge Welsh's ruling against the producers in a lower court on Jan. 16, 1936. After reargument the court reaffirmed the original ruling on March 4, 1937, but the next day "recalled" its decision, explaining it had been "filed by mistake" and ordered the reargument which was held today.

Shewitt-Pommer Case Today

A motion to dismiss the amended complaint in the $100,000 breach of contract suit brought by Murray Shewitt against Erich Pommer will be heard this morning by Justic Philip J. McCook in the N. Y. Supreme Court.

Agreement Near on RKO Option Renewal

(*Continued from page* 1)

had not been formally agreed upon yet, these principals intimated that only a short term extension might be granted.

The syndicate headed by Atlas and Lehman Brothers acquired $4,893,327 of RKO debentures, constituting 42 per cent of the debentures outstanding, and 605,731 shares of common stock, or 23½ per cent of the shares outstanding, from RCA for $5,000,000 in November, 1935, and obtained an option to purchase for $6,000,000 a like amount, constituting the remainder of RCA's holdings in RKO, up to Dec. 31 next.

M-G-M Sales Heads To Meet in Chicago

(*Continued from page* 1)

in Denver from the coast and tomorrow will be in Des Moines for the A. H. Blank testimonial dinner.

Among those attending the Chicago meeting will be E. M. Saunders, western sales head; Tom Connors, eastern division head; Rodgers, Jack Flynn, Detroit; Sam Shirley, Chicago; George Hickey, Los Angeles; Harris P. Wolfberg, Kansas City; C. E. Kessnick, Atlanta; E. K. O'Shea; Bob Lynch, Philadelphia. Henry Nathanson and Walter Hayner will represent the Canadian contingent.

Weinberg Will Keep His Columbia Post

(*Continued from page* 1)

has been conferring with Abe Montague, general sales manager at Columbia, and is understood to be working out a new deal to stay on at an increase in salary.

At the time the Universal sales changes were made, Weinberg had initialed a three-year contract, but withheld final signing until the return of Montague from the coast.

Group Leaves Today For Blank's Dinner

(*Continued from page* 1)

George Schaefer, vice-president and general manager of United Artists, left yesterday, and plan to remain in Des Moines a few days after the Blank dinner.

In the Paramount car will be: Charles Reagan, J. J. Unger, Leon Netter and Harry Royster, all of Paramount, and Sam Spring, attorney; Carl Leserman, assistant sales manager of Warners; A. W. Smith, United Artists; Sam Dembow, National Screen Service; A-Mike Vogel of *Motion Picture Herald;* Nate Blumberg, Jules Levy and Max Fellerman, all of RKO. Cresson Smith was scheduled to go, but was forced to cancel his reservation.

In the 20th Century-Fox car will be: William Clark, William C. Gehring, William Sussman, William Kupper, all of 20th Century-Fox; E. W. Hammons, Harvey Day and Jack Skirball, Educational, and Jack Cohn, Columbia vice-president.

Clyde Eckhart will join the group in Chicago, and W. Ray Johnston will go from Kansas City to Des Moines.

Gillmore Resigns as Actors' Equity Head

Frank Gillmore, president of Actors' Equity for the past nine years, resigned at a meeting of the council yesterday. He will devote all of his time to his post as president of the A.A.A.A., the parent A.F.L. performers' union.

The Equity council will meet Dec. 17 to consider a successor. Paul Dullzell, executive secretary, is regarded as likely to receive the post.

Lists New Stock Issue

WASHINGTON, Dec. 7.—The Bausch & Lomb Optical Co., Rochester, yesterday filed with the S. E. C. a registration statement covering 50,000 shares of five per cent cumulative convertible preferred stock at $100 par, and 250,000 shares of common at $10 par. Of the common 50,000 shares are to be offered publicly and 200,000 shares are reserved for conversion of the preferred.

Pathe Signs With S. A. G.

Pathe's commercial film division yesterday signed a "guild shop" contract with the Screen Actors' Guild. March of Time, last of the eastern producers of consequence remaining unsigned, is expected to come to an agreement with the guild office here during the next few days.

Set "Mayerling" Deal

A deal has been concluded between I. E. Lopert, president of Pax Film, Inc., and Arthur Kelly, vice-president of United Artists in charge of foreign sales, whereby the latter company will distribute "Mayerling" in the Philippine Islands.

Lichtman on Coast

HOLLYWOOD, Dec, 7.—Al Lichtman, vice-president of Loew's, arrived here by plane from New York today.

Wini Shaw Married

Wini Shaw was married Monday to Frederick Vosberg, agent.

Clarify the Rule on Holding Ticket Stubs

(*Continued from page* 1)

of the regular box-office prices; does not sell tickets otherwise than through a mechanical ticket sales recording device which records accurately every ticket sold and its selling price, and makes and keeps for inspection by revenue officers, as well as for other purposes, hourly records of all transactions made through the mechanical device or otherwise, such records being transcribed from an accurate mechanical system of recording which is the equivalent of an individual count of ticket stubs "there is in effect compliance with the provisions of the regulations and it will not be necessary for such theatre to retain the ticket stubs unless instructed to do so for certain periods by duly authorized representatives of the Bureau of Internal Revenue."

However, it was held, unless all of the above requirements are met, it is necessary that ticket stubs be retained for a period of not less than three months.

U.K. Rental Talk Today

LONDON, Dec. 7. — The first step looking to an amicable settlement of the current dispute between distributors and exhibitors relative to the grading or classification of films will be taken tomorrow. Informal conversations, in which representatives of both viewpoints will be included, are expected to lead to a round table discussion of the problem, and a subsequent agreement.

Technicolor Dividend

Technicolor yesterday declared a dividend of 25 cents a share on the company's outstanding stock. It is payable Dec. 23 to stockholders of record at the close of business on Dec. 16.

GTE to Pay 25 Cents

General Theatres Equipment Corp. has declared a final dividend for the year of 25 cents a share.

Wall Street

Board Increases Lightly

	Open	High	Low	Close	Net Change
Col.	15	15	15	15	.....
Cons.	1½	1½	1½	1½	.....
Cons., pfd.	7	7⅛	7	7⅛	+ ⅛
E. K.	158½	160¾	158½	160¾	+1½
G. T. E.	14½	14½	14½	14½	+ ¾
Loew	51	52¾	51	52¾	+ ¾
Loew, pfd.	105	105	105	105	.....
Para.	12	12½	12	12½	+ ⅜
Para. 1	97	97	97	97	.....
Para. 2	11¼	11½	11⅛	11½	+ ⅛
Pathe	6⅜	6⅜	5⅞	6	— ⅜
RKO	4¾	4⅞	4¾	4⅞	+ ⅛
20th Fox	21¼	21¾	21¼	21½	+ ¼
20th, pfd.	28	28	27¼	27¼	— ⅝
Univ., pfd.	34½	34½	34½	34½	— ½
W. B.	7⅝	7¾	7⅝	7¾	+ ⅛
W. B., pfd.	42	42	42	42	—1

Small Curb Movement

	Open	High	Low	Close	Net Change
G. N.	1	1	15/16	15/16	—1/16
Monogram	1½	1½	1½	1½	— ¼
Sonotone	1¾	1¾	1¾	1¾	— ⅛
Tech.	18⅞	19	18½	19	+ ⅜

Bonds Generally Off

	High	Low	Close	Net Change
Keith 6s '46	83½	83½	83½	—1
Loew 3½s '46	98¾	98½	98¾	+ ¾
Para. Pict. 6s '55	90	90	90	— ½
Para. Pict. '47	74⅛	74	74	.....
W. B. 6s '39	79⅛	79	79	— ⅛

(Quotations at close of Dec. 7)

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BOX-OFFICE
ATTRACTION!

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Ziegfeld Follies

IN TECHNICOLOR



Confidential Report

FOX WEST COAST AGENCY CORPORATION

1600 WEST WASHINGTON BOULEVARD
LOS ANGELES, CALIFORNIA

TO: HOME OFFICE
FOX WEST COAST THEATRES

GOLDWYN FOLLIES AUDIENCE REACTION MARVELOUS. APPLAUSE IN THIS HOUSE ON A PREVIEW IS NOT A COMMON THING BUT TONIGHT THERE WERE ROUNDS OF SPONTANEOUS APPLAUSE AFTER MANY OUTSTANDING SEQUENCES THROUGHOUT THE ENTIRE PICTURE. IN SPITE OF LENGTH OF IT AND IT BEING A FIRST CUT THE AUDIENCE ATE IT UP. IT EMBODIES MORE ENTERTAINMENT OF EVERY VARIETY THAN ANY PICTURE I HAVE EVER SEEN. EDGAR BERGEN AND CHARLIE MCCARTHY ARE MARVELOUS AND BROUGHT THE HOUSE DOWN EVERY TIME THEY APPEARED ON THE SCREEN. THE RITZ BROTHERS SLAPSTICK WAS GREAT. HELEN JEPSON GOT A BIG HAND IN HER OPERATIC SCENES. THE BALLET NUMBERS BY THE AMERICAN BALLET OF THE METROPOLITAN OPERA ARE MARVELCUS PARTICULARLY THE WATER BALLET WHICH IS THE MOST BEAUTIFUL THING EVER TO BE FILMED. VERA ZORINA THE NEW STAR IS OKAY AND DEFINITELY CLICKED WITH THE AUDIENCE. MENJOU AND ANDREA LEEDS AND KENNY BAKER ARE CAST PERFECTLY AND CLICKED 100 PERCENT. THE STORY IS VERY CLEVER AND ORIGINAL. WITHOUT RESERVATION I FEEL THIS PICTURE CAN BE ADVERTISED AS THE GREATEST OF ALL MUSICAL ENTERTAINMENTS EVER PUT ON FILM AND SHOULD DO BIG BOX-OFFICE EVERYWHERE. WOULD CLASSIFY AS DOUBLE A.

BOB CANNOM
MANAGER, FOX POMONA THEATRE

SAMUEL GOLDWYN'S greatest achievement

Released thru UNITED ARTISTS

Purely Personal

HARRY SHIFFMAN celebrated another birthday yesterday with MITCHELL KLUPT, JOE HORNSTEIN, CHARLES MOSES, EDWARD SCHNITZER, JACK BOWEN, MOE STREIMER, HARRY H. BUXBAUM, MAX COHEN, NAT COHN and IRVING WORMSER staging an impromptu luncheon party at the Paddock.

•

STUART F. DOYLE will arrive on the *Washington* tomorrow from London. After a short stay here he will leave for the coast and sail for Sydney, his headquarters.

•

SOPHIE STEWART, featured in London Films' "The Return of the Scarlet Pimpernel," will sail today on the *Aquitania* to spend Christmas in London.

•

RALPH BUDD, Warner home office personnel manager, returned yesterday from Florida after taking his family there to spend the winter.

•

WESLEY RUGGLES, S. C. SKOURAS, JOHN LODER and JEAN LEVY-STRAUSS, the latter of M-G-M, are sailing today on the *Normandie*.

•

PAUL GRAETZ, president of Paris Export Film, will sail today on the *Normandie* for his headquarters in Paris.

•

FRANK LLOYD, director of "Wells Fargo," leaves tonight for Boston and another preview of his latest picture.

•

MEYER BECK, United Artists director of publicity, will leave by plane today for a vacation in Bermuda.

•

WALTER HUSTON will reach town tomorrow after six months on the coast.

•

GLADYS SWARTHOUT will arrive in town tomorrow from New Orleans.

•

SI FABIAN, who left for Albany yesterday, is due back Friday.

•

RITA JOHNSON arrived on the coast yesterday by plane.

The Newsreel Parade

Movietone News
Vol. 20, No. 25
(20th Century-Fox)

Another good, full-measure release in the lively and entertaining manner for which this reel is deservedly noted may be counted on in this.

The release leads off with some sensational shots of the shelling of Nantao during the capture of Shanghai, and the fleeing of civilians from the native quarter. The late arrival of more than 4,000 feet of this material prevented the inclusion of any great amount of it in this release, but what there is ranks high among the combat footage that has come from China.

The domestic news includes shots of principals and the events in the Miami All-American Air Meet; plane shipments of baby chicks from Florida to South America; William Green of the A. F. of L. and John L. Lewis of the C. I. O. following their recent "peace" meeting in Washington, and the successful trial of new deep sea diving equipment. The foreign news section brings the arrival of Ramsay MacDonald's remains in England; the escape from Palestine of the Arab leader; the arrival in France of large gold shipments from America, and Italy's facilities for minding babies left by working mothers.

The sports section includes shots of the Washington Redskins-New York Giants game for the eastern "pro" football title; the Southern California-U. C. L. A. game, and the opening of the skiing season in the Alps.

A good reel, well narrated, photographed and edited.

Running time, 10 mins. K.

News of the Day
Vol. 9, No. 23
(M-G-M)

News of the Day has taken a new tack in handling the Chinese war scenes and has concentrated on the poignant human drama involved rather than the broad spectacle. It's impressive. Weary and frightened Chinese cilivians rush through the barbed wired barriers of the French concession at Shanghai, heedless of the flailing sticks of the constabulary. Masses of men, women and children hold out their hands for food thrown to them. Young people half carry their elders. Young and old struggle impotently in the mud of a shallow creek trying to escape bombardment and fire.

These scenes will stand out in the memory of beholders.

The rest of the reel holds up in spite of this strong start. The Miami air races show planes swooping around pylons at extremely low altitudes, the wrecks which marred the meet, and a stunt man who is towed under a plane hanging to a rope before he drops with a parachute.

Adelaide Hawley, commentator, makes what might have been a commonplace shot something to think about with her description of a baby checking place in Italy. Her "sleep, bambino, while you may" reaches home.

Football shots close the reel, but interest in this sport is fading. The Redskins-Giants professional game and the Trojans-Bears college game in California are shown.

Running time, 9 mins. J.

Paramount News
No. 36
(Paramount)

Doings in the Balkans open the reel. In Yugoslavia, Prince Paul leads his nation in observing the 25th anniversary of the lifting of Turkish rule. Albania's King Zog attends military reviews and ceremonies on a national holiday. It is a fair lead.

The meeting of William Green and John L. Lewis in Washington is cleverly presented. The labor leaders both announce as they emerge from conference that they have reached no conclusions. A page boy gets real tough when two cameramen attempt to enter the sanctum. It seemed like the real thing.

News flashes offer funeral scenes for Ramsay MacDonald, Mayor LaGuardia pinning Congressional Medals on members of the Byrd Antarctic expedition and Federal agents studying the mystery of the stolen mail sacks which were found in the river by an eel fisherman.

Last Sunday's exciting professional football game between Washington and the Giants is adequately caught by well-placed cameras. In Los Angeles, a 70-yard pass by Southern California is a highlight in its games with U. C. L. A. But they lost by a score of 19-14.

It is an average reel.

Running time, 8 mins. P.

RKO Pathe News
Vol. 9, No. 40
(RKO)

A fast moving and interesting issue, this number of the RKO Pathe reel is all-American, with no clip devoted to anything outside the United States. It opens with Roosevelt's fishing trip.

Called exclusive is the clip picturing the capture of 20 members of a narcotics ring in New York by Federal agents, with the audience urged to join in the manhunt for three leaders who escaped. Their pictures are displayed by a Federal man. Excellent scenic effects are achieved in the shots of the drilling through the Sierra Nevadas in California for a new tunnel.

Ex-President Hoover is seen visiting the growing World's Fair in New York. The labor chieftains, William Green of the A. F. of L., and John L. Lewis of the C.I.O., meet for potentially important discussions and the wreckage of two planes is seen at Miami's air races, while Army fliers make spectacular designs in the sky with smoke. The sporting division includes skiiers coming down from the rafters in the Boston Garden, and some cracking football material as the Washington Redskins hand the N. Y. Giants a beating.

Running time, 9 mins. A.

Universal News
Vol. 9, No. 621

The all-American air races at Miami and the Redskins-N. Y. Giants pigskin game in New York hold a quota of thrills and excitement to keep the newsreel fans in a happy frame of mind. Another sports event is the indoor ski jumping at Boston.

Other clips include New York's sturdy policemen developing their mechanical skill by repairing Christmas toys for unfortunate children in the local area. Then there are shots of Santa Claus arriving at Miami via the aquaplane method.

A sad note is injected with the funeral of Ramsay MacDonald. President Roosevelt is shown leaving Miami for a visit to his dentist and the subject winds up with the nip and tuck New York Giants-Redskins football fracas.

Running time, 8 mins. O.

AMERICAN FLAGSHIPS
TO LOS ANGELES



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Five Composers Quit Song Writers' Ass'n

Jerome Kern, Oscar Hammerstein, Dorothy Fields, Sigmund Romberg, Gus Kahn and many other songwriters now in Hollywood have tendered resignations to the Song Writers' Protective Ass'n, it was learned yesterday.

The reason for the resignations is said to be a protest against a meeting called for today by the S.P.A. to amend the bylaws so as to make the assignment of synchronization and recording rights to the organization for 25 years instead of perpetuity. The coast writers feel, it was said, that if the assignment is made valid by the amendment they will not be permitted to work for film producers.

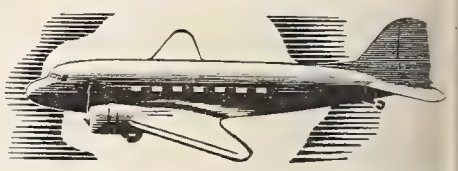
Irving Caesar is president of the S.P.A.

Jack Harris Slated As Fox's Successor

Jack Harris, district manager for Skouras Theatres in Long Island, is slated to be appointed to succeed Matthew Fox, film buyer and booker, when the latter leaves in two weeks to become executive aide to Nate J. Blumberg, new president of Universal.

Tom Saris, manager in one of the Astoria houses in the circuit, is now acting as district manager for the Harris group of theatres. Lou Hart, who was formerly with Skouras and resigned, is now back at the Broadway, Astoria.

The appointments are expected to be made official upon Fox's departure from the circuit. He is now winding up several deals with Harris sitting in.



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★No crowding—a berth for every passenger.
★De luxe Skylounges on daylight portions of trip, sleepers at night.
★Nightly sleeper flights coast to coast.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices

UNITED AIR LINES

Myers Urges Continued Use Of Litigation

(*Continued from page* 1)

dealt with as including: compulsory block booking, unreasonable protection, undue theatre expansion, the "right to buy," contract revision, designated playdates, unfair allocations, non-delivery of pictures and radio competition.

Nathan Yamins spoke on operating problems and Pete Harrison described his recent Hollywood survey, painting a gloomy picture of present studio conditions but paying tribute to Nate Blumberg, newly elected president of Universal. Ralph W. Wilkins and P. J. Wood also delivered addresses.

Neil F. Agnew and Howard Dietz, of Paramount, and Eddie Golden, of Monogram, were unable to attend and wired their regrets.

Election of officers will be held tomorrow.

Stevenson Heads Carolina Owners

(*Continued from page* 1)

exhibitor unit, and the delegates voted that a proper token of remembrance be obtained and presented to him for his long service. Other officers elected were: H. R. Berry, Hartsville, S. C., first vice-president, and Lyle Wilson, Roanoke Rapids, N. C., second vice-president. Stevenson operates theatres independently in Henderson and Rock Hill, S. C.

A striking appeal was made by Montgomery S. Hill of Greensboro, N. C., for handling Negro presentations on the screen with a greater knowledge of the problems involved and more consideration for southern traditions.

Hill declared: "We are glad to see Negroes portrayed in sympathetic roles, but object to showoff characters and wish heartily to condemn the scantily-clad Negro persons in dance scenes, especially with white performers. Sex appeal suggestions should be strictly taboo."

A resolution, adopted at the conclusion of Hill's address, was identical with that adopted by the Theatre Owners of Arkansas, Mississippi and Tennessee two months ago.

Ed Levy, general counsel of the M.P.T.O.A., outlined the national legislative situation in a lengthy prepared paper.

Milton C. Moore of Jacksonville, president of the Southeastern Theatre Owners Ass'n, started the only argument of the convention when he sought support for a resolution of his organization favoring Federal regulation by the appointment of boards to consider the complaints of exchange men and exhibitors.

H. F. Kincey of Charlotte: Ed Kuykendall, president of the M.P.T.O.A., and Levy all protested against any sort of Federal regulation.

Capra's Film Set

HOLLYWOOD, Dec. 7.—"You Can't Take It with You" will be Frank Capra's first picture under his resumed relationship with Columbia, it is understood.

FCC Approves Licenses for New Stations

WASHINGTON, Dec. 7.—The F. C. C. has granted operating licenses to three new broadcasting stations as follows: News Press Publishing Co., Santa Barbara, call letters KTMS, frequency 1,220 kilocycles, power 500 watts; Hammon-Calumet Broadcasting Corp., Hammon, Ind., call letters WHIP, frequency 1,480 kilocycles, power 5,000 watts, daytime only; A. Frank Katzentine, Miami Beach, call letters WKAT, frequency, 1,500 kilocycles, power 100 watts.

The commission also approved applications of WSIX, Nashville, increasing day power from 100 to 250 watts, and KOVC, Valley City, N. D., increasing day power from 100 to 250 watts.

List Application Hearings

A number of applications for new broadcasting stations have been sent to examiners for hearings, as follows: W. A. Barnette, 610 kilocycles, 250 watts, daytime only, at Greenwood, S. C.; F. C. Todd, 1,420 kilocycles, 100 watts nights, 250 watts day, at Gastonia, N. C.; Roberts-MacNab Co., 1,310 kilocycles, 100 watts night, 250 watts day, at Livingston, Mont.; S. B. Quigley, 1,200 kilocycles, 100 watts, daytime only, at Mobile, Ala.; Harry M. Ayers, 1,420 kilocycles, 100 watts, daytime only, at Anniston, Ala.; Kathryn B. Gosselin, 1,500 kilocycyles, power not stated, at Aurora, Ill.; Scripps-Howard Radio, Inc., 630 kilocycles, 1,000 watts night, 5,000 watts day, at Denver; Anne Jay Levine, 1,370 kilocycles, 100 watts night, 250 watts day, at Palm Springs, Cal.; Michael J. Mingo, 1,400 kilocycles, 250 watts, daytime only, at Tacoma; N. B. Egeland, 1,500 kilocycles, 100 watts, daytime only at Fort Dodge, Ia.; Clinton Broadcasting Corp., 1,310 kilocycles, 100 watts night, 250 watts day, at Clinton, Ia., and Garden Island Publishing Co., Ltd., 1,500 kilocycles, 100 watts night, 250 watts day at Lihue Kauai, Hawaii.

Frequency Change Requested

Station applications set for hearing included those of KGDM, Stockton, Cal., for change of frequency from 1,100 to 1,150 kilocycles and increase of power from 1,000 to 5,000 watts; KGGC, San Francisco, increase of day power from 100 to 250 watts; WMC, Memphis, increase of night power from 1,000 to 5,000 watts; WGAL, Lancaster, Pa., change of frequency from 1,500 to 1,510 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; QTMV, East St. Louis, Ill., change of frequency from 1,500 to 1,510 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day; WDAE, Tampa, change of frequency from 1,220 to 780 kilocycles; WNEW, New York, increase of day power from 2,500 to 5,000 watts.

Five Join Artists' Board

Rudy Vallee, Hal Kemp, Benny Goodman and Efram Zimbalist have been elected to the board of directors of the National Ass'n of Performing Artists, Fred Warren president.

Kolorama Shows Its Television System

Kolorama Research Laboratories, Inc., yesterday exposed to the eyes of newspapermen its progress in television, developed under its own patents. The demonstration took place in the company's studio in Irvington, N. J.

Televised on a 4-ft. x 5-ft. screen in regular black and white were clips from News of the Day, Pathe, and brief scenes from standard film in which Anita Louise, James Cagney, Pat O'Brien, Katharine Hepburn, Grace Moore and Fred MacMurray participated.

Kolorama employs a mechanical system of its own invention whereas most other systems use the cathode ray tube. Kolorama claims to be able to blow up a picture to any size with its system, whereas the cathode ray definitely limits the size of the picture. The company officials, however, would not explain the features of its system, stating they are not yet ready. Also refused was information bearing on the number of lines it uses to make visible the picture. RCA and most other companies now employ the 441-line definition.

Kolorama's pictures were rather imperfect when compared to what some other companies have shown. The films lacked detail in most instances, had a pronounced flicker, and faces, especially in closeups, were somewhat distorted. The black and white colors were shallow. —B.

Jaeger WNEW Chief Announcer

John Jaeger has been named chief announcer of WNEW. He has been a member of the staff of the station for some years, being the oldest announcer in point of service. No other announcing staff changes are contemplated.

W. D. Roberts Joins NBC

W. Donald Roberts, formerly with the McGilvra organization of special radio representatives, has joined the eastern sales staff of NBC. Previously he had been with the Hearst Magazine Group, and with the *New York Times*.

Baird Claims Color Television Success

LONDON, Dec. 7.—Trade interest has been aroused here by the announcement of John L. Baird that he has successfully demonstrated television in three colors, transmitting a "Popeye" cartoon on a theatre screen.

Experiments have been private up to this time, but Baird has promised a demonstration soon on the screen of the Dominion Theatre. The colors said to have been used were blue, green and red, reproducing an image composed of lines in that sequence.

Baird is also understood to be experimenting secretly with non-color broadcasting from the Crystal Palace to a moderate-sized screen at the Bromley Theatre.

Scull Signs for New Show on WOR, Jan. 3

W. S. Scull Co., makers of Bosco, have signed for a new thrice weekly series to begin over WOR Jan. 3, from 12 to 12:15 P. M. The schedule is for Mondays, Wednesdays and Fridays.

The series will feature Don Ross, and the contract, for 13 weeks, is through Kenyon & Eckhardt agency.

Pontiac Renews Air Programs Over CBS

Pontiac Motor Co. yesterday renewed its CBS program for an additional cycle of broadcasts. With its NBC series soon to be cancelled, Pontiac thus will have as its only network show the current one on CBS. McManus, John & Adams is the agency.

Thornton Fisher on WNEW

Thornton Fisher, dean of sports commentators, will be heard regularly over WNEW three nights a week in a series of sports talks, beginning tomorrow at 7 P.M. The Frank H. Lee Hat Co. will sponsor.

Goodman at Carnegie Hall

Benny Goodman and his orchestra will offer a concert of swing music at Carnegie Hall Jan. 16, the first time that a swing band will be heard there.

We wish to extend our thanks and appreciation to **COLGATE PALMOLIVE PEET** and their advertising agency **BENTON & BOWLES** for making it possible for us to present our latest Radio success **"HILLTOP HOUSE"**

"HILLTOP HOUSE"—A human interest drama, starring Bess Johnson, from the pen of Adelaide Marstone and directed by Carlo De Angelo. It is presented over a Coast-to-Coast Columbia network of 67 stations, from Monday thru Friday, at 5:45, E.S.T.

EDWARD WOLF
Wolf Associates, Inc.
RKO BLDG., NEW YORK

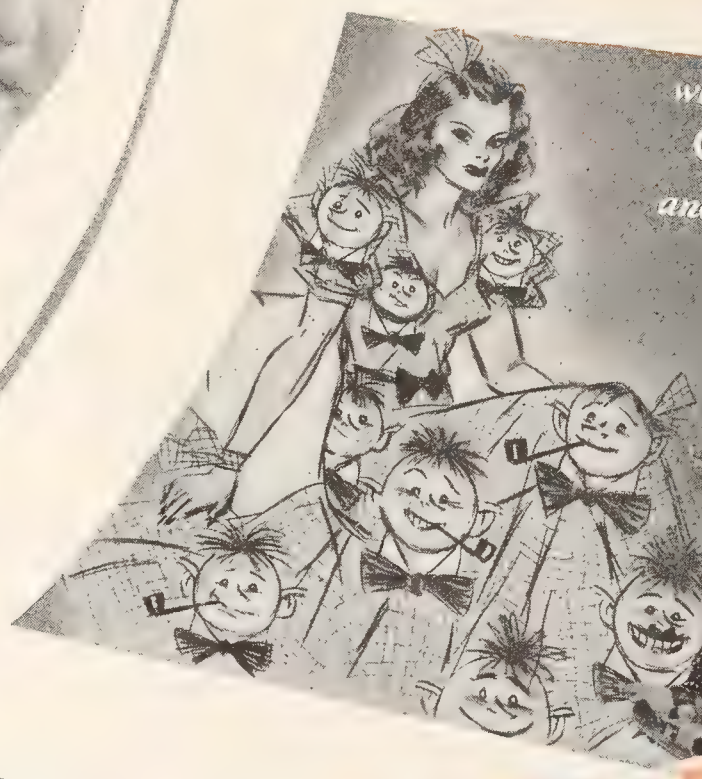
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Lesson No. 1

THEY WANT TO LAUGH!

Educational's specialty is to guarantee the laughs . . . and here are a few samples of how it's being done . . .



with Gags and Gals galore
and
JEFFERSON MACHAMER
in
"KOO-KOO KORRESPONDENCE SKOOL"



with Wild West hokum humor
and
CHARLES KEMPER
in
"THE BASHFUL BUCKAROO"



with A wallflower, turned cavewoman
and
IMOGENE COCA
in
"DIME A DANCE"
with Danny Kaye, Hank Henry



with Those famous "French lessons"
and
WILLIE HOWARD
in
"PLAYBOY NUMBER ONE"

Presented by
E. W. HAMMO

Educational Pictures
"THE SPICE OF THE PROGRAM"
Reg. U. S. Pat. Off

DISTRIBUTED IN U.S.A. BY 20TH CENTURY-FOX FILM CORPORATIO

Alert. Intelligent and Indispensable to the Motion Picture Industry

AIR EDITION, A. H. BLANK DINNER

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 136 NEW YORK, THURSDAY, DECEMBER 9, 1937 TEN CENTS

Industry Leaders Gather For Honor to A. H. Blank

IATSE Seeks Wage Pact in All Exchanges

Conference Called Here On 'Back Room' Scales

Lou Krouse, general secretary, treasurer and assistant to President George E. Browne of the I.A.T.S.E., has called a meeting for next Tuesday to negotiate a master agreement for "back room" employes of exchanges throughout the country. John Gatelee and a committee of the international will sit in with representatives of eight major distributing companies. The session will be held at the Warner home office.

Contracts for the 32 exchanges, covering hours and wages, were completed last summer. The sessions to be held next week will go over general conditions affecting service employes in all parts of the country. The term of the master contract will be decided at the meetings.

Frank Phelps, labor contact for

(*Continued on page 3*)

NBC Plans to Test Mobile Television

The first mobile television station, soon to be used in experimental pick-ups of outdoor news events, will be turned over to NBC Dec. 12. The ceremonies will take place in Rockefeller Plaza.

The unit will consist of two large motor vans containing television control apparatus and a micro-wave transmitter. Completed by RCA, it will be turned over to NBC in connection with the network's television

(*Continued on page 12*)

Havana Group Plans Exchange Radio Unit

HAVANA, Dec. 8.—An Inter-American radio office, with headquarters here, will be established for the exchange of information and experiences in radio communication and broadcasting, it has been decided by the second committee of the radio conference now in session here. The office will serve as a purely consultative technical body. The conference is now terminating the work on its agenda and it is expected that the final plenary session will be held shortly.

More Radio—P. 12

U. A. Option Negotiations Officially Off

HOLLYWOOD, Dec. 8.—International negotiations for the purchase by Samuel Goldwyn and Alexander Korda of the Charles Chaplin, Douglas Fairbanks and Mary Pickford interests in United Artists ended at 3:45 P. M. today when a spokesman for Goldwyn and Korda issued the following statement:

"Owing to insurmountable legal complications we have decided not to exercise our option for the purchase of the three units of United Artists Corp. stock owned by Mary Pickford, Douglas Fairbanks and Charles Chaplin and accordingly are returning the option today."

The statement was obtained by MOTION PICTURE DAILY while the directors' meeting was still in session with all members or their representatives present and proceeding to dis-

(*Continued on page 3*)

Hays Testimony to Be Sought in Suit

BOSTON, Dec. 8.—The depositions of Will H. Hays and top executives of major companies will be sought by George S. Ryan, attorney for Morse & Rothenberg, in a resumption of preliminary legal sessions in New York, Dec. 21, in connection with the Boston independent circuit's anti-trust suit against major distributors, the Maine & New Hampshire and M. A. Shea circuits.

Others whose depositions will be

(*Continued on page 3*)

Government's Film Plans Not Settled

WASHINGTON, Dec. 8.—Plans for the production of films depicting the activities of the various Government departments and agencies, to be furnished for the 1938 expositions at New York and San Francisco, are still in a tentative stage, it was said today by Secretary of Commerce Daniel C. Roper.

About the only point so far settled,

(*Continued on page 3*)

Honored



A. H. Blank

Smith Reelected Ohio Unit Chief

COLUMBUS, Dec. 8.—Martin G. Smith of Toledo was reelected president of the I. T. O. of Ohio for the sixth time at the closing session of the organization's annual convention at the Neil House here today.

Also reelected were Sam E. Lind, Zanesville, first vice-president; M. B. Horwitz, Cleveland, treasurer, and P. J. Wood, Columbus, secretary. Frank W. Huss, Jr., Cincinnati, was elected second vice-president, succeeding Charles Weigel, who has retired from the theatre business. An exhibitor for 27 years, the organization

(*Continued on page 3*)

Harry Post Resigns As Aide of Powers

Harry A. Post, vice-president of Celebrity Prod., Inc., and an officer and director in charge of financial matters in other corporations organized by Pat Powers during the past 14 years, has resigned, effective on or about Jan. 15.

Post has no immediate business plans, but intends to take a vacation. Recently he also has been handling sales.

Special Cars Take Large Eastern Delegation To Des Moines

DES MOINES, Dec. 8.—The film industry's leading executives, from New York, Chicago and other points, tonight were speeding here to pay industry homage to an exhibitor, A. H. Blank.

The occasion is the testimonial banquet tomorrow night at the Hotel Fort Des Moines, which will commemorate Blank's 25th anniversary as a showman and at the same time afford an opportunity for the film business to honor him.

Now operating under the company name of Tri-States Theatres Corp., Blank is a Paramount theatre operating partner, with headquarters here. Under his direction are theatres in this area, covering cities in Iowa, Nebraska and Illinois.

The New York group of executives are due here tomorrow in time for the dinner, coming in special cars.

The employes of Tri-States will present to Blank a one-month vacation trip to Honolulu and back.

The toastmaster will be either

(*Continued on page 3*)

Fabian Dinner List Of Speakers Now 24

ALBANY, Dec. 8.—If many of the speakers lined up for the Si Fabian dinner Monday night take more than a bow, most of the diners will miss the last train home. There are 24 of them, with A. W. Smith, Jr., U. A. general sales manager, listed as toastmaster.

Speakers listed are: Nate J. Blumberg, Mayor John Boyd Thacher,

(*Continued on page 3*)

Chicago Exhibitors Await Action on Tax

CHICAGO, Dec. 8.—Theatremen are awaiting word from Alderman Roger Kiley, chairman of the special finance sub-committee of the City Council, regarding a possible three per cent tax on admissions. To date they have not been called in for any discussions of increases in the present license fees, but they expect the call at any time as the council has been ordered to work out plans for increased revenue.

With theatre business at a low ebb, exhibitors are expected to put up a brisk fight against any increases.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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JAMES A. CRON, *Advertising Manager*

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SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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"Hurricane" Grosses $12,200 in 4th Week

"The Hurricane" garnered $12,200 in the fourth week at two-a-day prices at the Astor. Although U. A. leased the house from Loew's for four weeks, a two-week extension has been granted with another four weeks likely after the sixth week of the run.

"Nothing Sacred" tallied approximately $80,000 in the second week at the Music Hall and is now in its third stanza. "Firefly" in its second week at the Capitol took about $20,000 and the Strand on the second week of "The Life of Emile Zola" grossed about $25,000.

Van Praag Negotiating

Morton Van Praag, who recently dropped three theatres in the local area, is negotiating with two distributing companies for a sales executive post.

Miss Richards to Wed

NEW ORLEANS, Dec. 8.—Lulu Ellenor Richards, daughter of E. V. and Mrs. Richards, will be married Jan. 3 at the Orleans Club to Elwood Roger Clay.

Purely Personal

MARTIN STARR, movie commentator for WMCA, has an article in next month's *Screen Book* on his experiences with film and stage personalities arriving and departing for Europe. It's entitled "New York, a Hollywood Whistle Stop."

•

IRENE AGAI, Hungarian film player, and her husband, STEPHEN SZEKELY, director, will sail from England on the *Aquitania*, Dec. 15, to attend the New York opening of "Segitseg Orokoltem" (Help, I'm an Heir).

•

FRANCES LANGFORD and WILLIAM GARGAN left for the coast via American Airlines yesterday. MISS LANGFORD Tuesday finished a three-week engagement at the Paramount.

•

MEL HEYMANN of M-G-M became the father of another girl yesterday. It is his second. MRS. HEYMANN and the child are doing well at the Presbyterian Hospital in Newark.

•

MRS. Y. FRANK FREEMAN and FRANK, JR., left for Atlanta yesterday to spend the holidays. They will return to New York after the first of the year.

•

PROFESSOR FRANK CAHILL, chief sound engineer for Warners, will speak tomorrow before the film appreciation class of P. S. 66, Brooklyn.

•

FRED ULLMAN, JR., vice-president and general manager of RKO Pathe News, is in Miami, where he will make a Pathe Parade subject.

•

DERRICK DE MARNEY, G. B. player, canceled his sailing yesterday on the *Aquitania*. He will sail Dec. 15 aboard the *Queen Mary*.

•

V. I. VERLINSKY, president of Amkino, sailed yesterday on the *Normandie* for a two-month business trip to Russia.

•

JOE MANKIEWICZ will head for the M-G-M studios today via the rail route.

•

EILEEN ARDEN and COLLETTE LYONS are stopping at the Warwick.

•

NAT LEVY, RKO district manager, is in town from Detroit.

•

AL SHERMAN has returned from a Bermuda vacation.

•

DOROTHY MACKAILL is visiting friends in Chicago.

•

HOWARD DIETZ has gone to Boston for a few days.

Gerard to Be at Ampa

James W. Gerard, former American ambassador to Germany, will headline the guests to appear at Ampa today at the International Casino. He will talk on his experiences and connections with the film industry. Others tentatively lined up include Rudy Vallee, Rosalind Russell, Wallace Ford, Al Shea, Nick Lucas, Alexander Kirkland, Flora Campbell, Imogene Coca, June Sillman, Leonard Sillman, Arthur Kent and Ruth Bond.

New Timing Offered On St. Louis Shows

ST. LOUIS, Dec. 8.—Fanchon & Marco have offered three alternate timings for programs to the public in page newspaper ads. Patrons are asked to indicate their preferences.

The plans are:

No. 1. Designed for patrons who prefer to leave the theatre early and yet arrive late enough to see the main feature. The feature under this schedule would start between 9:30 and 9:45 P.M., and be preceded by 30 minutes of short subjects.

Under this arrangement a patron who prefers the shorter show could arrive as late as 9 P.M., see the newsreels, the short subjects and the main feature and leave by 11 P.M. In this plan patrons wishing to see both features should plan to arrive prior to 8 P.M.

No. 2 is similar to No. 1, but is based on the idea that a majority of patrons prefer the second feature to short subjects. Under this schedule the main feature would start at 9:45 P.M. and be preceded by the second feature, which would start about 8:30 or 8:45 P.M. On this program the short subjects would go on at 8 P.M.

No. 3 would attempt to satisfy the two groups, those who wish to leave early, and those who can stay later and see a double feature program. Under this program the main feature would go on at 9:15 P.M., to be followed by the second feature. The replies will be studied for future guidance.

Georgia Chain Tax To Receive Hearing

ATLANTA, Dec. 8.—A special tax on theatres patterned on the chain store tax passed by the Legislature in the regular session last spring will not come up for final consideration in the House of Representatives until a public hearing has been held. This was decided when the House granted a request from Representative Booth of Barrow, author of the bill, that it be sent back to the Ways and Means Committee for a hearing.

Spyridon D. Skouras Departs for Greece

Spyridon D. Skouras, son of Demetrious, who operates two theatres in Athens, Greece, yesterday sailed on the *Normandie* for home after a nine-month vacation here. Thamus Skouras, brother of Spyridon, sailed last August after a five-month vacation here. Thamus is the distributor for 20th Century-Fox, Paramount and RKO product in Greece.

On the same ship were Wesley Ruggles, Paramount director; Paul Graetz, head of Paris Export Film; Jean Levy Strauss, producer of "Carnet de Bal," French film; John Loder, G. B. actor, and his wife, Micheline Cheirel, who appeared in "Carnival in Flanders."

Ruggles said he was going on a three-month vacation on the Continent and at the same time would look for talent and stories. He stated that the most important thing in pictures today is realism, which is coming back in full force.

Graetz said he completed several deals for releasing independent product in France and would return to this country next March.

Strauss, who came over with Julian Duvivier, new M-G-M director, could not get together with M-G-M on a contract and said he prefers making his pictures in France.

Emil Ludwig, prominent author, canceled his trip the last minute. His baggage had to be taken off the boat a few minutes before it pulled out. One trunk could not be moved out in time and is now on its way to Havre.

Sophie Stewart, who appeared in "The Scarlet Pimpernel," sailed yesterday on the *Aquitania*.

Crippen Joins DeVry

CHICAGO, Dec. 8.—John K. Crippen has been named assistant to A. P. Hollis, advertising manager of Herman A. DeVry, Inc. The company has taken additional space here, has added five new men to the western sales staff, and has added five theatre representatives to the 16mm. newsreel division.



16 DAYS MORE!

Film Leaders Pay a Tribute To A. H. Blank

(*Continued from page* 1)

Charles C. Pettijohn, general counsel of the M. P. P. D. A., or Al Lichtman, who is flying here from the coast, in the event he arrives at the dinner in time.

On the speakers' dais will be the following: Gov. Nels Kraschel of Iowa, Gov. R. L. Cochran of Nebraska, Barney Balaban, president of Paramount; George Schaefer, vice-president and general manager of United Artists; Y. Frank Freeman, Paramount theatres operating head; M. A. Lightman of Memphis; Bishop Gerald Bergan, John Cowles, owner and publisher of the *Des Moines Register and Tribune;* Herbert Yates, head of Consolidated Film Industries; N. L. Nathanson, head of Famous Players Canadian Corp.

Expect Wilby, Jenkins

Also present will be Robert Wilby and William Jenkins of Atlanta; E. V. Richards, New Orleans; J. J. Fitzgibbons, Canada; Sam Pinanski and Martin Mullin, Boston; Edward Rowley and Harold Robb, Dallas; Robert O'Donnell, also Dallas; Elmer C. Rhoden, Kansas City.

The New York contingent to the dinner will include: Austin Keough, Paramount executive; W. Ray Johnston, president of Monogram; Neil F. Agnew, general sales manager of Paramount; Charles Reagan, J. J. Unger, Leon Netter and Harry Royster, all of Paramount, and Sam Spring, attorney; Carl Leserman, assistant sales manager of Warners; A. W. Smith, United Artists; Sam Dembow, National Screen Service; A-Mike Vogel of *Motion Picture Herald;* Nate Blumberg, Jules Levy and Max Fellerman, all of RKO.

Also from New York will be: William Clark, William C. Gehring, William Sussman, William Kupper, all of 20th Century-Fox; E. W. Hammons, Harvey Day and Jack Skirball, Educational; Jack Cohn, Columbia vice-president, and James R. Grainger.

Chicago executives and exhibitors who will attend the dinner include: John Balaban, A. J. Balaban, Leo Blank, Walter Branson, James Coston, Joseph Christy, Phil Dunas, Clyde Eckhardt, E. T. Gomersall, Lou Hunt, William Hollander, Stanley Hand, Walter Immerman, Aaron Jones, Lou Lipstone, Jack Miller, J. J. Rubens, Max Roth, Herbert Stern, Mort Singer, Sam Shirley, Dave Wallerstein and James Winn.

Balaban Coming East

DES MOINES, Dec. 8.—Barney Balaban, president of Paramount Pictures, who has arrived here to attend the A. H. Blank anniversary dinner, will leave Friday for New York. He will arrive there on Saturday.

Review Board Names 2

The National Board of Review has elected Rev. John F. Kelly of the Church of the Transfiguration, Brooklyn, and John M. Loughran, principal of the Samuel J. Tilden High School, Brooklyn, to the general committee.

New Ohio Tax Looms

Columbus, Dec. 8.—It was learned today from inside legislative sources that a bill about to be introduced will increase the admission tax to five per cent.

Exhibitors are ready to fight this or any similar move.

Smith Reelected Ohio Unit Chief

(*Continued from page* 1)

voted to make him an honorary member.

The directors reelected were: Henry Greenberger, John Kalafat, Robert Menches, Max Stearn, J. Real Neth, J. W. Trunk, L. F. Eick, Nat Charnas, Dwight Jones and Harold Bernstein. New directors named were: Joseph Stern, Roy Simons, Jerry Steele, replacing Huss, R. E. Myers and John Pekras.

A resolution, which will be redrafted, in substance commended 20th Century-Fox for its film delivery practices and appealed to other distributors for similar action. The unit will go on record declaring that radio constitutes serious competition.

Practically the entire legislative body of the state attended the banquet yesterday, at which Judge Arthur H. Day of the State Supreme Court made the chief address.

Government's Film Plans Not Settled

(*Continued from page* 1)

it was indicated, is that the scripts will be written by department personnel. It has not been decided how many pictures will be produced nor how they will be made, that is, whether they will be made with Government facilities which are available in at least two departments or turned over to a commercial contractor.

Asked whether the pictures would be exhibited on an admission basis at the expositions, Secretary Roper said that would be for decision by the exposition officials. The films are to be turned over to the expositions for the period of the fairs and then will be returned to the Government.

Secretary Roper is chairman of the Governmental Commission for the San Francisco Exposition. Secretary of Agriculture Wallace fills a similar position for the New York Exposition.

"Baby" Film Is Banned

ALBANY, Dec. 8.—"The Birth of a Baby" has been banned by Dr. Frank P. Graves, State Commissioner of Education, on the ground that it is "indecent, immoral and would tend to corrupt morals."

The case reached Dr. Graves on an appeal of Samuel Citron from the action of the Censor Board in New York. The film is copyrighted by the American Committee on Maternal Welfare.

Marion Davies Silent

CHICAGO, Dec. 8.—Marion Davies, en route to New York, stopped over here today and declined to discuss her future picture plans.

IATSE Seeks Wage Pact in All Exchanges

(*Continued from page* 1)

Warners, has been attending all meetings between distributors and the union as intermediary. He will also sit in on the talks next week.

An invitation has been sent to all distributors to attend the Tuesday session. C. C. Moskowitz, who has been attending the meetings for Loew's, in addition to J. S. MacLeod, is now on the coast and is not expected back in time. MacLeod will represent M-G-M. Phelps left last night for Utica, Cleveland and Springfield, O., and is due back Monday.

Willard C. Paterson, former labor contact for the Warner circuit and now assistant to Joseph Bernhard, will leave today for Palm Springs where he will spend the winter recuperating from a recent illness.

Exchange union representatives from various parts of the country have been invited to attend the Tuesday conclave. All exchange unions are affiliated with the I. A. T. S. E.

Union Judgment on Sherman Confirmed

Supreme Court Justice Samuel Hofstadter yesterday confirmed the report of Referee George Brokaw Compton awarding Local 306 of the Moving Picture Machine Operators' Union a $150,961 judgment against Harry Sherman, former president of Local 306. Also $12,500 for legal fees and $491 for disbursements were allowed to Irving Schleifer, William Greene and Harry Sherl, members of the union who brought the suit in a representative capacity.

The union opposed the allowance on the ground that the judgment was uncollectable and that no benefit had been derived by the union by such an allegedly uncollectable judgment. As a result of the action, said the court, Sherman had resigned his office as president. The suit was brought in 1934 while Sherman was still president and alleged that funds of the union had not been accounted for. Tabershaw and Hirsch were the attorneys who were awarded the $12,500 in fees.

Adjourn Goldwyn Case

Trial of the $1,000,000 infringement suit brought by Mort Eisman, Clara Dellar and Louis Shayon against Samuel Goldwyn, Inc., United Artists Corp., Samuel Goldwyn and Eddie Cantor was adjourned yesterday to Feb. 25 by Federal Judge John C. Knox in the U. S. District Court here yesterday. The plaintiffs claimed infringement of their play, "Oh, Shah" in the picture, "Roman Scandals." A permanent injunction and an accounting of the profits are asked.

Gov't Honors Roxy

The Federal Government has dedicated the tuberculosis hospital at Summount, N. Y., as the Roxy Summount Post in honor of the work the late S. L. Rothafel did for World War veterans.

U. A. Option Negotiations Officially Off

(*Continued from page* 1)

pose of other business held in abeyance since November 10 in anticipation of the Goldwyn-Korda option being exercised. In attendance were Korda, Chaplin, Miss Pickford, David Rose, representing Goldwyn, and C. E. Ericksen, representing Fairbanks.

Hays Testimony to Be Sought in Suit

(*Continued from page* 1)

sought are H. M. Warner, N. J. Blumberg, Gradwell Sears, Abe Montague, John D. Clark, R. H. Cochrane, Nicholas M. Schenck, Al Lichtman, C. C. Moskowitz and Joseph M. Schenck. The session is expected to continue for four days and to resume again in January.

Morse & Rothenberg, charging inability to obtain product, is suing for triple damages of $2,100,000.

Fabian Dinner List Of Speakers Now 24

(*Continued from page* 1)

Joseph Bernhard, Sam Dembow, Jr., F. J. McCarthy, Jules Levy, Herman Robbins, C. Frank Reavis, George J. Schaefer, William Sussman, Meyer Schine, Joseph Unger, Abe Montague, H. J. Yates, William F. Rodgers, Joe McConville, Tom Connors, Jack Alicoate, Y. Frank Freeman, Spyros Skouras, Louis Nizer, Sam Rosen, Peter T. Dana and Phil Fox.

ITOA and Allied to Hold Regular Meets

Regular meetings between joint committees of the I. T. O. A. and Allied of New Jersey will be held the first of every month. The next is slated for Jan. 3 at the Astor.

Members of Allied of New Jersey next Thursday will sail on the *Queen of Bermuda* for Bermuda on an annual trip. The next meeting of the I. T. O. A. will be held at the Astor next Wednesday.

Flash Reviews

"Sergeant Murphy" . . . the adventure of a horse who plays the title role . . . too tough for the artillery . . . trains to be a jumper . . . enters the Grand National . . . will prove popular with juvenile audiences.

"Merlusse" . . . poignant and realistic drama of provincial school life . . . French film . . . should have average reception.

"Colorado Kid" . . . strictly routine in all its departments, this western probably will prove satisfactory.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Skouras Men Shifted

Following the appointment of Jack Harris as buyer and booker for the Skouras circuit, Lou Hart becomes manager of the Grand, Astoria; Robert Baker, the Steinway, Astoria, and George Djimos, the Plaza, Englewood, N. J.

Warners Have Hit The

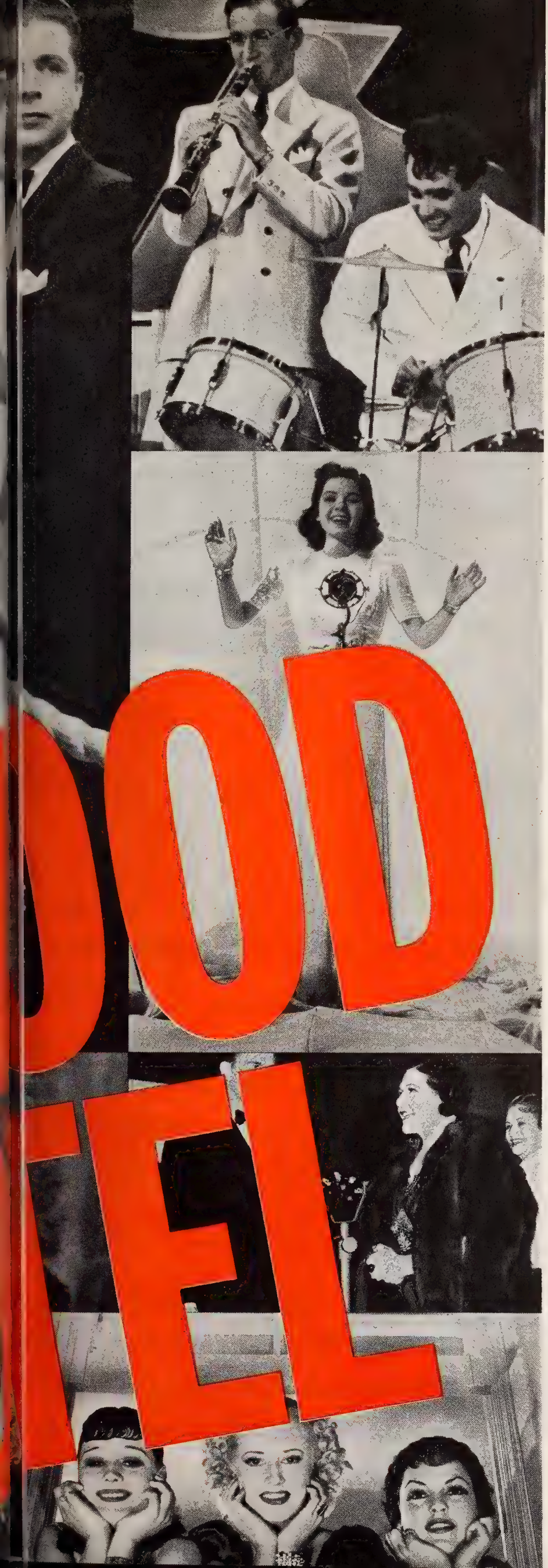
BIG IDEA

In Musicals, Again!

Just when you're wondering where and when you'll *really* get something different in a musical attraction the boys from Burbank step out with a trend-starting theme as big as '42nd Street's' was! You'll get the idea and the 60-million weekly listeners of 'Hollywood Hotel' when you get . . . .

HOLLYW

HO



This Grand Line-Up of Headliners
Makes It the Gayest Thing on Earth!

DICK POWELL
ROSEMARY LANE
HUGH HERBERT
TED HEALY
GLENDA FARRELL
LOLA LANE
JOHNNIE DAVIS
ALAN MOWBRAY
MABEL TODD · ALLYN JOSLYN · EDGAR KENNEDY

PLUS

Direct from the
'Orchid Room' of the Air

THE HOLLYWOOD HOTEL PROGRAM
LOUELLA PARSONS
FRANCES LANGFORD · JERRY COOPER
KEN NILES · DUANE THOMPSON
RAYMOND PAIGE & HIS ORCHESTRA

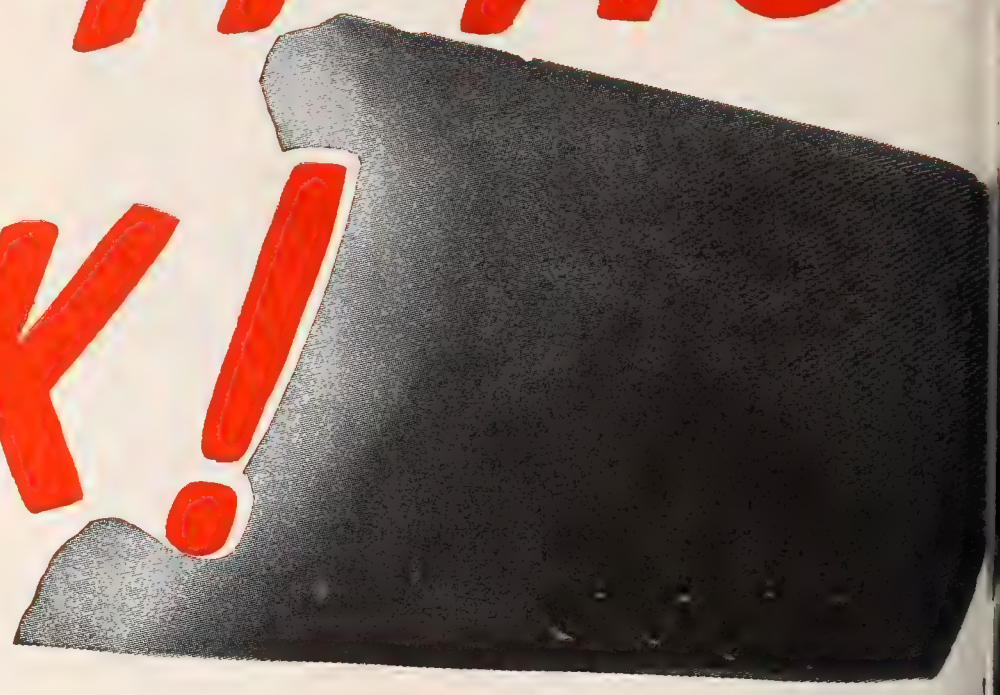
PLUS

BENNY GOODMAN
And
HIS SWING BAND

DIRECTED BY BUSBY BERKELEY

Screen Play by Jerry Wald, Maurice Leo & Richard Macauley
Original Story by Jerry Wald and Maurice Leo
5 NEW SONGS BY DICK WHITING AND JOHNNY MERCER
A First National Picture

TAKE IT AG
FRANK!



"'WELLS FARGO'

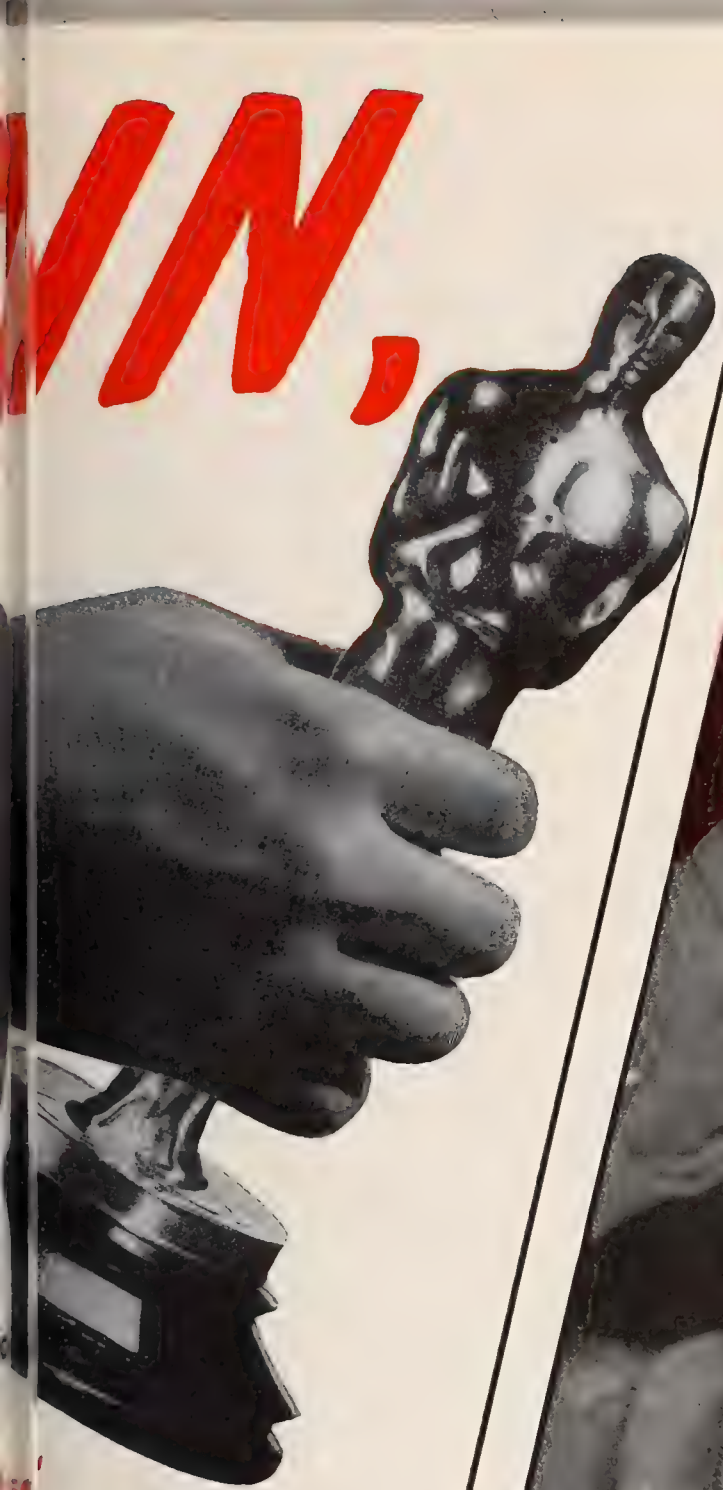
—A fine production with distinct box-office value." —*Film Dail*

"Embraces epic qualities that made 'The Covered Wagon' and 'The Iro
great. Bigger than anyone in it, bigger in its appeal to human e
'WELLS FARGO' is the romance of stirring adventure, heroism and a
Any exhibitor can be proud to offer 'WELLS FARGO'." —*Motion Pi*

"Two hours of spell-binding smash entertainment! The playing, the d
the production, the creative and trenchant binding of the story, cor
give it stirring and haunting reality which will beget pride and love o
as well as theatric satisfaction wherever shown." —*Da*

"Smash entertainment every foot of the way! Can be sold for top r
any situation. Cavalcade of American history that will stir emotions
patron sending them home thoroughly entertained, proud of their natio
tage. Will more than live up to the Paramount slogan 'the best show i

—*Jay Emanuel*









Frank Lloyd's "WELLS FARGO"

A Paramount Picture featuring

JOEL McCREA • BOB BURNS • FRANCES DEE

with Lloyd Nolan, Henry O'Neill, Porter Hall, Robert Cummings
Ralph Morgan, Mary Nash, John Mack Brown, Barlowe Borland

Produced and Directed by Frank Lloyd

Associate Producer Howard Estabrook • Screen Play by Paul Schofield
Gerald Geraghty and Frederick Jackson • Based on a story by Stuart N. Lake

"Stage Door" Washington's Hit, $14,300

WASHINGTON, Dec. 8.—Business picked up last week. The hit of the week was "Stage Door," at RKO-Keith's, taking $14,300 to exceed average by $3,700. A second stanza was ordered.

"The Firefly" at Loew's Palace, took $18,000 to beat par by $2,100 and go into its second week. "Alcatraz Island" did a smashing $8,300 at the Metropolitan, to beat average by an even $4,000, on an eight-day run. At Loew's Columbia, "Ali Baba Goes to Town," on a return engagement, took $4,100, or $500 over par.

Loew's Capitol, with "Second Honeymoon" and Dave Apollon's "Varieties of 1938" on the stage, did breaking even.

Total first run business was $79,300. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Nov. 29:

"LOVE LIFE OF A GORILLA" (Jewel)
BELASCO—(1,140), 25c-40c, 7 days. **Gross:** $1,000. (Average, $3,000)

Week Ending Nov. 30:

"STAGE DOOR" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $14,300. (Average, $10,600)

Week Ending Dec. 1:

"ALI BABA GOES TO TOWN" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,100. (Average, first run, $3,600)

"THE FIREFLY" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $18,000. (Average, $15,900)

Eight Days Ending Dec. 1:

"ALCATRAZ ISLAND" (W. B.)
METROPOLITAN—(1,591), 25c-40c, 8 days. **Gross:** $8,300. (Average, 7 days, $4.300)

Week Ending Dec. 2:

"I'LL TAKE ROMANCE" (Col.)
EARLE—(2,218), 25c-66c, 7 days. Stage: The Honey Family, George Kirby Helen Duvall, Stan Kavanaugh, Gomez & Winona, Don Costello. **Gross:** $13,800. (Average, $18,400)

"SECOND HONEYMOON" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Dave Apollon's "Varieties of 1938," with Dave Apollon, Cass Daley, Bob Ripa, Five Hollywood Co-Eds, Max & His Dogs, Annavann & Her Gladiators. **Gross:** $19,800. (Average, $19,800)

Warner Office to Move

PITTSBURGH, Dec. 8.—Harry Kalmine, zone manager for Warners here, and his entire staff and office will move shortly after the first of the year from the second floor of the Clark Bldg., which they have occupied for almost 10 years, to the 23rd. The new suites will be entirely modernized and the space almost doubled. Original plans to build a new screening room on the top floor have been abandoned and Warners will continue to use the one now located on the balcony between the first and second stories.

Close St. Louis Deal

ST. LOUIS, Dec. 8.—The deal whereby five Bess Schulter and Alex Papand houses become part of the local F. & M. setup has finally been signed. F. & M. has been booking and buying for the Schulter-Papand group for some time, but signatures were actually placed on the pacts a few days ago.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Larger Than Life"

(First National)

HOLLYWOOD, Dec. 8.—"Larger Than Life" presents as its top name Frank McHugh in his Caspar Milquetoast characterization, which is a plain, unvarnished way of saying that the picture is crammed full of laughs, aimed not at that section of the film-going public which likes to be termed sophisticated, but to the fans in ordinary circumstance who comprise the bulk of theatre business.

Based on a play by Joseph Schrank and a short story by Norman Matson, the screen play of Schrank and Robertson White is a well-molded frame for the talents of McHugh, who as a clerk defies gangsters, a senator's threat, the plot of a mother and her daughter to ensnare him in marriage, and his boss who fires him because of the inadvertent publicity McHugh obtains through his desire to keep a statue of his "ideal."

A neighborhood house audience, completely sans studio claque, was captivated wholly by the farce. Others in the cast, all of them contributing ably to the developments, include Berton Churchill, Jane Wyman, Ferris Taylor, Diana Lewis, Cora Witherspoon, Raymond Hatton, William Haade and Tom Kennedy. Lew Seiler draws the credit for capable direction of the piece, a Bryan Foy production.

McHugh, in love secretly with the daughter of a senator, buys at auction a statue for which she has posed, to the disgust of scheming Miss Wyman and her mother, Miss Witherspoon. The senator, Berton Churchill, who is conducting a campaign against nudity, attempts to buy back the piece, which is slightly undraped. Then gangsters attempt to steal it, but McHugh evades them, has them arrested, and marries the senator's daughter.

Running time, 60 minutes. "G."

"Partners of the Plains"

(Harry Sherman-Paramount)

HOLLYWOOD, Dec. 8.—The customary accoutrements of a "Hopalong Cassidy"—action, adventure, gun, fist battles and comedy—are present in "Partners of the Plains." Those who have played the Harry Sherman features starring William Boyd know how effectively the ingredients are combined. In this one, however, a radical departure is made. Important as the other elements are and as necessary as they are in a picture to satisfy the series clientele, they are, in this case, secondary to romance.

The technique follows the "Taming of the Shrew" pattern. A dominating woman, determined to be the boss, manages everybody until she meets Boyd. Two strong wills clash. The sparks that fly in action, dialogue and characterizations make for interesting amusement. The result is the inevitable. Boyd winds up in control of all affairs either those that have business significance or romantic import.

Like all the "Hopalongs," "Partners of the Plains" is well mounted and staged. Dialogue and action are balanced to assure action and movement. Harrison Jacobs' screenplay and added dialogue preserves the spirit of the Clarence E. Mulford "Bar 20 Days" story on which it is based and Lesley Selanders' direction keeps thing moving.

As usual, Boyd and Russel Hayden are up to standard and Gwen Gaze creates a strong character as the determined woman who surrenders to manly charm. Harvey Clark, replacing George Hayes, accounts for the comedy. Character roles are filled by John Warburton, Hilda Plowright, Al Bridge, Al Hill, Earl Hodgin and John Beech.

Running time, 65 minutes. "G."

Bans Cleveland Games

CLEVELAND, Dec. 8.—Police Chief George Matowitz issued an order banning Beano, Banko and Bingo in Cleveland theatres, effective immediately. Bank Night and Movie Sweepstakes were not included in the order.

Add "Fields" Bookings

Loew's has set additional New York bookings on "Green Fields," Yiddish film produced by Collective Film Producers, Inc., and distributed by New Star Films, Inc., following earlier local bookings. RKO also has taken the film for three houses.

Form New Schine Firms

COLUMBUS, Dec. 8.—Among corporations listed here during the week are the Schine Kent Improvement Corp., Schine Kent Theatre Corp., Schine Ravenna Improvement Corp. and the Schine Ravenna Theatre Corp.

These corporations cover the Kent theatre at Kent and the Ravenna theatre at Ravenna, formerly owned and operated by B. C. Steele.

Title Laurel and Hardy

HOLLYWOOD, Dec. 8.—Laurel and Hardy's forthcoming Hal Roach vehicle has been definitely titled "Swiss Miss."

Short Subjects

"The Woods Are Full of Cuckoos"

(Vitaphone)

The community sing radio broadcast is subjected to hilarious burlesque in this color cartoon. Even the parent production company is a target. Practically every big name on the air is used and their drawn equivalents are made to do highly amusing things. The Hollywood Hotel program concludes after many funny events unreel. Louella Parsons is also to be seen and heard. It should go over anywhere. Running time, 7 mins. "G."

"The Mysterious Jug"

(Universal)

As Oswald and his dog visit the city dump, and come upon a magician's trunk, an opportunity for really clever and entertaining cartoon material is offered, but it cannot be said that the most is made of the chance. A tiny genii pops out of a bottle, and his antagonist comes off the label of a can of deviled ham. Oswald wins the ensuing battle. Running time, 7 mins. "G."

"He Done His Duty"

(Columbia)

Andy Clyde in plenty of vivid slapstick comedy—the type that certain audiences find highly amusing. Clyde is a sheriff running for reelection. He ultmiately gets there, but not until he captures a pair of confidence racketeers after a thrilling automobile chase. Running time, 17½ mins. "G."

"Community Sing No. 4"

(Columbia)

A barber shop is Gene Morgan's setting this time. He, Robert Paige and Deane Janis urge the audience to sing "Smiles," "Oh, What a Gal Was Mary," "Some of These Days" and other numbers. A quartet helps out. It is fair. Running time, 10½ mins. "G."

"Oh Say Can You Hear"

(Universal)

Against a supposed night club setting is performed the usual group of unexciting vaudeville bits. The alleged comedy is supplied by Doug Leavitt and Ruth Lockwood, doing a sketch of a deaf couple, which is considerably less than amusing. Among the acts are the Loria Brothers, Mexican youngsters' band, who are clever. Running time, 15 mins. "G."

"Danger—High Voltage"

(Vitaphone)

Another of Floyd Gibbons' "Your True Adventures." It is grimly thrilling, realistically enacted stuff that should attract a good audience. The story concerns a Wichita man who was given up as dead after he had come in contact with a charged wire while repairing a power line. The embalmer sees a spark of life flickering and the victim is revived after a great deal of suspense. The man who underwent the experience is on hand to get his $250 check. Running time, 14 mins. "G."

"Navy Blue," Show $25,000 Detroit Lead

DETROIT, Dec. 8.—"Navy Blue and Gold," with Joe Jackson heading a stage show, turned in a strong $25,000 at the Michigan, thereby topping par by $5,000.

"Heidi" was the next best draw, with Nick Lucas on the stage to help, the take going to $24,500, up by $4,500. "Double Wedding" was strong in its second week at the Madison with a gross of $11,500.

Total first run business was $79,500. Average is $70,000.

Estimated takings for the week ending Dec. 2:

"DANGER—LOVE AT WORK" (20th-Fox)
"CARNIVAL QUEEN" (Univ.)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $5,500. (Average, $5,000)

"HEIDI" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Nick Lucas, Les Gillis Trio, Serge Flash, 3 Kings. **Gross:** $24,500. (Average, $20,000)

"NAVY BLUE AND GOLD" (M-G-M)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Joe Jackson, 3 Swifts, Tex Lewis & Singing Cowboys, Wilson-Kepple & Betty, Stafford & Louise. **Gross:** $25,000. (Average, $20,000)

"SOPHIE LANG GOES WEST" (Para.)
"EBB TIDE" (Para.)
STATE—(3,000), 15c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"THE FIRST LADY" (W. B.)
UNITED ARTISTS—(2,070), 15c-75c, 7 days. **Gross:** $8,000. (Average, $10,000)

"DOUBLE WEDDING" (M-G-M)
MADISON—(2,000), 15c-75c, 7 days, 2nd week. **Gross:** $11,500. (Average, $10,000)

"Breakfast," Lewis $22,500 at Buffalo

BUFFALO, Dec. 8.—Holiday week brought a box-office revival to all downtown houses here and a generally fair stretch of weather. Ted Lewis and his band temporarily resuscitated stage shows at the Buffalo and with "Breakfast for Two" as the screen attraction drew $22,500, $7,500 over par, the best take in weeks.

Duals still showed plenty of strength. The Century's "Hold 'Em, Navy" and "Super Sleuth" managed a gate of $10,000 where $6,300 is average and the Lafayette, with "I'll Take Romance" and "The Westland Case," continued a current run of high grosses with $12,500. Normal is $6,500.

The Hippodrome's "Ebb Tide," drawing $11,000 in a nine-day run, kept that house well over its $7,500 average for the fourth straight week.

Total first run business was $65,500. Average is $42,300.

Estimated takings for the week ending Dec. 4:

"BREAKFAST FOR TWO" (RKO)
BUFFALO—(3,000), 35c-60c, 8 days. Stage: Ted Lewis' Band. **Gross:** $22,500. (Average, $14,000

"SUBMARINE D-1" (W. B.)
GREAT LAKES—(3,000), 35c-50c, 9 days. **Gross:** $9,500. (Average, $8,000)

"EBB TIDE" (Para.)
HIPPODROME—(2,500), 30c-50c, 9 days. **Gross:** $11,000. (Average, $7,500)

"HOLD 'EM, NAVY" (Para.)
"SUPER SLEUTH" (RKO)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $10,000. (Average, $6,300)

"I'LL TAKE ROMANCE" (Col.)
"THE WESTLAND CASE" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $12,500. (Average, $6,500)

"Submarine" Out Front at San Francisco

SAN FRANCISCO, Dec. 8.—"Submarine D-1" was away out front in a strong holiday week, the take at the Fox going to $21,000. This was above par by $4,000.

"Damsel in Distress" was also in the money with $19,000 at the Golden Gate. This was $3,000 to the good.

There were four holdovers—"Hurricane" in its third week at the Geary, where the take was $10,500; "The Prisoner of Zenda" at the Embassy, where the second week gross was $5,000; "Second Honeymoon" and "45 Fathers," which held up to $6,000 in a second week at the St. Francis, and "The Prisoner of Zenda," which took a strong $9,000 in a second week at the United Artists.

"Yiddle with His Fiddle" was something of a sensation at the 400-seat Clay on a take of $13,000.

Total first run business was $116,500. Average is $98,000.

Estimated takings:

Week Ending Nov. 30:

"THE HURRICANE" (U.A.)
GEARY—(1,400), 55c-87c-$1.10-$1.65, 7 days, 3rd week. **Gross:** $10,500. (Average, $10,000)

"A DAMSEL IN DISTRESS" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage: Vaudeville. **Gross:** $19,000. (Average, $16,000)

"THE LAST GANGSTER" (M-G-M)
"SH, THE OCTOPUS" (W. B.)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $14,000. (Average, $13,000)

Week Ending Dec. 1:

"THE PRISONER OF ZENDA" (U.A.)
EMBASSY—(1,400), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"SUBMARINE D-1" (W. B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $21,000. (Average, $17,000)

"THE AWFUL TRUTH" (Col.)
"LIFE BEGINS WITH LOVE" (Col.)
ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days, 6th week. **Gross:** $9,000. (Average, $8,000)

"SECOND HONEYMOON" (20th-Fox)
"45 FATHERS" (20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd downtown week. **Gross:** $6,000. (Average, $7,000)

"THE PRISONER OF ZENDA" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $7,000)

Week Ending Dec. 2:

"NAVY BLUE AND GOLD" (M-G-M)
"DINNER AT THE RITZ" (20th-Fox)
WARFIELD—(2,580), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $13,000)

Week Ending Dec. 3:

"YIDDLE WITH HIS FIDDLE" (Sphinx)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $13,000. (Average, $1,000)

Selig G. B. District Head

DENVER, Dec. 8.—Robert W. Selig, G. B. exchange manager here, has been named district manager, supervising Denver, Salt Lake City, Omaha, Des Moines and Kansas City. It is a new post. His successor in Denver has not yet been named.

Seeks to End Strike

PORTLAND, Dec. 8.—Governor Martin has called for a secret ballot to end the long lumber workers strike which has cut box-office receipts nearly half since Aug. 1.

To Christen Engine

Boston, Dec. 8.—Because Lily Pons is the tiniest singer and the Boston & Maine's new locomotive is the biggest thing of the kind the locomotive is to be named "Lily Pons." Miss Pons will crack a bottle of champagne at ceremonies to be held in the North Station Dec. 11.

The B. & M. held a contest for a name and Wayne E. Whittmore of West Medford, Mass., suggested the name because Jenny Lind started her career singing for P. T. Barnum in the old Fitchburg railroad station. This is now North Station and the Fitchburg Railroad has been absorbed by B. & M.

"Truth" Montreal's Best Bet, $10,000

MONTREAL, Dec. 8.—"The Awful Truth," on a dual with "Life Begins at College" at Loew's, was the top performer with a take of $10,000, which was $2,000 over par. The bill was held for a second week.

"The Barrier," first feature at the Princess, rated high in the list with a take of $8,000, which was above the line by $1,000. A second week of "Dead End" at the Orpheum resulted in an estimated gross of $4,500 and it was held over for a third week.

Professional hockey, chief opposition, is drawing poorly. The first cold snap of the season tended to keep people at home.

Total first run business was $36,500. Average is $40,500.

Estimated takings for the week ending Dec. 4:

"IT'S LOVE I'M AFTER" (W. B.)
"DANGEROUSLY YOURS" (W. B.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,500. (Average, $9,500)

"THE AWFUL TRUTH" (Col.)
"LIFE BEGINS IN COLLEGE" (20th Fox)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $10,000. (Average, $8,000. Held over.

"DEAD END" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 2nd week. **Gross:** $4,500. (Average, $5,000.) Held over.

"STAGE DOOR" (RKO)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $6,500. (Average, $11,000)

"THE BARRIER" (Para.)
"FOOTLOOSE HEIRESS" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000).

Combine Adds 7 Houses

INDIANAPOLIS, Dec. 8.—Affiliated Theatres, Inc., independent buying and booking organization, has added seven houses in Kentucky, according to T. C. Baker, vice-president and general manager. The group now numbers 35 houses in 23 cities in Indiana and Kentucky.

Drop Zion House Plans

CHICAGO, Dec. 8.—B. & K. will drop plans to build a theatre at Zion, Ill., as a result of the vote against film shows. It was stated, however, that films will continue to be shown in the city gymnasium.

Is Roach Publicist

HOLLYWOOD, Dec. 8.—Magdalene Maskel has been added to the Roach publicity staff to handle fashion material for magazines.

"Ebb Tide" Is $28,000 Hit On the Loop

CHICAGO, Dec. 8.—"Ebb Tide" grossed $28,000 at the Oriental, $10,000 better than average.

"The Awful Truth," with a $40,000 gross, was well over the normal $32,000 gross at the Chicago and gave the house the best business in weeks. It was held.

At the Palace "A Damsel in Distress" was slightly over average, but the $20,800 gross was the lowest recorded for an Astaire picture on opening week in this house.

"The Last Gangster," "Nothing Sacred" and "Murder in Greenwich Village" were over average in a week that saw business materially boosted by Thanksgiving and the start of the Christmas shopping rush.

Total first run business was $138,300. Average is $118,000.

Estimated takings:

Week Ending Dec. 2:

"THE AWFUL TRUTH" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Cabaret Russe" Revue. **Gross:** $40,000. (Average, $32,000)

"HOLD 'EM NAVY" (Para.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $6,200. (Average, $6,500)

"EBB TIDE" (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Rita Rio and Band. **Gross:** $28,000. Average, $18,000)

"A DAMSEL IN DISTRESS" (RKO)
PALACE—(2,509), 35c-55c-75c, 8 days. Stage: Buster Shaver and Revue. **Gross:** $20,800. (Average, $19,000)

"MURDER IN GREENWICH VILLAGE" (Col.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Revue with Verne Buck. **Gross:** $14,000. (Average, $13,000)

Week Ending Dec. 3:

"THE LAST GANGSTER" (M-G-M)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $7,000. (Average, $6,500)

"NOTHING SACRED" (U. A.)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $11,000)

"DOUBLE WEDDING" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 3rd week. **Gross:** $10,300. (Average, $15,000)

"Honeymoon," Show $17,600 at Omaha

OMAHA, Dec. 8.—"Second Honeymoon," helped by a stage show called "Waikiki Nights," made the best showing of the week, getting $17,600, over par by $10,400. Admission prices were raised from 25 and 40 cents to 35 and 55 cents for the week and on Saturday night there was a midnight preview of "The Barrier" with a Big Apple dance contest.

The Brandeis held over "A Damsel in Distress," with "West of Shanghai," after the bill had grossed $6,300, up by $2,300.

Total first run business was $30,600. (Average, $16,700).

Estimated takings:

Week Ending Dec. 1:

"THE FIREFLY" (M-G-M)
"A GIRL WITH IDEAS" (Univ.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,700. (Average, $5,500)

"A DAMSEL IN DISTRESS" (RKO)
"WEST OF SHANGHAI" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $6,300. (Average, $4,000)

"SECOND HONEYMOON" (20th-Fox)
ORPHEUM—(3,000), 35c-55c, 7 days. Stage: "Waikiki Nights." **Gross:** $17,600. (Average, $7,200)

"Stage Door" Boston Lead; Gets $18,000

BOSTON, Dec. 8."Stage Door" and "Prescription for Romance" took top money for the week, $18,000 at the RKO Memorial. This was $6,000 above average.

"Double Wedding" and "Dark Journey" grossed $14,000, above average by $2,000 at Loew's Orpheum. The same program drew $12,000, or $1,000 up, at Loew's State. "Ebb Tide" and stage show featuring Hal Le Roy grossed an average $22,000 at the Metropolitan. "Ali Baba Goes to Town," second run, dualed with "Dangerously Yours," first run, grossed $1,000 above $7,000 average at the Paramount and $5,100 at the Fenway. Average at the latter is $4,500.

Total first run business was $88,100. Average is $72,000.

Estimated takings for the week ending Dec. 2:

"ALI BABA GOES TO TOWN" (20th-Fox) (2nd run)
"DANGEROUSLY YOURS" (20th-Fox) (1st run)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,100. (Average, $4,500)

"STAGE DOOR" (RKO)
"PRESCRIPTION FOR ROMANCE" (Univ.)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days. **Gross:** $18,000. (Average, $12,000)

"DOUBLE WEDDING" (M-G-M)
"DARK JOURNEY" (U. A.)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $14,000. (Average, $12,000)

"DOUBLE WEDDING" (M-G-M)
"DARK JOURNEY" (U. A.)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days. **Gross:** $12,000. (Average, $11,000)

"EBB TIDE" (Para.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Hal Le Roy. **Gross:** $22,000. (Average, $22,000)

"ALI BABA GOES TO TOWN" (20th-Fox) (2nd run
"DANGEROUSLY YOURS" (20th-Fox) (1st run)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"BIG TOWN GIRL" (20th-Fox)
RKO BOSTON—(3,246), 25c-45c-55c, 7 days. Stage: Frank Gabby. **Gross:** $22,000. (Average, $22,000)

"HURRICANE" (U. A.)
COLONIAL—(1,643), 55c-83c-$1.10, 7 days. **Gross:** $7,000.

"LOST HORIZON" (Col.) (3rd run)
"MR. BIGGS STEPS OUT" (G. N.) (1st Run)
HUB—(920), 20c-30c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Cohen Gets Bombay Job

NEW HAVEN, Dec. 8.—Ben Cohen College manager, has been named manager of a new 1,800-seat Loew house, the Metro, in Bombay, India. The house is at present under construction, and will be ready for opening in June. Cohen will sail in the spring.

Daly of U.A. Lecturing

Len Daly, of the United Artists foreign advertising department, lectured on foreign publicity at C.C.N.Y. on Monday and will address the Downtown Advertising Club on "How Film Trailers Are Made."

Rhodes Firm Bankrupt

MOORESVILLE, N. C., Dec. 8.—W. Rhodes and William Rhodes, operators of the Carolina for several years, have entered voluntary bankruptcy, and the concern has been turned over to Loy Thompson as receiver.

"Ebb Tide" on Dual Tops Indianapolis

INDIANAPOLIS, Dec. 8.—"Ebb Tide" and "There Goes the Groom" at the Circle drew $5,600, $1,100 over normal in a week that saw a revival of first run business after a quiet month.

At the Lyric Little Jack Little and his band headed a vaudeville bill with "The Adventurous Blonde" on the screen. The combination grossed $2,000 over normal on a $10,000 take.

Also running strong were "Nothing Sacred" and "Murder on Diamond Row" at Loew's, where $8,000 was taken, $1,000 over par. Competition included Joan Bennett in "Stage Door" at English's which played to good houses on a three-day stand.

Total first run business was $32,900. Average is $30,500.

Estimated takings for the week ending Dec. 3:

"FIT FOR A KING" (RKO)
"TALK OF THE DEVIL" (RKO)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)

"EBB TIDE" (Para.)
"THERE GOES THE GROOM" (RKO)
CIRCLE—(2,800, 25c-40c, 8 days. **Gross:** $5,600. (Average, $4,500)

"DAMSEL IN DISTRESS" (RKO)
"BORROWING TROUBLE" (20th-Fox)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,000)

"NOTHING SACRED" (U. A.)
"MURDER ON DIAMOND ROW" (U. A.)
LOEW'S—(2,800), 25c-40c, 8 days. **Gross:** $8,000. (Average, $7,000)

"THE ADVENTUROUS BLONDE" (F.N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Little Jack Little and band. **Gross:** $10,000. (Average, $8,000)

Pittsburgh Lead Goes to "Truth"

PITTSBURGH, Dec. 8.—The Thanksgiving week gravy here was divided chiefly by the Alvin and the Stanley, the former doing a sensational $17,850, within a few hundred dollars of the house record, with "The Awful Truth," and the Stanley knocking down a fine $25,500 with "Submarine D-1" and Vincent Lopez's band.

"Nothing Sacred" at the Penn started off like a house afire, getting $4,500 on the opening day, but fell almost to nothing after the getaway and finished with $14,750.

Total first run business was $67,850. Average is $45,000.

Estimated takings for the week ending Dec. 2:

"THE AWFUL TRUTH" (Col.)
ALVIN—(2,000), 25c-50c, 7 days. **Gross:** $17,850. (Average, $6,500)

"DANGER—LOVE AT WORK" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $3,650. (Average, $4,500)

"NOTHING SACRED" (U. A.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,750. (Average, $11,000)

"SUBMARINE D-1" (F. N.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Vincent Lopez orchestra, Johnny Woods and Nichols and Roberts. **Gross:** $25,500. (Average, $18,000)

"THEY WON'T FORGET" (W. B.)
"HOLD 'EM NAVY" (Para.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $6,100. (Average, $5,000)

Paris Season Good

PARIS, Dec. 1.—The 1937-'38 season has started here much more auspiciously than the previous season, although the improvement is attributed in some quarters to the unusual influx of visitors to the city as a result of the Paris Exposition. Among the leading American films in local first runs are "Stage Door," "The Prisoner of Zenda," "100 Men and a Girl" and "Easy Living."

"Nothing Sacred" $19,500 Cincy Top

CINCINNATI, Dec. 8.—"Nothing Sacred" was high last week with $19,500 on an eight-day run at the RKO Albee, where the seven-day average is $12,000.

The runnerup was "A Damsel in Distress," which grabbed $13,000 at the RKO Palace, up $3,000. "The Awful Truth" went $800 over the $6,500 par at the RKO Capitol on its third downtown week, two at this house, and went to the RKO Grand. "Second Honeymoon," playing the second week downtown at the RKO Grand, got $3,250 against a $2,750 average, and the RKO Family registered a combined gross of $2,700 compared with $2,450 full-week normal with "Make A Wish," "King Solomon's Mines" and "You Can't Beat Love," playing separately.

Total first run business was $60,550. Average is $58,700.

Estimated takings:

Week Ending Dec. 1:

"A DAMSEL IN DISTRESS" (RKO)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $13,000. (Average, $10,000)

Week Ending Dec. 2:

"NOTHING SACRED" (U.A.)
RKO ALBEE—(3,300), 35c-42c, 8 days. **Gross:** $19,500. (Average, 7 days, $12,000.) Moved to RKO Capitol.

"THE FIREFLY" (M-G-M)
RKO SHUBERT—(2,150), 35c-42c, 7 days, 3rd week. **Gross:** $4,000. (Average, $12,000)

"THE AWFUL TRUTH" (Col.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 3rd downtown week, two at this house. **Gross:** $7,300. (Average, $6,500.) Moved to RKO Grand.

"BOOTS AND SADDLES" (Republic)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $5,000. (Average, $6,500)

"SECOND HONEYMOON" (20th-Fox)
RKO GRAND—(1,400), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,250. (Average, $2,750)

"MAKE A WISH" (RKO)
(3 days)
"KING SOLOMON'S MINES" (G.B.)
(2 days)
"YOU CAN'T BEAT LOVE" (RKO)
(3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,700. (Average, full week, $2,450)

"NAVY BLUE AND GOLD" (M-G-M)
KEITH'S—(1,500), 30c-40c, 7 days, 2nd week. **Gross:** $5,800. (Average, $6,500)

Missouri Sales Tax Reaches a New High

JEFFERSON CITY, Mo., Dec. 8.—Sales tax collections for November hit a new high, $1,900,133, an increase of $37,324 over October, according to a report of State Auditor Forrest Smith.

In November, 1936, when the old one per cent rate was in effect, collections totalled $1,032,662.

L. C. Amadori on Coast

HOLLYWOOD, Dec. 8.—Luis Cesar Amadori, Argentine theatre man and producer, is here for a four weeks' study of technical developments of the American industry.

He said that American stars such as Robert Taylor and Tyrone Power are not excellent draws in the Argentine, but Gary Cooper was tops. Greta Garbo is the leading feminine draw, with Ginger Rogers and Rosita Morena pulling well.

Frank Boyd Injured

CLEVELAND, Dec. 8.—Frank Boyd local representative for American Seating Co., is hobbling around on a cane, result of a foot injury.

"Sacred" Gets Big $16,500, Philadelphia

PHILADELPHIA, Dec. 8.—"Nothing Sacred" opened to a big $16,500 first week at the Aldine and seems set for three weeks.

The stage and screen show at the Earle, with James Melton and Harriet Hoctor as the stage headliners and "45 Fathers" the film, rolled in a nice $20,000. "Submarine D-1" proved the strongest Thanksgiving weekend attraction. It took an excellent $16,500. For its third week, "The Hurricane" slipped to $9,000.

"Damsel in Distress" disappointed at the Stanley with $13,000.

Total first run business was $101,900. Average, not counting the Locust, is $81,960.

Estimated takings for the week ending Dec. 2:

"NOTHING SACRED" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $16,500. (Average, $8,160)

"CONQUEST" (M-G-M)
ARCADIA—(600), 25c-40c-50c, 7 days. (2nd run.) **Gross:** $3,200. (Average, $2,800)

"IT'S LOVE I'M AFTER" (W.B.)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $12,000. (Average, $14,000)

"45 FATHERS" (20th-Fox)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: James Melton, Harriet Hoctor. **Gross:** $20,000. (Average, $14,000)

"SUBMARINE D-1" (W.B.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $16,500. (Average, $14,000)

"LIVE, LOVE AND LEARN" (M-G-M)
KARLTON—(1,000), 25c-40c-50c, 7 days. (2nd run.) **Gross:** $3,200. (Average, $4,000)

"THE FIREFLY" (M-G-M)
KEITH'S—(2,000), 30c-40c-50c, 7 days. (2nd run.) **Gross:** $3,500. (Average, $4,000)

"THE HURRICANE" (U.A.)
LOCUST — (1,300), 57c-86c-$1.14-$1.71, 7 days, 3d week. **Gross:** $9,000.

"A DAMSEL IN DISTRESS" (RKO)
STANLEY — (3,700), 40c-55c-65c, 7 days. **Gross:** $13,000. (Average, $14,000)

"WEST OF SHANGHAI" (F.N.)
STANTON — (1,700), 30c-40c-50c, 7 days. **Gross:** $5,000. (Average, $7,000)

"Nothing Sacred" Tops Oklahoma

OKLAHOMA CITY, Dec. 8.—"Nothing Sacred" was the best money-maker in a generally good week for first runs. It was $2,500 to the good on a take of $6,000 at the State.

"Live, Love and Learn," with a musical revue on the stage, rolled up $7,000 at the Criterion. This was $2,000 into the profit column. "Second Honeymoon" was strong at $3,900 at the Tower.

Total first run business was $24,675. Average is $18,500.

Estimated takings for the week ending Dec. 4:

"LIVE, LOVE AND LEARN" (M-G-M)
CRITERION—(1,300), 10c-35c-55c, 7 days. Stage: "Three Cheers for Rhythm," musical revue, all-girl swing band. **Gross:** $7,000. (Average, $5,000)

"ALCATRAZ ISLAND" (F. N.)
"MY MAN GODFREY" (Univ.) (2nd Run)
LIBERTY—(1,200), 10c-20c-25c, 5 days. **Gross:** $2,800. (Average, 7 days, $2,500)

"HIDEAWAY" (RKO)
"LIVING ON LOVE" (RKO)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $675. (Average, 7 days, $2,500)

"A DAMSEL IN DISTRESS" (RKO)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $4,300. (Average, $5,000)

"NOTHING SACRED" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days. **Gross:** $6,000. (Average, $3,500)

"SECOND HONEYMOON" (20th-Fox)
TOWER—(1,000), 10c-25c-35c, 7 days. **Gross:** $3,900. (Average, $2,500)

"Honeymoon" Show $14,100 K.C. Leader

KANSAS CITY, Dec. 8.—"Second Honeymoon" and a stage show sweetened the take at the Fox Tower $14,100 worth, $6,300 over an eight-day par. Thanksgiving was big, but Saturday broke with snow and cold weather. Outside competition was represented chiefly by the Auto Show, which began Nov. 27.

"A Damsel in Distress" and "Night Club Scandal" attracted $10,200 to the Mainstreet, where normal for eight days is $8,800. "The Firefly" and "The Women Men Marry" disappointed at the Midland, but went $500 over the $11,500 line.

Total first run business was $44,200. Average is $37,600.

Estimated takings:

Week Ending Nov. 30:

"DR. SYN" (G. B.)
"HOT WATER" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $2,800. (Average, $4,000)

Week Ending Dec. 1:

"THE FIREFLY" (M-G-M)
"THE WOMEN MEN MARRY" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $12,000. (Average, $11,500)

Week Ending Dec. 2:

"A DAMSEL IN DISTRESS" (RKO)
"NIGHT CLUB SCANDAL" (Para.)
MAINSTREET—(3,100), 25c-40c, 8 days. **Gross:** $10,200. (Average, $8,800)

"BACK IN CIRCULATION" (W. B.)
"OVER THE GOAL" (W.B.)
NEWMAN—(1,900), 25c-40c, 8 days. **Gross:** $5,500. (Average, $5,500)

"SECOND HONEYMOON" (20th-Fox)
TOWER—(2,200), 25c-40c, 8 days. Stage: Will Osborne and His Orchestra, with Joan Whitney; Ruthie Barnes, Wilfred Dubois, and John Tompkins. **Gross:** $14,100. (Average, $7,800)

"Honeymoon" Retitled

HOLLYMOON, Dec. 8.—"Invisible Menace" has been designated as the new title of the Warner film which was produced as "Strange Honeymoon."

Wall Street

Board Gains Continue Lightly

	Open	High	Low	Close	Net Change
Col.	15¼	15¼	15¼	15¼	+ ¼
Cons., pfd.	7¼	7¼	7¼	7¼	+ ⅛
E. K.	161	165	161	165	+4¼
G. T. E.	14½	15⅛	14½	15	+ ½
Loew	53	54	52½	53½	+ ¾
Para.	12½	12¾	12⅜	12¾	+ ¼
Para. 1	98	98½	98	98½	+1½
Para. 2	11⅝	11⅞	11¼	11⅝	+ ⅛
Pathe	6	6⅜	6	6⅜	+ ⅜
RKO	5	5	4¾	4¾	— ⅛
20th Fox	21¾	22	21½	21¾	+ ¼
20th, pfd.	28	28	27¼	28	+ ¾
Univ., pfd.	35	35	35	35	+ ½
W. B.	7⅞	8	7¾	7⅞	+ ⅛

Light Curb Change

	Open	High	Low	Close	Net Change
G. N.	1	1	15/16	15/16	.....
Sentry	5/16	5/16	¼	¼	—1/16
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	19⅞	19⅞	19¼	19¼	+ ½
Trans-Lux	3	3	3	3	+ ⅛

Bonds in Decline

	High	Low	Close	Net Change
Keith 6s '46	84	83½	83½	.....
Loew 3½s '46	98½	98¼	98½	— ¼
Para. B'way 3s '55	60	60	60	—1
W. B. 6s '39	79	78¾	78¾	— ¼

(Quotations at close of Dec. 8)

Key City Grosses Pick Up; Total Reaches $1,544,974

Business in 24 key cities picked up during the third week of November, the total gross reaching $1,544,974. The number of first run theatres also gained, 152 being in operation. The low point in number of first run theatres in these cities was 142.

The total of $1,544,974 for the week ending Nov. 19-20 was $25,554 above the previous week.

Estimated takings for the latest available periods:

	Week Ending Nov. 19-20		Week Ending Nov. 12-13	
	No. Theatres	Gross	No. Theatres	Gross
Boston	8	$132,000	8	$100,000
Buffalo	5	54,700	5	56,800
Chicago	8	113,600	8	110,700
Cincinnati	8	56,950	8	46,250
Cleveland	6	61,000	6	56,300
Denver	7	32,500	7	41,500
Detroit	6	76,000	6	84,700
Houston	4	26,000	4	32,700
Indianapolis	5	31,300	5	27,400
Kansas City	6	32,800	5	31,800
Los Angeles	10	103,024	10	113,320
Milwaukee	6	35,100	6	34,000
Minneapolis	5	36,200	5	38,600
Montreal	5	38,000	5	43,500
New Haven	4	21,300	4	23,300
New York	9	304,650	9	273,000
Oklahoma City	5	18,350	5	16,900
Omaha	3	23,200	3	23,000
Philadelphia	10	93,200	9	99,000
Pittsburgh	5	63,250	5	55,700
San Francisco	10	97,000	9	90,200
St. Paul	4	16,550	4	14,500
Seattle	7	28,400	7	37,950
Washington	6	49,900	8	68,300
	152	$1,544,974	151	$1,519,420

Key city grosses up to the week ending Nov. 19-20:

Week Ending	No. Theatres	Gross
Sept. 3- 4	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974

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Patrons in Holland Prefer Melodramas

AMSTERDAM, Nov. 29.—Melodramas were the majority preference of 35,000 patrons of the Rex, theatre in The Hague, who were polled by the management. The second choice was comedy, with thrill films third. Historical pictures were accorded a large vote, as well.

Five American productions were included in the list of 10 pictures which the patrons voted the best they had seen at the theatre. The five were: "Bengal Lancer," "Mr. Deeds Goes to Town," "Desire," "The Life of Louis Pasteur" and "The Invisible Man."

Board to Add Nominees

A second list of nominations for new officers of the local Film Board of Trade will be held Dec. 15 with elections scheduled for Dec. 29. Initial nominations were made last Wednesday and it was decided to hold another session for nominations before holding elections.

Church Film Group Urged in Australia

SYDNEY, Nov. 18 (*By Air Mail, via London*).—Advocating the presentation of talking pictures in churches, the Archbishop of Brisbane, Dr. Ward, is urging the formation of a Religious Film Society on the lines of a similar organization in England.

"We need to stir the imagination of Australian church people," he said, "and the churches will do it." Supporting the move, another speaker advised the interested organizations "not to start full of enthusiasm, then buy cheapest stuff and expect to get the people in. People will pay to see the ordinary pictures, but they'll put less in the plate at a cheap church show."

Sabin Carr Due Today

Sabin W. Carr, partner of Jed Buell in production of "Harlem on the Prairie," with an all-Negro cast, will arrive here from the coast today to negotiate distribution of the film.

Czech Independents To Make 60 in Year

Independent film producers in Czechoslovakia will make about 60 pictures this year as compared to 36 last year, Leo Berger, sales manager for M-G-M in Czechoslovakia, Poland, Yugoslavia and Bulgaria, stated yesterday. Berger has been with M-G-M for 11 years and this is his first trip to America. He will leave for the coast the end of the week with stopovers at various sightseeing points.

The producers in Czechoslovakia are aided by the Government to the extent of 10,000,000 crowns a year, Berger said. There are 1,800 theatres in the country, all wired for sound, and with about 800 operating irregularly. These 800 houses are in educational and military sections. After a three-year lapse, all major distributors have offices in Czechoslovakia except Warners and Columbia.

During the past two years, M-G-M has distributed 50 films a year. The annual number usually does not run this high, but due to inactivity for three years a number of films accumulated.

Australian Claims "U" to Aid Finance

SYDNEY, Nov. 18. (*By Air Mail via London*)—In a lecture to the Royal Empire Society on his return from Hollywood, Charles Chauvel, Australian independent producer, said that Universal had agreed to come into his company and provide one-third of the capital and much valuable equipment. Universal would not control the company, he said. If the pictures possessed merit they would be released in the United States by Universal.

Chauvel said that he was planning an ambitious picture dealing with the operations of the Australian Light Horse. This could be made cheaply in Australia but would cost a great deal more in Hollywood, he declared

Universal home office officials stated that the financing deal referred to by Charles Chauvel is a cooperative measure instituted for the purpose of providing for Universal's Australian quota production requirements.

Exhibitors Join in Federation Campaign

Local exhibitors met yesterday at the Hotel Astor and formed a committee to support the New York-Brooklyn Federation Campaign to rase $6,250,000. Another meeting will be held next Wednesday at the Astor theatre.

Among the speakers at yesterday's session were Judge Algeron I. Nova, Paul Moss, David Bernstein and Harry Brandt. At next Wednesday's meeting speakers will include Albert Warner and Jack Cohn. Joseph M. Schenck and Leo Spitz are scheduled to talk if they are in town.

"U" Retitles 2 Films

HOLLYWOOD, Dec. 8.—Universal has re-titled two films. Ted Sloman's feature, which has been known successively as "More Than Love" and "Deadlocked," has been changed to "The Jury's Secret," and "International Spy," directed by Joseph H. Lewis, is now "Spy Ring."

NBC Plans to Test Mobile Television

(Continued from page 1)

transmitter atop the Empire State tower. It will be used to televise outdoor sports, parades and news events.

One van of the unit contains the pickup apparatus, including cameras for both picture and accompanying sound. A picture transmitter to operate on a frequency of 177,000 kilocycles is mounted in the other. A special directional antenna is used in connection with the mobile unit. In the Metropolitan area, with its high buildings and steel framework, the normal working range of the new unit is expected to be 25 miles.

Benny Series to Go On 23 Canada Spots

Jack Benny's General Foods program, now heard over 85 stations of the NBC-Red network on Sundays, will be extended into 23 stations of the Canadian Broadcasting Corp., beginning Jan. 2. A total of 108 stations for a program is believed to be a commercial record.

The deal was arranged through the Baker Adv. Corp. of Toronto, General Foods Corp. agency representative in Canada. In this country Benton & Bowles and Young & Rubicam handle its business, with the latter agency handling the Benny-Jello account.

"Cathedral" Returning to Air

Following an absence of two years, the "Cathedral of the Underworld," which had been on the air for almost a decade under the direction of the late Tom Noonan, will return to WMCA this Sunday from 4 to 4:30 P.M., broadcasting direct from the "cathedral" of the Rescue Mission in Chinatown.

Smith Joins Stirling Getchell

Fred Smith, formerly publicity director of Batten, Barton, Durstine & Osborn, who recently resigned to form his own publicity bureau, has been appointed publicity director of the J. Stirling Getchell agency, succeeding Harry Bercovich, Jr., recently elected vice-president of the agency.

George Engles in Hospital

George Engles, NBC vice-president in charge of artists' service, has been in a hospital for the past 10 days taking a rest cure, it was learned yesterday. He is expected to return to his duties shortly.

Lux to Offer "39 Steps"

Robert Montgomery and Ida Lupino will appear in a radio version of "The 39 Steps" on the Lux "Radio Theatre" over CBS, Dec. 13.

Barrymores on "Hotel"

John and Elaine Barrymore will be featured on "Hollywood Hotel," Dec. 17, over CBS, when they will appear in scenes from "Bulldog Drummond's Revenge."

Time to Film NBC Mail

March of Time cameramen will visit the NBC Radio City studios today to take shots of the audience mail section for its forthcoming film or radio broadcasting.

Radio Personals

CBS "Swing Club" performers headed by Leith Stevens' orchestra, will open at Loew's State today for a run of personal appearances, through a CBS artists bureau booking . . . Del Casino has been booked for a date on the "Hello Peggy" series over NBC Dec. 12, through Jimmy Appel of the CBS artists bureau . . . Joseph Bentonelli will sing on Vicks "Open House" Dec. 12 . . . Douglas Fairbanks, Jr., and Andrea Leeds have been engaged for an appearance on the "Silver Theatre" program Dec. 12 . . . Georgie Jessel has been appointed to the entertainment committee of the New York World's Fair.

+

Robert Guthrie, formerly of the radio department of Ruthrauff & Ryan, has joined General Lithographic Corp. as account executive. . . . Alan Courtney's theme song on WNEW, "Start the Day with a Smile," has been published by Red Star Music Co. . . . Ben Bernie has rented an apartment at the Savoy-Plaza. . . . Jean Ellington of NBC has been booked for a Hammerstein "Music Hall" appearance over CBS through the NBC artists bureau. . . . Fritz Reiner will be the guest conductor of the Philadelphia Orchestra in its next four broadcasts on the bank-sponsored series. His first concert will be that of Dec. 13. . . . Alistair Cooke has been moved to an earlier spot on the NBC-Red network to enable more stations to carry the program. His "Critic On Broadway" is now heard at 7:30 P.M. Wednesdays. . . .

+

Arde Bulova, radio station owner and manufacturer of Bulova watches, sailed on the *Normandie* yesterday for Europe. . . . Mary-Ann Bock, 10-year old singer and whistler, has joined the Phil Spitalny orchestra. . . . Alexander Gray will return to New York from Chicago Dec. 13 to do a series of network auditions, set by Ralph Wonders of Rockwell-O'Keefe. . . . Martin Block last week set what is believed to be a record mail response for a single day for his "Make Believe Ballroom" when he received 6,756 missives, including telegrams, letters, post cards, requests for tickets, requests for samples of sponsors' products, votes in orchestra popularity contest and miscellaneous mail.

Degree for McCarthy

Chicago, Dec. 8. — Charlie McCarthy, of radio fame and intimate of Edgar Bergen, has been granted an honorary degree by the Northwestern University School of Speech. McCarthy has been awarded the degree of Master of Innuendo and the Snappy Comeback.

Moore to Return to Air Starting Jan. 3

Benjamin Moore & Co. will return to the air Jan. 3 with a program over 33 stations of the NBC-Red network, from 11:45 A. M. to 12 noon, once weekly. The contract was placed direct.

The programs as usual will consist of the "Betty Moore Triangle Club," consisting of talks on color styling and interior decorations. Benjamin Moore Co. annually for the past 10 years has gone on the air for 21 weeks.

WQXR Is Running Ads from Sponsors

Due to the rapid growth in sales of WQXR's advance monthly programs, which are sold to listeners for $1 a year or 10 cents per copy monthly, the station henceforth will accept advertising in the program from sponsors of its broadcasts. The December issue of the printed program carries copy for Martinson's Coffee and Hotel Bar Butter, both accounts being among the current sponsors of WQXR broadcasts.

The printed programs of WQXR are sent monthly to those who wish to know several weeks in advance when WQXR features are to be broadcast. The service was started more than a year ago.

Johnson Adds KARK

Johnson Floor Wax Co., sponsors of Fibber McGee & Molly, have added KARK, Little Rock, to its NBC network. After the first of the year, the program will add the McClatchey group of stations in California.

Sterling Products Renews 3 Programs

Three Sterling Products programs were renewed yesterday for 52 weeks each. All three are NBC programs. They are:

"How to Be Charming," Mondays, Wednesdays and Fridays from 11:30 to 11:45 A. M. on the Red, over 44 stations, from Hollywood.

"Lorenzo Jones," Mondays through Fridays from 4 to 4:15 P. M. on the Red, 22 stations, from New York.

"Backstage Wife," Mondays through Fridays from 11:15 to 11:30 A. M., 25 stations, originating in Chicago.

Blackett-Sample-Hummert, Inc., is the agency. The renewals begin January 3.

NBC Organizes New Willys Musical Unit

The NBC transcription service has organized a new musical unit called the "Willys Orchestra of Soloists" for the Willys-Overland Corp. The unit will be for the 1938 spot radio campaign for the automobile company, and will be placed over stations throughout the nation. William Wirges is assembling the soloists. Walter Brooks is in charge of the program in New York. The U. S. Advertising Corp., Toledo, is the agency.

Bristol-Myers Has New Series

Bristol-Myers Corp. will present a series of variety programs titled "For Men Only" in behalf of Vitalis over the NBC-Red network beginning Jan. 10, 10:30 to 11 P. M. The contract is for 52 weeks, through Pedlar & Ryan. The show has been presented over WHN.

Four P & G Series Will Change Times

Four Procter & Gamble programs on NBC will undergo changes in broadcasting time, beginning Jan. 3.

"Story of Mary Marlin," now 10 to 10:15 A. M. on the Blue, will be changed to 11 to 11:15 A. M., and the Red network presentation of the same show, now 4:30 to 4:45 P. M., will be set back, from 4:15 to 4:30 P. M. Compton is the agency.

"The O'Neill's," currently on the Blue from 11 to 11:15 A. M. will be transferred to the Red, from 12:15 to 12:30 P. M. Compton is the agency.

"Pepper Young's Family," now on the Blue from 10:30 to 10:45 P. M., moves to 11:15 to 11:30 A. M., same network. Pedlar & Ryan is the agency.

"Guiding Light," 4:15 to 4:30 P. M., Red, will be set back to from 3:45 to 4 P. M., on the same network. Compton is the agency.

Inter-City Network To Add 11th Station

The Inter-City network, of which WMCA here is the key station, will add an eleventh station to the link Jan. 19, when WLAW, Lawrence, Mass., joins up.

WLAW is newly licensed, and will begin operations the day it joins the network. The station will have a power of 1,000 watts, part time.

Adam Hat to Sponsor Fight

Adam Hat Co. will continue its sponsorship of the 20th Century Sporting Club fights over NBC for the bout between Max Schmeling and Harry Thomas, to be broadcast from Madison Square Garden Dec. 13 at 10:15 P. M. over the Blue network. Sam Taub and Brooke Temple will report the fight throughout the east, with Clem McCarthy and George Hicks performing similiarly for listeners in other cities throughout the nation.

Davega Sued on Radio

Suit was filed by the Condenser Development Corp. against the Davega City Radio, Inc., in the U. S. District Court here yesterday, alleging that Davega "was contributorily infringing" on the plaintiff's patented variable condensers by selling Detrola and Halson Radio receiving sets which allegedly contain infringing condensers. A permanent injunction and an accounting of the profits is asked.

Renew Warner Show Time

American Tobacco Co. yesterday renewed its 10 to 11 P. M. time on the NBC-Red which, beginning tonight, will be occupied by the Warner "Your Hollywood Parade" series. Until this week the period was taken up by the "Hit Parade" musical series. Lord & Thomas is the agency. The renewal is for 13 weeks.

Wrigley Program Is Set

Title and cast for the new Wrigley Co. program on CBS have been decided upon. The series will be known as "Double or Nothing," and the cast will include Shaw & Lee, Sutton & Bliss and Betty & Jean, plus Carl Hohengarten's orchestra. The program will start Dec. 26. A total 54 stations will carry the program. Frances Hooper, Inc., is the agency.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 136 NEW YORK, THURSDAY, DECEMBER 9, 1937 TEN CENTS

Korda and Goldwyn Drop Option to Purchase U. A.

IATSE Seeks Wage Pact in All Exchanges

Conference Called Here On 'Back Room' Scales

Lou Krouse, general secretary, treasurer and assistant to President George E. Browne of the I.A.T.S.E., has called a meeting for next Tuesday to negotiate a master agreement for "back room" employes of exchanges throughout the country. John Gatelee and a committee of the international will sit in with representatives of eight major distributing companies. The session will be held at the Warner home office.

Contracts for the 32 exchanges, covering hours and wages, were completed last summer. The sessions to be held next week will go over general conditions affecting service employes in all parts of the country. The term of the master contract will be decided at the meetings.

Frank Phelps, labor contact for

(*Continued on page 3*)

NBC Plans to Test Mobile Television

The first mobile television station, soon to be used in experimental pick-ups of outdoor news events, will be turned over to NBC Dec. 12. The ceremonies will take place in Rockefeller Plaza.

The unit will consist of two large motor vans containing television control apparatus and a micro-wave transmitter. Completed by RCA, it will be turned over to NBC in connection with the network's television

(*Continued on page 12*)

Havana Group Plans Exchange Radio Unit

HAVANA, Dec. 8.—An Inter-American radio office, with headquarters here, will be established for the exchange of information and experiences in radio communication and broadcasting, it has been decided by the second committee of the radio conference now in session here. The office will serve as a purely consultative technical body. The conference is now terminating the work on its agenda and it is expected that the final plenary session will be held shortly.

More Radio—P. 12

Film Leaders Pay a Tribute To A. H. Blank

DES MOINES, Dec. 8.—The film industry's leading executives, from New York, Chicago and other points, tonight were speeding here to pay industry homage to an exhibitor, A. H. Blank.

The occasion is the testimonial banquet tomorrow night at the Hotel Fort Des Moines, which will commemorate Blank's 25th anniversary as a showman and at the same time afford an opportunity for the film business to honor him.

Now operating under the company name of Tri-States Theatres Corp., Blank is a Paramount theatre operating partner, with headquarters here. Under his direction are theatres in this area, covering cities in Iowa, Nebraska and Illinois.

The New York group of executives

(*Continued on page 3*)

Hays Testimony to Be Sought in Suit

BOSTON, Dec. 8.—The depositions of Will H. Hays and top executives of major companies will be sought by George S. Ryan, attorney for Morse & Rothenberg, in a resumption of preliminary legal sessions in New York, Dec. 21, in connection with the Boston independent circuit's anti-trust suit against major distributors, the Maine & New Hampshire and M. A. Shea circuits.

Others whose depositions will be

(*Continued on page 3*)

Government's Film Plans Not Settled

WASHINGTON, Dec. 8.—Plans for the production of films depicting the activities of the various Government departments and agencies, to be furnished for the 1938 expositions at New York and San Francisco, are still in a tentative stage, it was said today by Secretary of Commerce Daniel C. Roper.

About the only point so far settled,

(*Continued on page 3*)

Honored



A. H. Blank

Smith Reelected Ohio Unit Chief

COLUMBUS, Dec. 8.—Martin G. Smith of Toledo was reelected president of the I. T. O. of Ohio for the sixth time at the closing session of the organization's annual convention at the Neil House here today.

Also reelected were Sam E. Lind, Zanesville, first vice-president; M. B. Horwitz, Cleveland, treasurer, and P. J. Wood, Columbus, secretary. Frank W. Huss, Jr., Cincinnati, was elected second vice-president, succeeding Charles Weigel, who has retired from the theatre business. An exhibitor for 27 years, the organization

(*Continued on page 3*)

Harry Post Resigns As Aide of Powers

Harry A. Post, vice-president of Celebrity Prod., Inc., and an officer and director in charge of financial matters in other corporations organized by Pat Powers during the past 14 years, has resigned, effective on or about Jan. 15.

Post has no immediate business plans, but intends to take a vacation. Recently he also has been handling sales.

Giannini Reelected as President, Chairman Of Company

HOLLYWOOD, Dec. 8.—International negotiations for the purchase by Samuel Goldwyn and Alexander Korda of the Charles Chaplin, Douglas Fairbanks and Mary Pickford interests in United Artists ended at 3:45 P. M. today when a spokesman for Goldwyn and Korda issued the following statement:

"Owing to insurmountable legal complications we have decided not to exercise our option for the purchase of the three units of United Artists Corp. stock owned by Mary Pickford, Douglas Fairbanks and Charles Chaplin and accordingly are returning the option today."

Dr. A. H. Giannini was unanimously reelected as president and chairman at the board of directors' meeting. Other officers are: George Schaefer, Arthur W. Kelly, Harry D. Buckley, Thomas L. Walker, vice-presidents; H. J. Muller, treasurer; N. A. Thompson, assistant treasurer; Lloyd Wright, secretary; Leo L. Samuels,

(*Continued on page 3*)

Fabian Dinner List Of Speakers Now 24

ALBANY, Dec. 8.—If many of the speakers lined up for the Si Fabian dinner Monday night take more than a bow, most of the diners will miss the last train home. There are 24 of them, with A. W. Smith, Jr., U. A. general sales manager, listed as toastmaster.

Speakers listed are: Nate J. Blumberg, Mayor John Boyd Thacher,

(*Continued on page 3*)

Chicago Exhibitors Await Action on Tax

CHICAGO, Dec. 8.—Theatremen are awaiting word from Alderman Roger Kiley, chairman of the special finance sub-committee of the City Council, regarding a possible three per cent tax on admissions. To date they have not been called in for any discussions of increases in the present license fees, but they expect the call at any time as the council has been ordered to work out plans for increased revenue.

With theatre business at a low ebb, exhibitors are expected to put up a brisk fight against any increases.

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JAMES A. CRON, *Advertising Manager*

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LONDON: 4 Golden Square, W. 1; Cable address, Quigpubco, London; Hope Williams, Manager.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41, Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.
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"Hurricane" Grosses $12,200 in 4th Week

"The Hurricane" garnered $12,200 in the fourth week at two-a-day prices at the Astor. Although U. A. leased the house from Loew's for four weeks, a two-week extension has been granted with another four weeks likely after the sixth week of the run.

"Nothing Sacred" tallied approximately $80,000 in the second week at the Music Hall and is now in its third stanza. "Firefly" in its second week at the Capitol took about $20,000 and the Strand on the second week of "The Life of Emile Zola" grossed about $25,000.

Van Praag Negotiating

Morton Van Praag, who recently dropped three theatres in the local area, is negotiating with two distributing companies for a sales executive post.

Miss Richards to Wed

NEW ORLEANS, Dec. 8.—Lulu Ellenor Richards, daughter of E. V. and Mrs. Richards, will be married Jan. 3 at the Orleans Club to Elwood Roger Clay.

Purely Personal

MARTIN STARR, movie commentator for WMCA, has an article in next month's *Screen Book* on his experiences with film and stage personalities arriving and departing for Europe. It's entitled "New York, a Hollywood Whistle Stop."

•

IRENE AGAI, Hungarian film player, and her husband, STEPHEN SZEKELY, director, will sail from England on the *Aquitania*, Dec. 15, to attend the New York opening of "Segitseg Orokoltem" (Help, I'm an Heir).

•

FRANCES LANGFORD and WILLIAM GARGAN left for the coast via American Airlines yesterday. MISS LANGFORD Tuesday finished a three-week engagement at the Paramount.

•

MEL HEYMANN of M-G-M became the father of another girl yesterday. It is his second. MRS. HEYMANN and the child are doing well at the Presbyterian Hospital in Newark.

•

MRS. Y. FRANK FREEMAN and FRANK, JR., left for Atlanta yesterday to spend the holidays. They will return to New York after the first of the year.

•

PROFESSOR FRANK CAHILL, chief sound engineer for Warners, will speak tomorrow before the film appreciation class of P. S. 66, Brooklyn.

•

FRED ULLMAN, JR., vice-president and general manager of RKO Pathe News, is in Miami, where he will make a Pathe Parade subject.

•

DERRICK DE MARNEY, G. B. player, canceled his sailing yesterday on the *Aquitania*. He will sail Dec. 15 aboard the *Queen Mary*.

•

V. I. VERLINSKY, president of Amkino, sailed yesterday on the *Normandie* for a two-month business trip to Russia.

•

JOE MANKIEWICZ will head for the M-G-M studios today via the rail route.

•

EILEEN ARDEN and COLLETTE LYONS are stopping at the Warwick.

•

NAT LEVY, RKO district manager, is in town from Detroit.

•

AL SHERMAN has returned from a Bermuda vacation.

•

DOROTHY MACKAILL is visiting friends in Chicago.

•

HOWARD DIETZ has gone to Boston for a few days.

Gerard to Be at Ampa

James W. Gerard, former American ambassador to Germany, will headline the guests to appear at Ampa today at the International Casino. He will talk on his experiences and connections with the film industry. Others tentatively lined up include Rudy Vallee, Rosalind Russell, Wallace Ford, Al Shea, Nick Lucas, Alexander Kirkland, Flora Campbell, Imogene Coca, June Sillman, Leonard Sillman, Arthur Kent and Ruth Bond.

New Timing Offered On St. Louis Shows

ST. LOUIS, Dec. 8.—Fanchon & Marco have offered three alternate timings for programs to the public in page newspaper ads. Patrons are asked to indicate their preferences.

The plans are:

No. 1. Designed for patrons who prefer to leave the theatre early and yet arrive late enough to see the main feature. The feature under this schedule would start between 9:30 and 9:45 P.M., and be preceded by 30 minutes of short subjects.

Under this arrangement a patron who prefers the shorter show could arrive as late as 9 P.M., see the newsreels, the short subjects and the main feature and leave by 11 P.M. In this plan patrons wishing to see both features should plan to arrive prior to 8 P.M.

No. 2 is similar to No. 1, but is based on the idea that a majority of patrons prefer the second feature to short subjects. Under this schedule the main feature would start at 9:45 P.M. and be preceded by the second feature, which would start about 8:30 or 8:45 P.M. On this program the short subjects would go on at 8 P.M.

No. 3 would attempt to satisfy the two groups, those who wish to leave early, and those who can stay later and see a double feature program. Under this program the main feature would go on at 9:15 P.M., to be followed by the second feature. The replies will be studied for future guidance.

Georgia Chain Tax To Receive Hearing

ATLANTA, Dec. 8.—A special tax on theatres patterned on the chain store tax passed by the Legislature in the regular session last spring will not come up for final consideration in the House of Representatives until a public hearing has been held. This was decided when the House granted a request from Representative Booth of Barrow, author of the bill, that it be sent back to the Ways and Means Committee for a hearing.

Spyridon D. Skouras Departs for Greece

Spyridon D. Skouras, son of Demetrious, who operates two theatres in Athens, Greece, yesterday sailed on the *Normandie* for home after a nine-month vacation here. Thamus Skouras, brother of Spyridon, sailed last August after a five-month vacation here. Thamus is the distributor for 20th Century-Fox, Paramount and RKO product in Greece.

On the same ship were Wesley Ruggles, Paramount director; Paul Graetz, head of Paris Export Film; Jean Levy Strauss, producer of "Carnet de Bal," French film; John Loder, G. B. actor, and his wife, Micheline Cheirel, who appeared in "Carnival in Flanders."

Ruggles said he was going on a three-month vacation on the Continent and at the same time would look for talent and stories. He stated that the most important thing in pictures today is realism, which is coming back in full force.

Graetz said he completed several deals for releasing independent product in France and would return to this country next March.

Strauss, who came over with Julian Duvivier, new M-G-M director, could not get together with M-G-M on a contract and said he prefers making his pictures in France.

Emil Ludwig, prominent author, canceled his trip the last minute. His baggage had to be taken off the boat a few minutes before it pulled out. One trunk could not be moved out in time and is now on its way to Havre.

Sophie Stewart, who appeared in "The Scarlet Pimpernel," sailed yesterday on the *Aquitania*.

Crippen Joins DeVry

CHICAGO, Dec. 8.—John K. Crippen has been named assistant to A. P. Hollis, advertising manager of Herman A. DeVry, Inc. The company has taken additional space here, has added five new men to the western sales staff, and has added five theatre representatives to the 16mm. newsreel division.



Film Leaders Pay a Tribute To A. H. Blank

(*Continued from page* 1)

are due here tomorrow in time for the dinner, coming in special cars.

The employes of Tri-States will present to Blank a one-month vacation trip to Honolulu and back.

The toastmaster will be either Charles C. Pettijohn, general counsel of the M. P. P. D. A., or Al Lichtman, who is flying here from the coast, in the event he arrives at the dinner in time.

On the speakers' dais will be the following: Gov. Nels Kraschel of Iowa, Gov. R. L. Cochran of Nebraska, Barney Balaban, president of Paramount; George Schaefer, vice-president and general manager of United Artists; Y. Frank Freeman, Paramount theatres operating head; M. A. Lightman of Memphis; Bishop Gerald Bergan, John Cowles, owner and publisher of the *Des Moines Register and Tribune;* Herbert Yates, head of Consolidated Film Industries; N. L. Nathanson, head of Famous Players Canadian Corp.

Expect Wilby, Jenkins

Also present will be Robert Wilby and William Jenkins of Atlanta; E. V. Richards, New Orleans; J. J. Fitzgibbons, Canada; Sam Pinanski and Martin Mullin, Boston; Edward Rowley and Harold Robb, Dallas; Robert O'Donnell, also Dallas; Elmer C. Rhoden, Kansas City.

The New York contingent to the dinner will include: Austin Keough, Paramount executive; W. Ray Johnston, president of Monogram; Neil F. Agnew, general sales manager of Paramount; Charles Reagan, J. J. Unger, Leon Netter and Harry Royster, all of Paramount, and Sam Spring, attorney; Carl Leserman, assistant sales manager of Warners; A. W. Smith, United Artists; Sam Dembow, National Screen Service; A-Mike Vogel of *Motion Picture Herald;* Nate Blumberg, Jules Levy and Max Fellerman, all of RKO.

Chicago Group Present

Also from New York will be: William Clark, William C. Gehring, William Sussman, William Kupper, all of 20th Century-Fox; E. W. Hammons, Harvey Day and Jack Skirball, Educational; Jack Cohn, Columbia vice-president, and James R. Grainger.

Chicago executives and exhibitors who will attend the dinner include: John Balaban, A. J. Balaban, Leo Blank, Walter Branson, James Coston, Joseph Christy, Phil Dunas, Clyde Eckhardt, E. T. Gomersall, Lou Hunt, William Hollander, Stanley Hand, Walter Immerman, Aaron Jones, Lou Lipstone, Jack Miller, J. J. Rubens, Max Roth, Herbert Stern, Mort Singer, Sam Shirley, Dave Walterstein and James Winn.

Balaban Coming East

DES MOINES, Dec. 8.—Barney Balaban, president of Paramount Pictures, who has arrived here to attend the A. H. Blank anniversary dinner, will leave Friday for New York. He will arrive there on Saturday.

New Ohio Tax Looms

Columbus, Dec. 8.—It was learned today from inside legislative sources that a bill about to be introduced will increase the admission tax to five per cent.

Exhibitors are ready to fight this or any similar move.

Smith Reelected Ohio Unit Chief

(*Continued from page* 1)

voted to make him an honorary member.

The directors reelected were: Henry Greenberger, John Kalafat, Robert Menches, Max Stearn, J. Real Neth, J. W. Trunk, L. F. Eick, Nat Charnas, Dwight Jones and Harold Bernstein. New directors named were: Joseph Stern, Roy Simons, Jerry Steele, replacing Huss, R. E. Myers and John Pekras.

A resolution, which will be redrafted, in substance commended 20th Century-Fox for its film delivery practices and appealed to other distributors for similar action. The unit will go on record declaring that radio constitutes serious competition.

Practically the entire legislative body of the state attended the banquet yesterday, at which Judge Arthur H. Day of the State Supreme Court made the chief address.

Government's Film Plans Not Settled

(*Continued from page* 1)

it was indicated, is that the scripts will be written by department personnel. It has not been decided how many pictures will be produced nor how they will be made, that is, whether they will be made with Government facilities which are available in at least two departments or turned over to a commercial contractor.

Asked whether the pictures would be exhibited on an admission basis at the expositions, Secretary Roper said that would be for decision by the exposition officials. The films are to be turned over to the expositions for the period of the fairs and then will be returned to the Government.

Secretary Roper is chairman of the Governmental Commission for the San Francisco Exposition. Secretary of Agriculture Wallace fills a similar position for the New York Exposition.

"Baby" Film Is Banned

ALBANY, Dec. 8.—"The Birth of a Baby" has been banned by Dr. Frank P. Graves, State Commissioner of Education, on the ground that it is "indecent, immoral and would tend to corrupt morals."

The case reached Dr. Graves on an appeal of Samuel Citron from the action of the Censor Board in New York. The film is copyrighted by the American Committee on Maternal Welfare.

Marion Davies Silent

CHICAGO, Dec. 8.—Marion Davies, en route to New York, stopped over here today and declined to discuss her future picture plans.

IATSE Seeks Wage Pact in All Exchanges

(*Continued from page* 1)

Warners, has been attending all meetings between distributors and the union as intermediary. He will also sit in on the talks next week.

An invitation has been sent to all distributors to attend the Tuesday session. C. C. Moskowitz, who has been attending the meetings for Loew's, in addition to J. S. MacLeod, is now on the coast and is not expected back in time. MacLeod will represent M-G-M. Phelps left last night for Utica, Cleveland and Springfield, O., and is due back Monday.

Willard C. Paterson, former labor contact for the Warner circuit and now assistant to Joseph Bernhard, will leave today for Palm Springs where he will spend the winter recuperating from a recent illness.

Exchange union representatives from various parts of the country have been invited to attend the Tuesday conclave. All exchange unions are affiliated with the I. A. T. S. E.

Union Judgment on Sherman Confirmed

Supreme Court Justice Samuel Hofstadter yesterday confirmed the report of Referee George Brokaw Compton awarding Local 306 of the Moving Picture Machine Operators' Union a $150,961 judgment against Harry Sherman, former president of Local 306. Also $12,500 for legal fees and $491 for disbursements were allowed to Irving Schleifer, William Greene and Harry Sherl, members of the union who brought the suit in a representative capacity.

The union opposed the allowance on the ground that the judgment was uncollectable and that no benefit had been derived by the union by such an allegedly uncollectable judgment. As a result of the action, said the court, Sherman had resigned his office as president. The suit was brought in 1934 while Sherman was still president and alleged that funds of the union had not been accounted for. Tabershaw and Hirsch were the attorneys who were awarded the $12,500 in fees.

Adjourn Goldwyn Case

Trial of the $1,000,000 infringement suit brought by Mort Eisman, Clara Dellar and Louis Shayon against Samuel Goldwyn, Inc., United Artists Corp., Samuel Goldwyn and Eddie Cantor was adjourned vesterday to Feb. 25 by Federal Judge John C. Knox in the U. S. District Court here vesterday. The plaintiffs claimed infringement of their play, "Oh, Shah" in the picture, "Roman Scandals." A permanent injunction and an accounting of the profits are asked.

Gov't Honors Roxy

The Federal Government has dedicated the tuberculosis hospital at Summount, N. Y., as the Roxy Summount Post in honor of the work the late S. L. Rothafel did for World War veterans.

U. A. Option Negotiations Officially Off

(*Continued from page* 1)

H. J. Muller, Edward Raftery, assistant secretaries.

Walker, long associated with Giannini, is the only new addition. The Giannini reelection is interpreted as putting to rest recent rumors that he would resign if the option deal made conditions unsatisfactory to him.

The outcome of the directors' meeting is considered an indication the company will continue in its present status with the possibility of adding a releasing connection with one or more substantial independent producers. Carl Laemmle, Jr., has been mentioned in this connection.

The statement was obtained by MOTION PICTURE DAILY while the directors' meeting was still in session with all members or their representatives present and proceeding to dispose of other business held in abeyance since November 10 in anticipation of the Goldwyn-Korda option being exercised. In attendance were Korda, Chaplin, Miss Pickford, David Rose, representing Goldwyn, and C. E. Ericksen, representing Fairbanks.

Open Coast Awards To All Craft Units

HOLLYWOOD, Dec. 8.—To avoid possibility of friction between industry factions nominations for the 10th annual Academy Award, competitions have been thrown open to members of the Screen Actors' Guild and writers and directors meeting with the minimum membership requirements of any craft organization, whether members or not.

Frank Capra, Academy president and chairman of the awards committee, tonight set the date for the Awards Banquet as March 3. At the same time he announced the awards committee members.

Hays Testimony to Be Sought in Suit

(*Continued from page* 1)

sought are H. M. Warner, N. J. Blumberg, Gradwell Sears, Abe Montague, John D. Clark, R. H. Cochrane, Nicholas M. Schenck, Al Lichtman, C. C. Moskowitz and Joseph M. Schenck. The session is expected to continue for four days and to resume again in January.

Morse & Rothenberg, charging inability to obtain product, is suing for triple damages of $2,100,000.

Fabian Dinner List Of Speakers Now 24

(*Continued from page* 1)

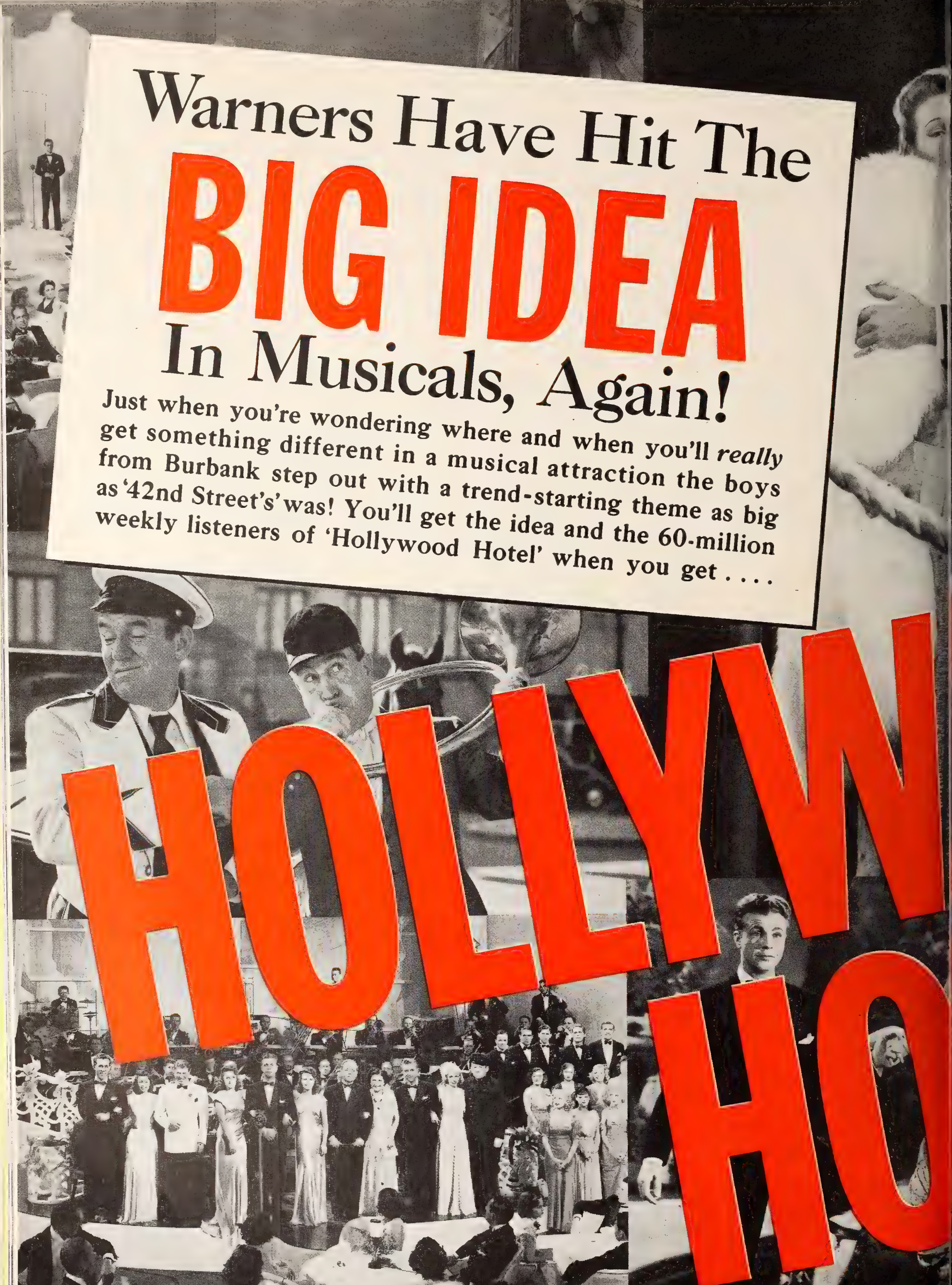
Joseph Bernhard, Sam Dembow, Jr., F. J. McCarthy, Jules Levy, Herman Robbins, C. Frank Reavis, George J. Schaefer, William Sussman, Meyer Schine, Joseph Unger, Abe Montague, H. J. Yates, William F. Rodgers, Joe McConville, Tom Connors, Jack Alicoate, Y. Frank Freeman, Spyros Skouras, Louis Nizer, Sam Rosen, Peter T. Dana and Phil Fox.

Warners Have Hit The

BIG IDEA

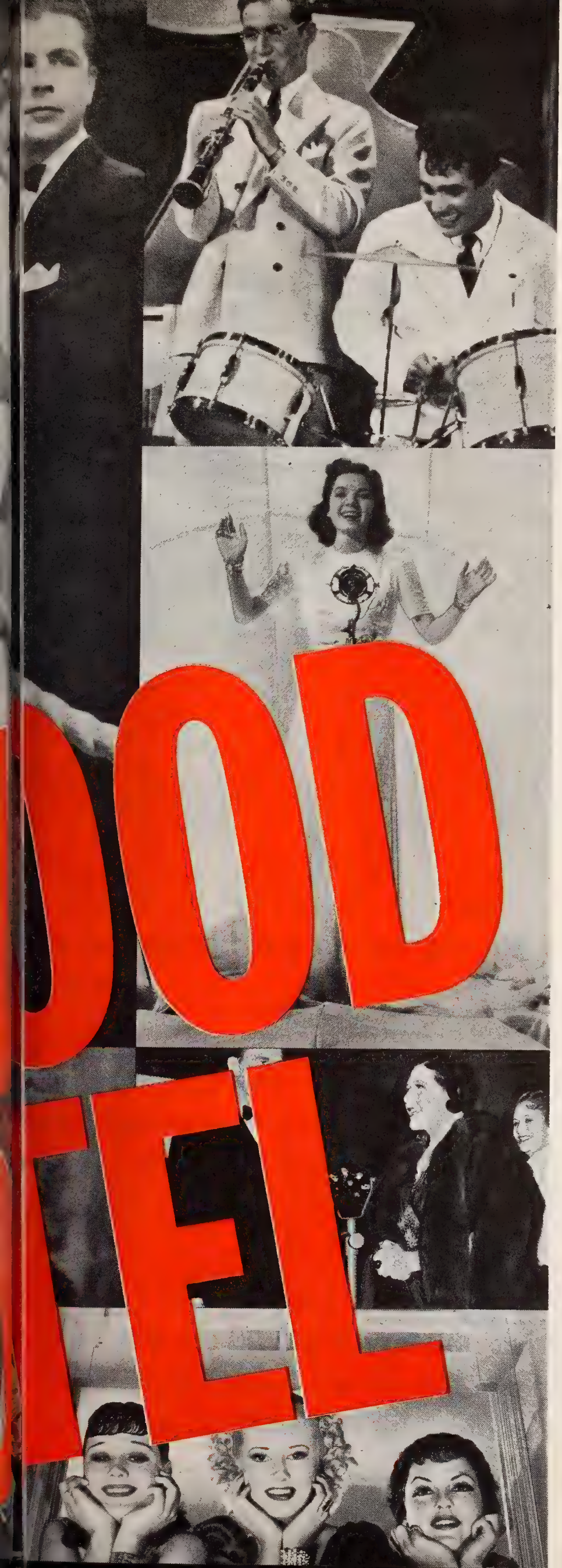
In Musicals, Again!

Just when you're wondering where and when you'll *really* get something different in a musical attraction the boys from Burbank step out with a trend-starting theme as big as '42nd Street's' was! You'll get the idea and the 60-million weekly listeners of 'Hollywood Hotel' when you get . . . .



HOLLYW

HO



This Grand Line-Up of Headliners
Makes It the Gayest Thing on Earth!

DICK POWELL
ROSEMARY LANE
HUGH HERBERT
TED HEALY
GLENDA FARRELL
LOLA LANE
JOHNNIE DAVIS
ALAN MOWBRAY
MABEL TODD · ALLYN JOSLYN · EDGAR KENNEDY

P L U S

Direct from the
'Orchid Room' of the Air

THE HOLLYWOOD HOTEL PROGRAM
LOUELLA PARSONS
FRANCES LANGFORD · JERRY COOPER
KEN NILES · DUANE THOMPSON
RAYMOND PAIGE & HIS ORCHESTRA

P L U S

BENNY GOODMAN
And
HIS SWING BAND

DIRECTED BY BUSBY BERKELEY

Screen Play by Jerry Wald, Maurice Leo & Richard Macauley
Original Story by Jerry Wald and Maurice Leo
5 NEW SONGS BY DICK WHITING AND JOHNNY MERCER
A First National Picture

TAKE IT AG
FRANK!



"'WELLS FARGO'

—A fine production with distinct box-office value." —*Film Dail*

"Embraces epic qualities that made 'The Covered Wagon' and 'The Ir
great. Bigger than anyone in it, bigger in its appeal to human e
'WELLS FARGO' is the romance of stirring adventure, heroism and a
Any exhibitor can be proud to offer 'WELLS FARGO'." —*Motion Pi*

"Two hours of spell-binding smash entertainment! The playing, the d
the production, the creative and trenchant binding of the story, co
give it stirring and haunting reality which will beget pride and love o
as well as theatric satisfaction wherever shown." —*Da*

"Smash entertainment every foot of the way! Can be sold for top r
any situation. Cavalcade of American history that will stir emotions
patron sending them home thoroughly entertained, proud of their nati
tage. Will more than live up to the Paramount slogan 'the best show i

—*Jay Emanuel*


IN,
Frank Lloyd's "WELLS FARGO"
A Paramount Picture, featuring
JOEL McCREA • BOB BURNS • FRANCES DEE
with Lloyd Nolan, Henry O'Neill, Porter Hall, Robert Cummings
Ralph Morgan, Mary Nash, John Mack Brown, Barlowe Borland
Produced and Directed by Frank Lloyd
Associate Producer Howard Estabrook • Screen Play by Paul Schofield
Gerald Geraghty and Frederick Jackson • Based on a story by Stuart N. Lake

"Stage Door" Washington's Hit, $14,300

WASHINGTON, Dec. 8.—Business picked up last week. The hit of the week was "Stage Door," at RKO-Keith's, taking $14,300 to exceed average by $3,700. A second stanza was ordered.

"The Firefly" at Loew's Palace, took $18,000 to beat par by $2,100 and go into its second week. "Alcatraz Island" did a smashing $8,300 at the Metropolitan, to beat average by an even $4,000, on an eight-day run. At Loew's Columbia, "Ali Baba Goes to Town," on a return engagement, took $4,100, or $500 over par.

Loew's Capitol, with "Second Honeymoon" and Dave Apollon's "Varieties of 1938" on the stage, did breaking even.

Total first run business was $79,300. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Nov. 29:

"LOVE LIFE OF A GORILLA" (Jewel)
BELASCO—(1,140), 25c-40c, 7 days. **Gross:** $1,000. (Average, $3,000)

Week Ending Nov. 30:

"STAGE DOOR" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $14,300. (Average, $10,600)

Week Ending Dec. 1:

"ALI BABA GOES TO TOWN" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,100. (Average, first run, $3,600)

"THE FIREFLY" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $18,000. (Average, $15,900)

Eight Days Ending Dec. 1:

"ALCATRAZ ISLAND" (W. B.)
METROPOLITAN—(1,591), 25c-40c, 8 days. **Gross:** $8,300. (Average, 7 days, $4,300)

Week Ending Dec. 2:

"I'LL TAKE ROMANCE" (Col.)
EARLE—(2,218), 25c-66c, 7 days. Stage: The Honey Family, George Kirby Helen Duvall, Stan Kavanaugh, Gomez & Winona, Don Costello. **Gross:** $13,800. (Average, $18,400)

"SECOND HONEYMOON" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Dave Apollon's "Varieties of 1938," with Dave Apollon, Cass Daley, Bob Ripa, Five Hollywood Co-Eds, Max & His Dogs, Annavann & Her Gladiators. **Gross:** $19,800. (Average, $19,800)

Warner Office to Move

PITTSBURGH, Dec. 8.—Harry Kalmine, zone manager for Warners here, and his entire staff and office will move shortly after the first of the year from the second floor of the Clark Bldg., which they have occupied for almost 10 years, to the 23rd. The new suites will be entirely modernized and the space almost doubled. Original plans to build a new screening room on the top floor have been abandoned and Warners will continue to use the one now located on the balcony between the first and second stories.

Close St. Louis Deal

ST. LOUIS, Dec. 8.—The deal whereby five Bess Schulter and Alex Papand houses become part of the local F. & M. setup has finally been signed. F. & M. has been booking and buying for the Schulter-Papand group for some time, but signatures were actually placed on the pacts a few days ago.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Larger Than Life"

(First National)

HOLLYWOOD, Dec. 8.—"Larger Than Life" presents as its top name Frank McHugh in his Caspar Milquetoast characterization, which is a plain, unvarnished way of saying that the picture is crammed full of laughs, aimed not at that section of the film-going public which likes to be termed sophisticated, but to the fans in ordinary circumstance who comprise the bulk of theatre business.

Based on a play by Joseph Schrank and a short story by Norman Matson, the screen play of Schrank and Robertson White is a well-molded frame for the talents of McHugh, who as a clerk defies gangsters, a senator's threat, the plot of a mother and her daughter to ensnare him in marriage, and his boss who fires him because of the inadvertent publicity McHugh obtains through his desire to keep a statue of his "ideal."

A neighborhood house audience, completely sans studio claque, was captivated wholly by the farce. Others in the cast, all of them contributing ably to the developments, include Berton Churchill, Jane Wyman, Ferris Taylor, Diana Lewis, Cora Witherspoon, Raymond Hatton, William Haade and Tom Kennedy. Lew Seiler draws the credit for capable direction of the piece, a Bryan Foy production.

McHugh, in love secretly with the daughter of a senator, buys at auction a statue for which she has posed, to the disgust of scheming Miss Wyman and her mother, Miss Witherspoon. The senator, Berton Churchill, who is conducting a campaign against nudity, attempts to buy back the piece, which is slightly undraped. Then gangsters attempt to steal it, but McHugh evades them, has them arrested, and marries the senator's daughter.

Running time, 60 minutes. "G."

"Partners of the Plains"

(Harry Sherman-Paramount)

HOLLYWOOD, Dec. 8.—The customary accoutrements of a "Hopalong Cassidy"—action, adventure, gun, fist battles and comedy—are present in "Partners of the Plains." Those who have played the Harry Sherman features starring William Boyd know how effectively the ingredients are combined. In this one, however, a radical departure is made. Important as the other elements are and as necessary as they are in a picture to satisfy the series clientele, they are, in this case, secondary to romance.

The technique follows the "Taming of the Shrew" pattern. A dominating woman, determined to be the boss, manages everybody until she meets Boyd. Two strong wills clash. The sparks that fly in action, dialogue and characterizations make for interesting amusement. The result is the inevitable. Boyd winds up in control of all affairs either those that have business significance or romantic import.

Like all the "Hopalongs," "Partners of the Plains" is well mounted and staged. Dialogue and action are balanced to assure action and movement. Harrison Jacobs' screenplay and added dialogue preserves the spirit of the Clarence E. Mulford "Bar 20 Days" story on which it is based and Lesley Selanders' direction keeps thing moving.

As usual, Boyd and Russel Hayden are up to standard and Gwen Gaze creates a strong character as the determined woman who surrenders to manly charm. Harvey Clark, replacing George Hayes, accounts for the comedy. Character roles are filled by John Warburton, Hilda Plowright, Al Bridge, Al Hill, Earl Hodgin and John Beech.

Running time, 65 minutes. "G."

Bans Cleveland Games

CLEVELAND, Dec. 8.—Police Chief George Matowitz issued an order banning Beano, Banko and Bingo in Cleveland theatres, effective immediately. Bank Night and Movie Sweepstakes were not included in the order.

Add "Fields" Bookings

Loew's has set additional New York bookings on "Green Fields," Yiddish film produced by Collective Film Producers, Inc., and distributed by New Star Films, Inc., following earlier local bookings. RKO also has taken the film for three houses.

Form New Schine Firms

COLUMBUS, Dec. 8.—Among corporations listed here during the week are the Schine Kent Improvement Corp., Schine Kent Theatre Corp., Schine Ravenna Improvement Corp. and the Schine Ravenna Theatre Corp.

These corporations cover the Kent theatre at Kent and the Ravenna theatre at Ravenna, formerly owned and operated by B. C. Steele.

Title Laurel and Hardy

HOLLYWOOD, Dec. 8.—Laurel and Hardy's forthcoming Hal Roach vehicle has been definitely titled "Swiss Miss."

Short Subjects

"The Woods Are Full of Cuckoos"

(Vitaphone)

The community sing radio broadcast is subjected to hilarious burlesque in this color cartoon. Even the parent production company is a target. Practically every big name on the air is used and their drawn equivalents are made to do highly amusing things. The Hollywood Hotel program concludes after many funny events unreel. Louella Parsons is also to be seen and heard. It should go over anywhere. Running time, 7 mins. "G."

"The Mysterious Jug"

(Universal)

As Oswald and his dog visit the city dump, and come upon a magician's trunk, an opportunity for really clever and entertaining cartoon material is offered, but it cannot be said that the most is made of the chance. A tiny genii pops out of a bottle, and his antagonist comes off the label of a can of deviled ham. Oswald wins the ensuing battle. Running time, 7 mins. "G."

"He Done His Duty"

(Columbia)

Andy Clyde in plenty of vivid slapstick comedy—the type that certain audiences find highly amusing. Clyde is a sheriff running for reelection. He ultmiately gets there, but not until he captures a pair of confidence racketeers after a thrilling automobile chase. Running time, 17½ mins. "G."

"Community Sing No. 4"

(Columbia)

A barber shop is Gene Morgan's setting this time. He, Robert Paige and Deane Janis urge the audience to sing "Smiles," "Oh, What a Gal Was Mary," "Some of These Days" and other numbers. A quartet helps out. It is fair. Running time, 10½ mins. "G."

"Oh Say Can You Hear"

(Universal)

Against a supposed night club setting is performed the usual group of unexciting vaudeville bits. The alleged comedy is supplied by Doug Leavitt and Ruth Lockwood, doing a sketch of a deaf couple, which is considerably less than amusing. Among the acts are the Loria Brothers, Mexican youngsters' band, who are clever. Running time, 15 mins. "G."

"Danger—High Voltage"

(Vitaphone)

Another of Floyd Gibbons' "Your True Adventures." It is grimly thrilling, realistically enacted stuff that should attract a good audience. The story concerns a Wichita man who was given up as dead after he had come in contact with a charged wire while repairing a power line. The embalmer sees a spark of life flickering and the victim is revived after a great deal of suspense. The man who underwent the experience is on hand to get his $250 check. Running time, 14 mins. "G."

"Navy Blue," Show $25,000 Detroit Lead

DETROIT, Dec. 8.—"Navy Blue and Gold," with Joe Jackson heading a stage show, turned in a strong $25,000 at the Michigan, thereby topping par by $5,000.

"Heidi" was the next best draw, with Nick Lucas on the stage to help, the take going to $24,500, up by $4,500. "Double Wedding" was strong in its second week at the Madison with a gross of $11,500.

Total first run business was $79,500. Average is $70,000.

Estimated takings for the week ending Dec. 2:

"DANGER—LOVE AT WORK" (20th-Fox)
"CARNIVAL QUEEN" (Univ.)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $5,500. (Average, $5,000)

"HEIDI" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Nick Lucas, Les Gillis Trio, Serge Flash, 3 Kings. **Gross:** $24,500. (Average, $20,000)

"NAVY BLUE AND GOLD" (M-G-M)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Joe Jackson, 3 Swifts, Tex Lewis & Singing Cowboys, Wilson-Kepple & Betty, Stafford & Louise. **Gross:** $25,000. (Average, $20,000)

"SOPHIE LANG GOES WEST" (Para.)
"EBB TIDE" (Para.)
STATE—(3,000), 15c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"THE FIRST LADY" (W. B.)
UNITED ARTISTS—(2,070), 15c-75c, 7 days. **Gross:** $8,000. (Average, $10,000)

"DOUBLE WEDDING" (M-G-M)
MADISON—(2,000), 15c-75c, 7 days, 2nd week. **Gross:** $11,500. (Average, $10,000)

"Breakfast," Lewis $22,500 at Buffalo

BUFFALO, Dec. 8.—Holiday week brought a box-office revival to all downtown houses here and a generally fair stretch of weather. Ted Lewis and his band temporarily resuscitated stage shows at the Buffalo and with "Breakfast for Two" as the screen attraction drew $22,500, $7,500 over par, the best take in weeks.

Duals still showed plenty of strength. The Century's "Hold 'Em, Navy" and "Super Sleuth" managed a gate of $10,000 where $6,300 is average and the Lafayette, with "I'll Take Romance" and "The Westland Case," continued a current run of high grosses with $12,500. Normal is $6,500.

The Hippodrome's "Ebb Tide," drawing $11,000 in a nine-day run, kept that house well over its $7,500 average for the fourth straight week.

Total first run business was $65,500. Average is $42,300.

Estimated takings for the week ending Dec. 4:

"BREAKFAST FOR TWO" (RKO)
BUFFALO—(3,000), 35c-60c, 8 days. Stage: Ted Lewis' Band. **Gross:** $22,500. (Average, $14,000

"SUBMARINE D-1" (W. B.)
GREAT LAKES—(3,000), 35c-50c, 9 days. **Gross:** $9,500. (Average, $8,000)

"EBB TIDE" (Para.)
HIPPODROME—(2,500), 30c-50c, 9 days. **Gross:** $11,000. (Average, $7,500)

"HOLD 'EM, NAVY" (Para.)
"SUPER SLEUTH" (RKO)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $10,000. (Average, $6,300)

"I'LL TAKE ROMANCE" (Col.)
"THE WESTLAND CASE" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $12,500. (Average, $6,500)

"Submarine" Out Front at San Francisco

SAN FRANCISCO, Dec. 8.—"Submarine D-1" was away out front in a strong holiday week, the take at the Fox going to $21,000. This was above par by $4,000.

"Damsel in Distress" was also in the money with $19,000 at the Golden Gate. This was $3,000 to the good.

There were four holdovers—"Hurricane" in its third week at the Geary, where the take was $10,500; "The Prisoner of Zenda" at the Embassy, where the second week gross was $5,000; "Second Honeymoon" and "45 Fathers," which held up to $6,000 in a second week at the St. Francis, and "The Prisoner of Zenda," which took a strong $9,000 in a second week at the United Artists.

"Yiddle with His Fiddle" was something of a sensation at the 400-seat Clay on a take of $13,000.

Total first run business was $116,500. Average is $98,000.

Estimated takings:

Week Ending Nov. 30:

"THE HURRICANE" (U.A.)
GEARY—(1,400), 55c-87c-$1.10-$1.65, 7 days, 3rd week. **Gross:** $10,500. (Average, $10,000)

"A DAMSEL IN DISTRESS" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage: Vaudeville. **Gross:** $19,000. (Average, $16,000)

"THE LAST GANGSTER" (M-G-M)
"SH, THE OCTOPUS" (W. B.)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $14,000. (Average, $13,000)

Week Ending Dec. 1:

"THE PRISONER OF ZENDA" (U.A.)
EMBASSY—(1,400), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"SUBMARINE D-1" (W. B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $21,000. (Average, $17,000)

"THE AWFUL TRUTH" (Col.)
"LIFE BEGINS WITH LOVE" (Col.)
ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days, 6th week. **Gross:** $9,000. (Average, $8,000)

"SECOND HONEYMOON" (20th-Fox)
"45 FATHERS" (20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd downtown week. **Gross:** $6,000. (Average, $7,000)

"THE PRISONER OF ZENDA" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $7,000)

Week Ending Dec. 2:

"NAVY BLUE AND GOLD" (M-G-M)
"DINNER AT THE RITZ" (20th-Fox)
WARFIELD—(2,580), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $13,000)

Week Ending Dec. 3:

"YIDDLE WITH HIS FIDDLE" (Sphinx)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $13,000. (Average, $1,000)

Selig G. B. District Head

DENVER, Dec. 8.—Robert W. Selig, G. B. exchange manager here, has been named district manager, supervising Denver, Salt Lake City, Omaha, Des Moines and Kansas City. It is a new post. His successor in Denver has not yet been named.

Seeks to End Strike

PORTLAND, Dec. 8.—Governor Martin has called for a secret ballot to end the long lumber workers strike which has cut box-office receipts nearly half since Aug. 1.

To Christen Engine

Boston, Dec. 8.—Because Lily Pons is the tiniest singer and the Boston & Maine's new locomotive is the biggest thing of the kind the locomotive is to be named "Lily Pons." Miss Pons will crack a bottle of champagne at ceremonies to be held in the North Station Dec. 11.

The B. & M. held a contest for a name and Wayne E. Whittmore of West Medford, Mass., suggested the name because Jenny Lind started her career singing for P. T. Barnum in the old Fitchburg railroad station. This is now North Station and the Fitchburg Railroad has been absorbed by B. & M.

"Truth" Montreal's Best Bet, $10,000

MONTREAL, Dec. 8.—"The Awful Truth," on a dual with "Life Begins at College" at Loew's, was the top performer with a take of $10,000, which was $2,000 over par. The bill was held for a second week.

"The Barrier," first feature at the Princess, rated high in the list with a take of $8,000, which was above the line by $1,000. A second week of "Dead End" at the Orpheum resulted in an estimated gross of $4,500 and it was held over for a third week.

Professional hockey, chief opposition, is drawing poorly. The first cold snap of the season tended to keep people at home.

Total first run business was $36,500. Average is $40,500.

Estimated takings for the week ending Dec. 4:

"IT'S LOVE I'M AFTER" (W. B.)
"DANGEROUSLY YOURS" (W. B.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,500. (Average, $9,500)

"THE AWFUL TRUTH" (Col.)
"LIFE BEGINS IN COLLEGE" (20th Fox)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $10,000. (Average, $8,000. Held over.

"DEAD END" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 2nd week. **Gross:** $4,500. (Average, $5,000.) Held over.

"STAGE DOOR" (RKO)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $6,500. (Average, $11,000)

"THE BARRIER" (Para.)
"FOOTLOOSE HEIRESS" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000).

Combine Adds 7 Houses

INDIANAPOLIS, Dec. 8.—Affiliated Theatres, Inc., independent buying and booking organization, has added seven houses in Kentucky, according to T. C. Baker, vice-president and general manager. The group now numbers 35 houses in 23 cities in Indiana and Kentucky.

Drop Zion House Plans

CHICAGO, Dec. 8.—B. & K. will drop plans to build a theatre at Zion, Ill., as a result of the vote against film shows. It was stated, however, that films will continue to be shown in the city gymnasium.

Is Roach Publicist

HOLLYWOOD, Dec. 8.—Magdalene Maskel has been added to the Roach publicity staff to handle fashion material for magazines.

"Ebb Tide" Is $28,000 Hit On the Loop

CHICAGO, Dec. 8.—"Ebb Tide" grossed $28,000 at the Oriental, $10,000 better than average.

"The Awful Truth," with a $40,000 gross, was well over the normal $32,000 gross at the Chicago and gave the house the best business in weeks. It was held.

At the Palace "A Damsel in Distress" was slightly over average, but the $20,800 gross was the lowest recorded for an Astaire picture on opening week in this house.

"The Last Gangster," "Nothing Sacred" and "Murder in Greenwich Village" were over average in a week that saw business materially boosted by Thanksgiving and the start of the Christmas shopping rush.

Total first run business was $138,300. Average is $118,000.

Estimated takings:

Week Ending Dec. 2:

"THE AWFUL TRUTH" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Cabaret Russe" Revue. **Gross:** $40,000. (Average, $32,000)

"HOLD 'EM NAVY" (Para.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $6,200. (Average, $6,500)

"EBB TIDE" (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Rita Rio and Band. **Gross:** $28,000. Average, $18,000)

"A DAMSEL IN DISTRESS" (RKO)
PALACE—(2,509), 35c-55c-75c, 8 days. Stage: Buster Shaver and Revue. **Gross:** $20,800. (Average, $19,000)

"MURDER IN GREENWICH VILLAGE" (Col.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Revue with Verne Buck. **Gross:** $14,000. (Average, $13,000)

Week Ending Dec. 3:

"THE LAST GANGSTER" (M-G-M)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $7,000. (Average, $6,500)

"NOTHING SACRED" (U. A.)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $11,000)

"DOUBLE WEDDING" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 3rd week. **Gross:** $10,300. (Average, $15,000)

"Honeymoon," Show $17,600 at Omaha

OMAHA, Dec. 8.—"Second Honeymoon," helped by a stage show called "Waikiki Nights," made the best showing of the week, getting $17,600, over par by $10,400. Admission prices were raised from 25 and 40 cents to 35 and 55 cents for the week and on Saturday night there was a midnight preview of "The Barrier" with a Big Apple dance contest.

The Brandeis held over "A Damsel in Distress," with "West of Shanghai," after the bill had grossed $6,300, up by $2,300.

Total first run business was $30,600. (Average, $16,700).

Estimated takings:

Week Ending Dec. 1:

"THE FIREFLY" (M-G-M)
"A GIRL WITH IDEAS" (Univ.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,700. (Average, $5,500)

"A DAMSEL IN DISTRESS" (RKO)
"WEST OF SHANGHAI" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $6,300. (Average, $4,000)

"SECOND HONEYMOON" (20th-Fox)
ORPHEUM—(3,000), 35c-55c, 7 days. Stage: "Waikiki Nights." **Gross:** $17,600. (Average, $7,200)

"Stage Door" Boston Lead; Gets $18,000

BOSTON, Dec. 8."Stage Door" and "Prescription for Romance" took top money for the week, $18,000 at the RKO Memorial. This was $6,000 above average.

"Double Wedding" and "Dark Journey" grossed $14,000, above average by $2,000 at Loew's Orpheum. The same program drew $12,000, or $1,000 up, at Loew's State. "Ebb Tide" and stage show featuring Hal Le Roy grossed an average $22,000 at the Metropolitan. "Ali Baba Goes to Town," second run, dualed with "Dangerously Yours," first run, grossed $1,000 above $7,000 average at the Paramount and $5,100 at the Fenway. Average at the latter is $4,500.

Total first run business was $88,100. Average is $72,000.

Estimated takings for the week ending Dec. 2:

"ALI BABA GOES TO TOWN" (20th-Fox) (2nd run)
"DANGEROUSLY YOURS" (20th-Fox) (1st run)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,100. (Average, $4,500)

"STAGE DOOR" (RKO)
"PRESCRIPTION FOR ROMANCE" (Univ.)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days. **Gross:** $18,000. (Average, $12,000)

"DOUBLE WEDDING" (M-G-M)
"DARK JOURNEY" (U. A.)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $14,000. (Average, $12,000)

"DOUBLE WEDDING" (M-G-M)
"DARK JOURNEY" (U. A.)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days. **Gross:** $12,000. (Average, $11,000)

"EBB TIDE" (Para.)
METROPOLITAN—(4,332), 35c-55c-75c, 7 days. Stage: Hal Le Roy. **Gross:** $22,000. (Average, $22,000)

"ALI BABA GOES TO TOWN" (20th-Fox) (2nd run
"DANGEROUSLY YOURS" (20th-Fox) (1st run)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"BIG TOWN GIRL" (20th-Fox)
RKO BOSTON—(3,246), 25c-45c-55c, 7 days. Stage: Frank Gabby. **Gross:** $22,000. (Average, $22,000)

"HURRICANE" (U. A.)
COLONIAL—(1,643), 55c-83c-$1.10, 7 days. **Gross:** $7,000.

"LOST HORIZON" (Col.) (3rd run)
"MR. BIGGS STEPS OUT" (G. N.) (1st Run)
HUB—(920), 20c-30c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Cohen Gets Bombay Job

NEW HAVEN, Dec. 8.—Ben Cohen College manager, has been named manager of a new 1,800-seat Loew house, the Metro, in Bombay, India. The house is at present under construction, and will be ready for opening in June. Cohen will sail in the spring.

Daly of U.A. Lecturing

Len Daly, of the United Artists foreign advertising department, lectured on foreign publicity at C.C.N.Y. on Monday and will address the Downtown Advertising Club on "How Film Trailers Are Made."

Rhodes Firm Bankrupt

MOORESVILLE, N. C., Dec. 8.—W. Rhodes and William Rhodes, operators of the Carolina for several years, have entered voluntary bankruptcy, and the concern has been turned over to Loy Thompson as receiver.

"Ebb Tide" on Dual Tops Indianapolis

INDIANAPOLIS, Dec. 8.—"Ebb Tide" and "There Goes the Groom" at the Circle drew $5,600, $1,100 over normal in a week that saw a revival of first run business after a quiet month.

At the Lyric Little Jack Little and his band headed a vaudeville bill with "The Adventurous Blonde" on the screen. The combination grossed $2,000 over normal on a $10,000 take.

Also running strong were "Nothing Sacred" and "Murder on Diamond Row" at Loew's, where $8,000 was taken, $1,000 over par. Competition included Joan Bennett in "Stage Door" at English's which played to good houses on a three-day stand.

Total first run business was $32,900. Average is $30,500.

Estimated takings for the week ending Dec. 3:

"FIT FOR A KING" (RKO)
"TALK OF THE DEVIL" (RKO)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)

"EBB TIDE" (Para.)
"THERE GOES THE GROOM" (RKO)
CIRCLE—(2,800, 25c-40c, 8 days. **Gross:** $5,600. (Average, $4,500)

"DAMSEL IN DISTRESS" (RKO)
"BORROWING TROUBLE" (20th-Fox)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,000)

"NOTHING SACRED" (U. A.)
"MURDER ON DIAMOND ROW" (U. A.)
LOEW'S—(2,800), 25c-40c, 8 days. **Gross:** $8,000. (Average, $7,000)

"THE ADVENTUROUS BLONDE" (F.N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Little Jack Little and band. **Gross:** $10,000. (Average, $8,000)

Pittsburgh Lead Goes to "Truth"

PITTSBURGH, Dec. 8.—The Thanksgiving week gravy here was divided chiefly by the Alvin and the Stanley, the former doing a sensational $17,850, within a few hundred dollars of the house record, with "The Awful Truth," and the Stanley knocking down a fine $25,500 with "Submarine D-1" and Vincent Lopez's band.

"Nothing Sacred" at the Penn started off like a house afire, getting $4,500 on the opening day, but fell almost to nothing after the getaway and finished with $14,750.

Total first run business was $67,850. Average is $45,000.

Estimated takings for the week ending Dec. 2:

"THE AWFUL TRUTH" (Col.)
ALVIN—(2,000), 25c-50c, 7 days. **Gross:** $17,850. (Average, $6,500)

"DANGER—LOVE AT WORK" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $3,650. (Average, $4,500)

"NOTHING SACRED" (U. A.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,750. (Average, $11,000)

"SUBMARINE D-1" (F. N.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Vincent Lopez orchestra, Johnny Woods and Nichols and Roberts. **Gross:** $25,500. (Average, $18,000)

"THEY WON'T FORGET" (W. B.)
"HOLD 'EM NAVY" (Para.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $6,100. (Average, $5,000)

Paris Season Good

PARIS, Dec. 1.—The 1937-'38 season has started here much more auspiciously than the previous season, although the improvement is attributed in some quarters to the unusual influx of visitors to the city as a result of the Paris Exposition. Among the leading American films in local first runs are "Stage Door," "The Prisoner of Zenda," "100 Men and a Girl" and "Easy Living."

"Nothing Sacred" $19,500 Cincy Top

CINCINNATI, Dec. 8.—"Nothing Sacred" was high last week with $19,500 on an eight-day run at the RKO Albee, where the seven-day average is $12,000.

The runnerup was "A Damsel in Distress," which grabbed $13,000 at the RKO Palace, up $3,000. "The Awful Truth" went $800 over the $6,500 par at the RKO Capitol on its third downtown week, two at this house, and went to the RKO Grand. "Second Honeymoon," playing the second week downtown at the RKO Grand, got $3,250 against a $2,750 average, and the RKO Family registered a combined gross of $2,700 compared with $2,450 full-week normal with "Make A Wish," "King Solomon's Mines" and "You Can't Beat Love," playing separately.

Total first run business was $60,550. Average is $58,700.

Estimated takings:

Week Ending Dec. 1:

"A DAMSEL IN DISTRESS" (RKO)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $13,000. (Average, $10,000)

Week Ending Dec. 2:

"NOTHING SACRED" (U.A.)
RKO ALBEE—(3,300), 35c-42c, 8 days. **Gross:** $19,500. (Average, 7 days, $12,000.) Moved to RKO Capitol.

"THE FIREFLY" (M-G-M)
RKO SHUBERT—(2,150), 35c-42c, 7 days, 3rd week. **Gross:** $4,000. (Average, $12,000)

"THE AWFUL TRUTH" (Col.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 3rd downtown week, two at this house. **Gross:** $7,300. (Average, $6,500.) Moved to RKO Grand.

"BOOTS AND SADDLES" (Republic)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $5,000. (Average, $6,500)

"SECOND HONEYMOON" (20th-Fox)
RKO GRAND—(1,400), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,250. (Average, $2,750)

"MAKE A WISH" (RKO)
(3 days)
"KING SOLOMON'S MINES" (G.B.)
(2 days)
"YOU CAN'T BEAT LOVE" (RKO)
(3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,700. (Average, full week, $2,450)

"NAVY BLUE AND GOLD" (M-G-M)
KEITH'S—(1,500), 30c-40c, 7 days, 2nd week. **Gross:** $5,800. (Average, $6,500)

Missouri Sales Tax Reaches a New High

JEFFERSON CITY, Mo., Dec. 8.—Sales tax collections for November hit a new high, $1,900,133, an increase of $37,324 over October, according to a report of State Auditor Forrest Smith.

In November, 1936, when the old one per cent rate was in effect, collections totalled $1,032,662.

L. C. Amadori on Coast

HOLLYWOOD, Dec. 8.—Luis Cesar Amadori, Argentine theatre man and producer, is here for a four weeks' study of technical developments of the American industry.

He said that American stars such as Robert Taylor and Tyrone Power are not excellent draws in the Argentine, but Gary Cooper was tops. Greta Garbo is the leading feminine draw, with Ginger Rogers and Rosita Morena pulling well.

Frank Boyd Injured

CLEVELAND, Dec. 8.—Frank Boyd local representative for American Seating Co., is hobbling around on a cane, result of a foot injury.

"Sacred" Gets Big $16,500, Philadelphia

PHILADELPHIA, Dec. 8.—"Nothing Sacred" opened to a big $16,500 first week at the Aldine and seems set for three weeks.

The stage and screen show at the Earle, with James Melton and Harriet Hoctor as the stage headliners and "45 Fathers" the film, rolled in a nice $20,000. "Submarine D-1" proved the strongest Thanksgiving weekend attraction. It took an excellent $16,500. For its third week, "The Hurricane" slipped to $9,000.

"Damsel in Distress" disappointed at the Stanley with $13,000.

Total first run business was $101,900. Average, not counting the Locust, is $81,960.

Estimated takings for the week ending Dec. 2:

"NOTHING SACRED" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $16,500. (Average, $8,160)

"CONQUEST" (M-G-M)
ARCADIA—(600), 25c-40c-50c, 7 days. (2nd run.) **Gross:** $3,200. (Average, $2,800)

"IT'S LOVE I'M AFTER" (W.B.)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $12,000. (Average, $14,000)

"45 FATHERS" (20th-Fox)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: James Melton, Harriet Hoctor. **Gross:** $20,000. (Average, $14,000)

"SUBMARINE D-1" (W.B.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $16,500. (Average, $14,000)

"LIVE, LOVE AND LEARN" (M-G-M)
KARLTON—(1,000), 25c-40c-50c, 7 days. (2nd run.) **Gross:** $3,200. (Average, $4,000)

"THE FIREFLY" (M-G-M)
KEITH'S—(2,000), 30c-40c-50c, 7 days. (2nd run.) **Gross:** $3,500. (Average, $4,000)

"THE HURRICANE" (U.A.)
LOCUST — (1,300), 57c-86c-$1.14-$1.71, 7 days, 3d week. **Gross:** $9,000.

"A DAMSEL IN DISTRESS" (RKO)
STANLEY — (3,700), 40c-55c-65c, 7 days. **Gross:** $13,000. (Average, $14,000)

"WEST OF SHANGHAI" (F.N.)
STANTON — (1,700), 30c-40c-50c, 7 days. **Gross:** $5,000. (Average, $7,000)

"Nothing Sacred" Tops Oklahoma

OKLAHOMA CITY, Dec. 8.—"Nothing Sacred" was the best money-maker in a generally good week for first runs. It was $2,500 to the good on a take of $6,000 at the State.

"Live, Love and Learn," with a musical revue on the stage, rolled up $7,000 at the Criterion. This was $2,000 into the profit column. "Second Honeymoon" was strong at $3,900 at the Tower.

Total first run business was $24,675. Average is $18,500.

Estimated takings for the week ending Dec. 4:

"LIVE, LOVE AND LEARN" (M-G-M)
CRITERION—(1,300), 10c-35c-55c, 7 days. Stage: "Three Cheers for Rhythm," musical revue, all-girl swing band. **Gross:** $7,000. (Average, $5,000)

"ALCATRAZ ISLAND" (F. N.)
"MY MAN GODFREY" (Univ.) (2nd Run)
LIBERTY—(1,200), 10c-20c-25c, 5 days. **Gross:** $2,800. (Average, 7 days, $2,500)

"HIDEAWAY" (RKO)
"LIVING ON LOVE" (RKO)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $675. (Average, 7 days, $2,500)

"A DAMSEL IN DISTRESS" (RKO)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $4,300. (Average, $5,000)

"NOTHING SACRED" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days. **Gross:** $6,000. (Average, $3,500)

"SECOND HONEYMOON" (20th-Fox)
TOWER—(1,000), 10c-25c-35c, 7 days. **Gross:** $3,900. (Average, $2,500)

"Honeymoon" Show $14,100 K.C. Leader

KANSAS CITY, Dec. 8.—"Second Honeymoon" and a stage show sweetened the take at the Fox Tower $14,100 worth, $6,300 over an eight-day par. Thanksgiving was big, but Saturday broke with snow and cold weather. Outside competition was represented chiefly by the Auto Show, which began Nov. 27.

"A Damsel in Distress" and "Night Club Scandal" attracted $10,200 to the Mainstreet, where normal for eight days is $8,800. "The Firefly" and "The Women Men Marry" disappointed at the Midland, but went $500 over the $11,500 line.

Total first run business was $44,200. Average is $37,600.

Estimated takings:

Week Ending Nov. 30:

"DR. SYN" (G. B.)
"HOT WATER" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $2,800. (Average, $4,000)

Week Ending Dec. 1:

"THE FIREFLY" (M-G-M)
"THE WOMEN MEN MARRY" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $12,000. (Average, $11,500)

Week Ending Dec. 2:

"A DAMSEL IN DISTRESS" (RKO)
"NIGHT CLUB SCANDAL" (Para.)
MAINSTREET—(3,100), 25c-40c, 8 days. **Gross:** $10,200. (Average, $8,800)

"BACK IN CIRCULATION" (W. B.)
"OVER THE GOAL" (W.B.)
NEWMAN—(1,900), 25c-40c, 8 days. **Gross:** $5,100. (Average, $5,500)

"SECOND HONEYMOON" (20th-Fox)
TOWER—(2,200), 25c-40c, 8 days. Stage: Will Osborne and His Orchestra, with Joan Whitney; Ruthie Barnes, Wilfred Dubois, and John Tompkins. **Gross:** $14,100. (Average, $7,800)

"Honeymoon" Retitled

HOLLYMOON, Dec. 8.—"Invisible Menace" has been designated as the new title of the Warner film which was produced as "Strange Honeymoon."

Wall Street

Board Gains Continue Lightly

	Open	High	Low	Close	Net Change
Col.	15¼	15¼	15¼	15¼	+ ¼
Cons., pfd.	7¼	7¼	7¼	7¼	+ ⅛
E. K.	161	165	161	165	+4¼
G. T. E.	14½	15⅛	14½	15	+ ½
Loew	53	54	52½	53½	+ ¾
Para.	12½	12¾	12⅜	12¾	+ ¼
Para. 1	98	98½	98	98½	+1½
Para. 2	11⅝	11⅞	11¼	11⅝	+ ⅛
Pathe	6	6⅜	6	6⅜	+ ⅜
RKO	5	5	4¾	4¾	— ⅛
20th Fox	21¾	22	21½	21¾	+ ¼
20th, pfd.	28	28	27¼	28	+ ¾
Univ., pfd.	35	35	35	35	+ ½
W. B.	7⅞	8	7¾	7⅞	+ ⅛

Light Curb Change

	Open	High	Low	Close	Net Change
G. N.	1	1	15/16	15/16	....
Sentry	5/16	5/16	¼	¼	—1/16
Sonotone	1¾	1¾	1¾	1¾	....
Tech.	19⅞	19⅞	19¼	19¼	+ ½
Trans-Lux	3	3	3	3	+ ⅛

Bonds in Decline

	High	Low	Close	Net Change
Keith 6s '46	84	83½	83½	....
Loew 3½s '46	98½	98¼	98½	— ¼
Para. B'way 3s '55	60	60	60	—1
W. B. 6s '39	79	78¾	78¾	— ¼

(Quotations at close of Dec. 8)

Key City Grosses Pick Up; Total Reaches $1,544,974

Business in 24 key cities picked up during the third week of November, the total gross reaching $1,544,974. The number of first run theatres also gained, 152 being in operation. The low point in number of first run theatres in these cities was 142.

The total of $1,544,974 for the week ending Nov. 19-20 was $25,554 above the previous week.

Estimated takings for the latest available periods:

	Week Ending Nov. 19-20		*Week Ending Nov. 12-13*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	8	$132,000	8	$100,000
Buffalo	5	54,700	5	56,800
Chicago	8	113,600	8	110,700
Cincinnati	8	56,950	8	46,250
Cleveland	6	61,000	6	56,300
Denver	7	32,500	7	41,500
Detroit	6	76,000	6	84,700
Houston	4	26,000	4	32,700
Indianapolis	5	31,300	5	27,400
Kansas City	6	32,800	5	31,800
Los Angeles	10	103,024	10	113,320
Milwaukee	6	35,100	6	34,000
Minneapolis	5	36,200	5	38,600
Montreal	5	38,000	5	43,500
New Haven	4	21,300	4	23,300
New York	9	304,650	9	273,000
Oklahoma City	5	18,350	5	16,900
Omaha	3	23,200	3	23,000
Philadelphia	10	93,200	9	99,000
Pittsburgh	5	63,250	5	55,700
San Francisco	10	97,000	9	90,200
St. Paul	4	16,550	4	14,500
Seattle	7	28,400	7	37,950
Washington	6	49,900	8	68,300
	152	$1,544,974	151	$1,519,420

Key city grosses up to the week ending Nov. 19-20:

Week Ending	*No. Theatres*	*Gross*
Sept. 3- 4	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974

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Patrons in Holland Prefer Melodramas

AMSTERDAM, Nov. 29.—Melodramas were the majority preference of 35,000 patrons of the Rex, theatre in The Hague, who were polled by the management. The second choice was comedy, with thrill films third. Historical pictures were accorded a large vote, as well.

Five American productions were included in the list of 10 pictures which the patrons voted the best they had seen at the theatre. The five were: "Bengal Lancer," "Mr. Deeds Goes to Town," "Desire," "The Life of Louis Pasteur" and "The Invisible Man."

Board to Add Nominees

A second list of nominations for new officers of the local Film Board of Trade will be held Dec. 15 with elections scheduled for Dec. 29. Initial nominations were made last Wednesday and it was decided to hold another session for nominations before holding elections.

Church Film Group Urged in Australia

SYDNEY, Nov. 18 (*By Air Mail, via London*).—Advocating the presentation of talking pictures in churches, the Archbishop of Brisbane, Dr. Ward, is urging the formation of a Religious Film Society on the lines of a similar organization in England.

"We need to stir the imagination of Australian church people," he said, "and the churches will do it." Supporting the move, another speaker advised the interested organizations "not to start full of enthusiasm, then buy cheapest stuff and expect to get the people in. People will pay to see the ordinary pictures, but they'll put less in the plate at a cheap church show."

Sabin Carr Due Today

Sabin W. Carr, partner of Jed Buell in production of "Harlem on the Prairie," with an all-Negro cast, will arrive here from the coast today to negotiate distribution of the film.

Czech Independents To Make 60 in Year

Independent film producers in Czechoslovakia will make about 60 pictures this year as compared to 36 last year, Leo Berger, sales manager for M-G-M in Czechoslovakia, Poland, Yugoslavia and Bulgaria, stated yesterday. Berger has been with M-G-M for 11 years and this is his first trip to America. He will leave for the coast the end of the week with stopovers at various sightseeing points.

The producers in Czechoslovakia are aided by the Government to the extent of 10,000,000 crowns a year, Berger said. There are 1,800 theatres in the country, all wired for sound, and with about 800 operating irregularly. These 800 houses are in educational and military sections. After a three-year lapse, all major distributors have offices in Czechoslovakia except Warners and Columbia.

During the past two years, M-G-M has distributed 50 films a year. The annual number usually does not run this high, but due to inactivity for three years a number of films accumulated.

Australian Claims "U" to Aid Finance

SYDNEY, Nov. 18. (*By Air Mail via London*)—In a lecture to the Royal Empire Society on his return from Hollywood, Charles Chauvel, Australian independent producer, said that Universal had agreed to come into his company and provide one-third of the capital and much valuable equipment. Universal would not control the company, he said. If the pictures possessed merit they would be released in the United States by Universal.

Chauvel said that he was planning an ambitious picture dealing with the operations of the Australian Light Horse. This could be made cheaply in Australia but would cost a great deal more in Hollywood, he declared

Universal home office officials stated that the financing deal referred to by Charles Chauvel is a cooperative measure instituted for the purpose of providing for Universal's Australian quota production requirements.

Exhibitors Join in Federation Campaign

Local exhibitors met yesterday at the Hotel Astor and formed a committee to support the New York-Brooklyn Federation Campaign to rase $6,250,000. Another meeting will be held next Wednesday at the Astor theatre.

Among the speakers at yesterday's session were Judge Algeron I. Nova, Paul Moss, David Bernstein and Harry Brandt. At next Wednesday's meeting speakers will include Albert Warner and Jack Cohn. Joseph M. Schenck and Leo Spitz are scheduled to talk if they are in town.

"U" Retitles 2 Films

HOLLYWOOD, Dec. 8.—Universal has re-titled two films. Ted Sloman's feature, which has been known successively as "More Than Love" and "Deadlocked," has been changed to "The Jury's Secret," and "International Spy," directed by Joseph H. Lewis, is now "Spy Ring."

NBC Plans to Test Mobile Television

(*Continued from page* 1)

transmitter atop the Empire State tower. It will be used to televise outdoor sports, parades and news events.

One van of the unit contains the pickup apparatus, including cameras for both picture and accompanying sound. A picture transmitter to operate on a frequency of 177,000 kilocycles is mounted in the other. A special directional antenna is used in connection with the mobile unit. In the Metropolitan area, with its high buildings and steel framework, the normal working range of the new unit is expected to be 25 miles.

Benny Series to Go On 23 Canada Spots

Jack Benny's General Foods program, now heard over 85 stations of the NBC-Red network on Sundays, will be extended into 23 stations of the Canadian Broadcasting Corp., beginning Jan. 2. A total of 108 stations for a program is believed to be a commercial record.

The deal was arranged through the Baker Adv. Corp. of Toronto, General Foods Corp. agency representative in Canada. In this country Benton & Bowles and Young & Rubicam handle its business, with the latter agency handling the Benny-Jello account.

"Cathedral" Returning to Air

Following an absence of two years, the "Cathedral of the Underworld," which had been on the air for almost a decade under the direction of the late Tom Noonan, will return to WMCA this Sunday from 4 to 4:30 P.M., broadcasting direct from the "cathedral" of the Rescue Mission in Chinatown.

Smith Joins Stirling Getchell

Fred Smith, formerly publicity director of Batten, Barton, Durstine & Osborn, who recently resigned to form his own publicity bureau, has been appointed publicity director of the J. Stirling Getchell agency, succeeding Harry Bercovich, Jr., recently elected vice-president of the agency.

George Engles in Hospital

George Engles, NBC vice-president in charge of artists' service, has been in a hospital for the past 10 days taking a rest cure, it was learned yesterday. He is expected to return to his duties shortly.

Lux to Offer "39 Steps"

Robert Montgomery and Ida Lupino will appear in a radio version of "The 39 Steps" on the Lux "Radio Theatre" over CBS, Dec. 13.

Barrymores on "Hotel"

John and Elaine Barrymore will be featured on "Hollywood Hotel," Dec. 17, over CBS, when they will appear in scenes from "Bulldog Drummond's Revenge."

Time to Film NBC Mail

March of Time cameramen will visit the NBC Radio City studios today to take shots of the audience mail section for its forthcoming film or radio broadcasting.

Radio Personals

CBS "Swing Club" performers headed by Leith Stevens' orchestra, will open at Loew's State today for a run of personal appearances, through a CBS artists bureau booking . . . Del Casino has been booked for a date on the "Hello Peggy" series over NBC Dec. 12, through Jimmy Appel of the CBS artists bureau . . . Joseph Bentonelli will sing on Vicks "Open House" Dec. 12 . . . Douglas Fairbanks, Jr., and Andrea Leeds have been engaged for an appearance on the "Silver Theatre" program Dec. 12 . . . Georgie Jessel has been appointed to the entertainment committee of the New York World's Fair.

+

Robert Guthrie, formerly of the radio department of Ruthrauff & Ryan, has joined General Lithographic Corp. as account executive. . . . Alan Courtney's theme song on WNEW, "Start the Day with a Smile," has been published by Red Star Music Co. . . . Ben Bernie has rented an apartment at the Savoy-Plaza. . . . Jean Ellington of NBC has been booked for a Hammerstein "Music Hall" appearance over CBS through the NBC artists bureau. . . . Fritz Reiner will be the guest conductor of the Philadelphia Orchestra in its next four broadcasts on the bank-sponsored series. His first concert will be that of Dec. 13. . . . Alistair Cooke has been moved to an earlier spot on the NBC-Red network to enable more stations to carry the program. His "Critic On Broadway" is now heard at 7:30 P.M. Wednesdays. . . .

+

Arde Bulova, radio station owner and manufacturer of Bulova watches, sailed on the *Normandie* yesterday for Europe. . . . Mary-Ann Bock, 10-year old singer and whistler, has joined the Phil Spitalny orchestra. . . . Alexander Gray will return to New York from Chicago Dec. 13 to do a series of network auditions, set by Ralph Wonders of Rockwell-O'Keefe. . . . Martin Block last week set what is believed to be a record mail response for a single day for his "Make Believe Ballroom" when he received 6,756 missives, including telegrams, letters, post cards, requests for tickets, requests for samples of sponsors' products, votes in orchestra popularity contest and miscellaneous mail.

Degree for McCarthy

Chicago, Dec. 8. — Charlie McCarthy, of radio fame and intimate of Edgar Bergen, has been granted an honorary degree by the Northwestern University School of Speech. McCarthy has been awarded the degree of Master of Innuendo and the Snappy Comeback.

Moore to Return to Air Starting Jan. 3

Benjamin Moore & Co. will return to the air Jan. 3 with a program over 33 stations of the NBC-Red network, from 11:45 A. M. to 12 noon, once weekly. The contract was placed direct.

The programs as usual will consist of the "Betty Moore Triangle Club," consisting of talks on color styling and interior decorations. Benjamin Moore Co. annually for the past 10 years has gone on the air for 21 weeks.

WQXR Is Running Ads from Sponsors

Due to the rapid growth in sales of WQXR's advance monthly programs, which are sold to listeners for $1 a year or 10 cents per copy monthly, the station henceforth will accept advertising in the program from sponsors of its broadcasts. The December issue of the printed program carries copy for Martinson's Coffee and Hotel Bar Butter, both accounts being among the current sponsors of WQXR broadcasts.

The printed programs of WQXR are sent monthly to those who wish to know several weeks in advance when WQXR features are to be broadcast. The service was started more than a year ago.

Johnson Adds KARK

Johnson Floor Wax Co., sponsors of Fibber McGee & Molly, have added KARK, Little Rock, to its NBC network. After the first of the year, the program will add the McClatchey group of stations in California.

Sterling Products Renews 3 Programs

Three Sterling Products programs were renewed yesterday for 52 weeks each. All three are NBC programs. They are:

"How to Be Charming," Mondays, Wednesdays and Fridays from 11:30 to 11:45 A. M. on the Red, over 44 stations, from Hollywood.

"Lorenzo Jones," Mondays through Fridays from 4 to 4:15 P. M. on the Red, 22 stations, from New York.

"Backstage Wife," Mondays through Fridays from 11:15 to 11:30 A. M., 25 stations, originating in Chicago.

Blackett-Sample-Hummert, Inc., is the agency. The renewals begin January 3.

NBC Organizes New Willys Musical Unit

The NBC transcription service has organized a new musical unit called the "Willys Orchestra of Soloists" for the Willys-Overland Corp. The unit will be for the 1938 spot radio campaign for the automobile company, and will be placed over stations throughout the nation. William Wirges is assembling the soloists. Walter Brooks is in charge of the program in New York. The U. S. Advertising Corp., Toledo, is the agency.

Bristol-Myers Has New Series

Bristol-Myers Corp. will present a series of variety programs titled "For Men Only" in behalf of Vitalis over the NBC-Red network beginning Jan. 10, 10:30 to 11 P. M. The contract is for 52 weeks, through Pedlar & Ryan. The show has been presented over WHN.

Four P & G Series Will Change Times

Four Procter & Gamble programs on NBC will undergo changes in broadcasting time, beginning Jan. 3.

"Story of Mary Marlin," now 10 to 10:15 A. M. on the Blue, will be changed to 11 to 11:15 A. M., and the Red network presentation of the same show, now 4:30 to 4:45 P. M., will be set back, from 4:15 to 4:30 P. M. Compton is the agency.

"The O'Neill's," currently on the Blue from 11 to 11:15 A. M. will be transferred to the Red, from 12:15 to 12:30 P. M. Compton is the agency.

"Pepper Young's Family," now on the Blue from 10:30 to 10:45 P. M., moves to 11:15 to 11:30 A. M., same network. Pedlar & Ryan is the agency.

"Guiding Light," 4:15 to 4:30 P. M., Red, will be set back to from 3:45 to 4 P. M., on the same network. Compton is the agency.

Inter-City Network To Add 11th Station

The Inter-City network, of which WMCA here is the key station, will add an eleventh station to the link Jan. 19, when WLAW, Lawrence, Mass., joins up.

WLAW is newly licensed, and will begin operations the day it joins the network. The station will have a power of 1,000 watts, part time.

Adam Hat to Sponsor Fight

Adam Hat Co. will continue its sponsorship of the 20th Century Sporting Club fights over NBC for the bout between Max Schmeling and Harry Thomas, to be broadcast from Madison Square Garden Dec. 13 at 10:15 P. M. over the Blue network. Sam Taub and Brooke Temple will report the fight throughout the east, with Clem McCarthy and George Hicks performing similiarly for listeners in other cities throughout the nation.

Davega Sued on Radio

Suit was filed by the Condenser Development Corp. against the Davega City Radio, Inc., in the U. S. District Court here yesterday, alleging that Davega "was contributorily infringing" on the plaintiff's patented variable condensers by selling Detrola and Halson Radio receiving sets which allegedly contain infringing condensers. A permanent injunction and an accounting of the profits is asked.

Renew Warner Show Time

American Tobacco Co. yesterday renewed its 10 to 11 P. M. time on the NBC-Red which, beginning tonight, will be occupied by the Warner "Your Hollywood Parade" series. Until this week the period was taken up by the "Hit Parade" musical series. Lord & Thomas is the agency. The renewal is for 13 weeks.

Wrigley Program Is Set

Title and cast for the new Wrigley Co. program on CBS have been decided upon. The series will be known as "Double or Nothing," and the cast will include Shaw & Lee, Sutton & Bliss and Betty & Jean, plus Carl Hohengarten's orchestra. The program will start Dec. 26. A total 54 stations will carry the program. Frances Hooper, Inc., is the agency.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 137 NEW YORK, FRIDAY, DECEMBER 10, 1937 TEN CENTS

Kennedy as an Envoy Arouses Film Interest

British Trade Pact and Quota Vital Problems

WASHINGTON, Dec. 9.—The impending appointment of Joseph P. Kennedy as Ambassador to Great Britain, which is reported in authoritative quarters here, is of special interest to the film industry in view of Kennedy's motion picture background and the current progress of Anglo-American negotiations for a reciprocal trade agreement.

The industry pins its hopes for equitable trade relations with England in the future on the successful consummation of a trade treaty between the two nations. Such an agreement, film executives feel, would have a bearing on the new Quota Act.

Kennedy's association with the industry dates back to the old F.B.O. days, the company which he purchased and headed until he sold his controlling interest to RCA. The company was thereupon reorganized as RKO. Kennedy later headed the Pathe Exchange and was producer of the Gloria

(*Continued on page 2*)

IATSE Assessments To End on Saturday

HOLLYWOOD, Dec. 9.—I.A.T.S.E. locals here were notified today that the two per cent assessment imposed since Feb. 13 will end Saturday. The announcement came from the Washington headquarters of the Alliance and the action was taken following or at the meeting of international officers with George Browne at Detroit last week.

The purpose of the assessment was

(*Continued on page 17*)

News Service with Television Starts

Peck Television Corp., pioneers in the field of vision development, yesterday began operation of the nation's first commercial television news service, with Jack Dempsey's Restaurant as its first client.

Transmission of the news was from the service's transmitting location in the Hotel Lincoln at 45th St. and 8th Ave. Dempsey's is at 50th St., on the same avenue.

Newspapermen who witnessed the

(*Continued on page 17*)

More Radio—Pp. 17-18

To Air Film Story

The story of the film industry will be featured on the "Stories of Industry" program Dec. 28 over a coast-to-coast CBS hookup. Will H. Hays, president of the M.P. P.D.A., will be the guest speaker. The program will be on the air from 4:30 to 5 P.M., E.S.T.

Quota Discussions In Commons Heated

By AUBREY FLANAGAN

LONDON, Dec. 9.—A fierce discussion marked today's session of the Films Act Committee of the House of Commons, in its continuing consideration of the separate quota proposals for incorporation in the new Films Bill. Adjournment brought the group apparently no closer to a decision than they had been when the day's discussion opened.

Sir Adrian Baillie, urging the amendment, said the only hope for the future of the industry lay in its adoption. He protested against a loophole in the income tax act which, he said, had allowed the American interests to take £8,000,000 out of the country untaxed. He said there was no objection to American producers.

Oliver Stanley, president of the Board of Trade, objected to the adoption of the separate quota proposal, declaring that it would help some producers, but damage others. He said it marked the abandonment of an attempt to put British production on a world basis and cause it to turn to a small monopolistic British market. He

(*Continued on page 17*)

Blank Dinner Is Milestone In His Career

Leaders Eulogize Long Service to Industry

DES MOINES, Dec. 9.—The ballroom of the Hotel Fort Des Moines was the scene of an impressive tribute tonight, one of those gatherings which occurs every so often in this and other fields, a striking milestone in the career of an individual. Such a milestone came tonight for A. H. Blank, veteran exhibitor, honored by the industry's leading figures on the occasion of his 25th anniversary as one of the nation's leading film showmen.

The dais held an imposing group of speakers, with Charles C. Pettijohn, general counsel of the M. P. P. D. A., as toastmaster, and in excellent form. The room was crowded

(*Continued on page 17*)

Scully to Pick Aide From Universal Men

As a result of the decision by Lou Weinberg, sales contact for Columbia, not to join Universal in an executive post, William A. Scully, new general sales manager for Universal, yesterday told MOTION PICTURE DAILY that an appointment will be made from within the Universal ranks.

Scully said he believes in developing manpower within the ranks and will name a new assistant as soon as he makes a review of the sales person-

(*Continued on page 17*)

Miss Pickford Cites Her Aid Given UA Deal

Goldwyn Also Publishes Option Statement

HOLLYWOOD, Dec. 9.—Statements resulting from the abandonment of efforts to purchase the United Artists option were issued here today by Mary Pickford, United Artists partner, and by Samuel Goldwyn who, with Alexander Korda, had negotiated to purchase the shares of Miss Pickford, Douglas Fairbanks and Charles Chaplin.

Miss Pickford summed up the failure of the purchase negotiations in "two words." In her first statement since the options were given the two producers last May, Miss Pickford said:

"Mr. Fairbanks and I have conscientiously cooperated with our partners, holders of the option, to effect a successful consummation of the deal, even to the extent of making two drastic concessions from the original agreement. In the first instance we agreed to take $1,500,000 in stock instead of all cash and in the second to take $500,000 less in cash and no stock. I take definite exception to printed

(*Continued on page 17*)

Korda to Continue On a Normal Basis

LONDON, Dec. 9.—Following the report here of the abandonment of the option deal for purchase of United Artists by Samuel Goldwyn and Alexander Korda, officials of London Films, the Korda company here, declared today production will continue on a normal basis.

They also expressed the hope that the same financing as heretofore will be available for the future program at the Korda Denham studio. There was a report here of some alternative move by Korda, but there were no details available.

Warners May Repeat On Trade Showings

Warners are now considering trade previews during March in all key cities on at least seven new pictures. Dates and definite pictures to be screened will be decided upon soon by Gradwell L. Sears, general sales manager.

Among the group of films tentatively lined up are "Adventures of Robin

(*Continued on page 2*)

Kennedy at London

By MARTIN QUIGLEY

NEWS of the President's intention to appoint Mr. Joseph P. Kennedy the American Ambassador to Great Britain is a development of especial interest to the industry of motion pictures.

It was as a motion picture executive that Mr. Kennedy first attained national prominence. Although his career previously had been markedly successful in a narrower field it was only when confronted with the intricacies of the business of motion pictures and its attendant possibilities that he had ample opportunity to demonstrate those capacities which have attracted widespread attention and which have brought to him increased responsibilities in the affairs of industry and government and which now have won for him the most important designation in American diplomacy.

In addition to the satisfaction personally which Mr. Kennedy's appointment will bring to the many persons in the industry who had contact with him during his career as a film company executive there is an additional significance of genuine importance.

According to State Department

(*Continued on page 2*)

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Kennedy at London

(*Continued from page* 1)

announcement there is now in the process of negotiation a reciprocal trade treaty between the United States and Great Britain. This development has been received with high approval by the motion picture industry because of the indication involved that Anglo-American film relations would be viewed in the broad light of international relations, thus divorcing them from certain narrow concepts that otherwise might conceivably leave the American trade interest in a disadvantageous position.

As work on this treaty progresses it obviously will be of major importance that the American ambassador be a person with something more than a casual interest in and indifferent knowledge about the motion picture business. It will be fortunate indeed if Mr. Kennedy, equipped as he is with a thorough knowledge of the motion picture business, is at the Court of St. James's when the treaty document is given final form so that it will give effect to those considerations which are essential to the welfare of the domestic motion picture business and are not without real influence upon many national interests.

Mr. Kennedy's appointment, therefore, will have both sentimental and practical interest to the motion picture business.

It will also afford to his many friends in the industry renewed pleasure in observing this brilliant career go brilliantly on.

Kennedy as an Envoy Arouses Film Interest

(*Continued from page* 1)

Swanson pictures, released through United Artists. With the acquisition of Pathe by RKO, Kennedy retired from the industry in 1933. After organizing and serving as the first chairman of the Securities & Exchange Commission, Kennedy was recalled to the industry in the late spring of 1936 as a special adviser to the Paramount board of directors. In that capacity he made a study of the company's operations and submitted it to the Paramount board as a critique of company policies and management, together with recommendations for executive and operating reforms.

At that time, Kennedy's name was widely mentioned in connection with the presidency of Paramount. Unofficial reports held that he would not accept the post if it was offered to him, inasmuch as his name was being mentioned at the time in Washington as a likely appointee to the Court of St. James's. Although the appointment did not materialize at that time, Kennedy was recalled later to Government service as organizer of the Maritime Commission, a post in which he is now concluding his duties.

No official word of Kennedy's reported appointment as Ambassador to Great Britain has been received by his New York office and no information beyond what has been carried in the metropolitan newspapers has been received here, an office attache said yesteray.

"However," the Kennedy aide commented, "there must be something to it because we have not been authorized to make any denials."

J. W. Gerard Talks Before Ampa Group

James W. Gerard, former American Ambassador to Germany, was guest of honor at the Ampa yesterday and recalled the days of 1917 when he wrote "My Four Years in Germany," following which he appeared in the film version for Warners.

Aside from his opinion of Germany today, Gerard held that the film industry is one of the three great media of public expression today, radio and the newspapers being the other two. He said that these media can make or break a government.

Matthew Woll, vice-president of the A. F. of L., took a bow, as did Dr. Herbert Edwards, who is assisting Mayor LaGuardia in the local tuberculosis drive. Wallace Ford tried hard to get over a few gags and finally admitted that Ampa was a tough audience. Marshal Montgomery, ventriloquist, entertained briefly.

Paul Lazarus, Jr., who acted as chairman in the absence of Ralph Rolan, who is en route to the coast, announced that there would be no Christmas luncheon. Efforts previously put behind the annual luncheon will be diverted to *Film Daily* Relief Fund. Arrangements have been completed for a raffle in behalf of the drive on Dec. 23.

Four A's Revamping Advanced by Council

Reorganization of the Associated Actors & Artistes of America into a single A. F. of L. performers' union for the entertainment field was brought a step nearer with progress being reported on current plans following a meeting of the Four A's council yesterday.

Now composed of numerous independent performers' unions, such as the Screen Actors' Guild, the American Federation of Radio Artists, Actors' Equity Ass'n, the American Guild of Musical Artists, Chorus Equity and others, the Four A's organizational structure will be simplified to such an extent, upon the completion of the plans now in work, as to make the parent organization, in effect, one large union covering the entertainment field.

Warners May Repeat On Trade Showings

(*Continued from page* 1)

Hood," "Food for Scandal," "Hollywood Hotel," "Gold Is Where You Find It," "A Slight Case of Murder," "Jezebel," and "Swing Your Lady.'

Warners held the first trade view on current season's product about six months ago and were pleased with the results.

Warner Ball Dec. 17

The Warner Club, home office organization, will hold a masquerade and civic ball at the St. George Hotel in Brooklyn on Dec. 17. Ed Savin, George O'Keefe, Blanche Schneider and Milton Cohen are in charge of arrangements.

N. O. Games Continue

NEW ORLEANS, Dec. 9.—Despite the fact that the Louisiana Supreme Court has declared all money games lotteries and in violation of the law, there has been no withdrawal of the game since the decision. While the newspapers refuse to advertise the games, announcements are blared openly on billboards and screens.

K-A-O to Pay $5.25

Keith-Albee-Orpheum has declared a dividend out of capital surplus of $5.25 per share on the 7 per cent cumulative convertible preferred stock for the quarters ending June 30, Sept. 30 and Dec. 31, 1934, payable Dec. 24, 1937, to holders of record at the close of business Dec. 17.

G.N. 300% Over Quota

KANSAS CITY, Dec. 9.—The Grand National exchange here, of which Russ Borg is manager, exceeded its quota 300 per cent during the last week of G. N.'s five-week drive for cash collections.

Grey Joins Allen-Hall

A. Griffith Grey, brother of D. W. Griffith, has been named vice-president of Allen-Hall Co., Inc., printers and lithographers.



Purely Personal

JOE HERMAN, manager of the Embassy, Brooklyn, was the chief guest at a stag party given recently in honor of his engagement to TOBY COOPER. Well-wishers included HARRY DAVEY, GEORGE DAVIS, IRVING BERMAN, SAM ALSTER, SONNY GRILL, JULES PINCUS, BEN FRIEDMAN and MAC ALSTER.

•

VICTOR McLAGLEN and BRIAN DONLEVY, who have been working in England on a GRACIE FIELDS picture tentatively titled "He Was Her Man" for 20th Century-Fox, will return in time to reach Hollywood by Christmas.

•

DR. HERBERT T. KALMUS will sail for Europe, Dec. 15 on the *Queen Mary* with Robert Riley, executive of the Technicolor camera department. The trip will be a regular business and inspection visit.

•

TONI SPITZER of WALTER WANGER's eastern publicity department left for the coast yesterday to join the Wanger press staff in Hollywood.

•

MADELEINE CARROLL will leave on the Century tomorrow for the coast, where she will start work on WALTER WANGER's "The River Is Blue."

•

GLADYS SWARTHOUT is in town for a week or 10 days of Chirstmas shopping. She will return to the coast for the holidays.

•

Harry C. Arthur, who arrived from St. Louis early this week, plans to return to the Mound City over the weekend.

•

JAMES BASEVI, special effects expert, will leave for the coast today. He will go by way of New Orleans.

•

LEONARD GOLDSTEIN, producer of the Buck Jones westerns, has arrived from Hollywood for a short stay.

•

EDWIN MORRIS, head of Music Publishers, Warner subsidiary, will return from the coast next month.

•

ROY H. HAINES and BEN KALMENSON, eastern and western sales divi- from Miami in two weeks.

•

RUBE JACKTER will leave the end of the week for a weekend of golf at Pinehurst.

•

SAM E. MORRIS, vice-president in charge of foreign sales for Warners, is in Hollywood.

•

GUS SCHAEFER, foreign head for Universal, will arrive tomorrow on the *Washington.*

•

GRETA GARBO sailed for Sweden on the *Gripsholm* to spend the Christmas holidays.

•

EARL TUCKER and his bride are here from London.

•

TREVOR HEDBERG of the White Circuit, Australia, is en route to the coast with a number of stops scheduled to inspect plants manufacturing theatre equipment.

•

JOHN HAY WHITNEY is planning to leave for the coast early next month.

•

GEORGE ARLISS is en route to California on the *Santa Paula.*

•

CHARLES BUNN is back from a tour of key cities.

•

ROBERT TAYLOR, who will arrive from England on Monday on the *Queen Mary,* will stay over in New York to attend the Schmeling-Thomas fight that evening.

•

MARGARET ETTINGER, coast publicity, visiting.

•

SIDNEY HOWARD on an air tour of the Carribbean.

•

GEORGE BATCHELLER is back from the coast.

•

CLAIRE DODD here from the coast.

•

LOU IRWIN is in from Hollywood.

The Newsreel Parade

Movietone News

Vol. 20, No. 26
(20th Century-Fox)

The exodus of Chinese natives from Nantao following the fall of Shanghai and a more or less panoramic camera story of the ensuing military operations in Nanking and Shansi Province contribute the material of greatest consequence in this release. There are good shots, additionally, of Shanghai streets flooded by the overflowing Whangpoo River and the new suffering visited upon the war-tried populace, in consequence.

Moscow's military and civil observance of the 20th anniversary of the Soviet is pictured. There are some spectacular shots of Sydney, Australia, and environs, caught by the camera from a height of four miles. The balance of the reel is "filler." It includes pictures of Shirley Temple at play in Palm Springs; animated Christmas doll exhibits from French craftsmen, preparations for the opening on Christmas Day of the Santa Anita racetrack, and Lew Lehr's valiant effort to make something comical of a waterbicycle race by Long Beach, Cal., bathing beauties.

Running time, 11 mins. K.

News of the Day

Vol. 9, No. 24
(M-G-M)

Diversity of material gives this issue of News of the Day a lively pace and entertaining quality that has no origin in the news value of the individual subjects.

Shots of Chinese refugees fleeing Shanghai following the capture of the city are the outstanding contributions to this release. The selection of material, photography and narration all contribute to excellent pictorial reporting of the war incidents. Construction work on New York's Sixth Ave. subway line receives attention and should be of general interest besides informing numerous New Yorkers who have wondered just how a subway is constructed beneath a busy thoroughfare without interruption of traffic.

The arrival of ice covered freighters in Chicago from the Great Lakes is pictorial if not eventful. The beginnings of the holiday mail rush at the Santa Claus, Ind., postoffice and attendant observances within the community is timely. Other subjects completing the release include shots of the observance of the Soviet's 20th anniversary in Moscow; the Ice Carnival at Madison Square Garden, New York; the training of thoroughbreds for the $100,000 Santa Anita Handicap in California, and the human interest story of Jessie Simpson, magazine illustrator's model, who, after suffering the loss of both legs in an accident, overcame her handicap to win success in a chosen field.

Running time, 9 mins. K.

Paramount News

No. 37
(Paramount)

Paramount jumps the gun on newsreel reviews of the camera high spots of the year by devoting this entire release to its résumé of the world news events of 1937. Competitive reels are wondering now what Paramount will do for a Christmas week release and whether it will issue another review reel in the event another Hindenburg disaster occurs between now and the end of the year.

The review is a good one, however, and its cumulative effect is somewhat sobering, in spite of, or because of, the fact that the outstanding news events of the year, to the Paramount newsreel editor's mind, at least, depict American doing the Big Apple, holding Legion conventions for overgrown juveniles and batting rubber balls attached to a paddle while the rest of the world smarted under dictatorships or writhed beneath the horrors of modern warfare. Labor pains as provided by or upon the C. I. O. and the Ohio Valley floods of the early part of the year temper the aforesaid impression to some extent, however.

The reviewer's general impression of this survey of the world's camera news events of 1937 was that 1938 could provide much more pleasant material for the next record without half trying.

Running time, 11 minutes. K.

Pathe News

Vol. 9, No. 41
(RKO)

Eight subjects, two of which claimed to be exclusive, are incorporated in the latest Pathe issue. The first exclusive puts Washington on display at night under the title of Washington Working Overtime to shake off business recession. The second exclusive is the invention by a Rutgers University scientist of a camera which telescopes months of plant growth into a few seconds of film.

Andre Baruch narrates five of the eight clips with Erik Rolf handling the balance.

Brief interviews with business leaders such as President Lammot duPont of E. I. duPont de Nemours; President Charles Hook of American Rolling Mills; President George Houston of Baldwin Locomotive, and Board Chairman S. Clay Williams of Reynolds Tobacco, on opinions of the nation's business; science marshals every resource to track down the microbe which resulted in the death of 11 Chicago babies; the Colorado River tapped near Yuma, Ariz., for feeding an irrigation canal in the Imperial Valley; the latest Soviet plane in a test flight near Baltimore; Russia's military forces in review at Moscow in celebration of the Soviet's 20th anniversary and skiing at Mt. Rainier top off the reel.

Nothing exciting, but nevertheless interesting.

Running time, 8 mins. O.

Universal News

Vol. 9, No. 622
(Universal)

Universal comes through with a series of latest war scenes showing Japanese troops and planes firing on Chinese sampans and munition forts at Shanghai. The plight of the Chinese in all its horror is depicted as well as the unfortunate killing of George Stephans, *New York Times* correspondent. Norman Alley and George Krainukov can thank their lucky stars they are alive after making those shots. The scenes are another feather in their caps.

In addition to the warfare, Universal claims four exclusive clips. They include the shots of workers completing a turret dome for a 200-inch telescope at Mt. Palomar, Cal.; reaping of a holly harvest at Bridgeville, Del.; Batista announcing a new three-year plan for Cuba at Havana, and mermaids introducing a new game of rumdrum on the beach at Venice, Cal.

Something new in skiing is the development of a mechanical device to haul jumpers up Mt. Rainier, Wash. There also are scenes of Russia celebrating its 20th anniversary of revolution at Moscow, and France's new army planes in test flights at Villacoublay, France.

Running time, 9 ½ mins. O.

Loew's to Add Hub, Boston, to Circuit

Loew's will add the Hub, Boston, to its circuit, on Christmas, it was learned yesterday. Contracts are to be signed today which will give the major circuit a third house in the city. Loew's now has the Orpheum and State. The Hub seats 900.

The new theatre will be under the supervision of H. M. Addison, district manager for Boston, Providence, Rochester, Syracuse, Montreal and Toronto.

Warners Take Two Houses

PITTSBURGH, Dec. 9.—Warners have closed a deal with Wilson Amusement Co. to take over the Wilson and Aptio, both in Tyrone, Pa. Several other concerns have been bidding for the theatres, which have been on the market for some time. Warners will take over the two spots on Jan. 1 and they will operate out of the Pittsburgh zone.

Skouras at Denver

DENVER, Dec. 9.—Spyros Skouras, A. S. Gambee and Edward Zabel of National Theatres are here conferring with Rick Ricketson.

THE PULSE OF



getting a thrill out of
"NAVY BLUE AND GOLD"



blood pressure rising for
"THE FIREFLY"



beating fast for
"THE LAST GANGSTER"



feeling merry about
"LIVE, LOVE AND LEARN"



registering admiration for
"CONQUEST"



throbbing steadily for
"THOROUGHBREDS DON'T CRY



getting excited about
"YOU'RE ONLY YOUNG ONCE"



leaping with joy for
"BEG, BORROW OR STEAL"

THE PUBLIC!



rarin' to go for "ROSALIE"

(Merry M-G-M Christmas at the Box-Office!)



watch your own pulse when you turn the page!

Short Subjects

"Stranger Than Fiction No. 44"

(*Universal*)

A rather interesting collection of oddities is presented in this number of the series, featured by the prisoner in Ohio State Penitentiary whose earnings from story writing go as retribution for his misdeed; the Kansas youngster who is the district school's only pupil; the clever decoy duck making of Joel Barber, and the Oakland, Cal., candy store which is patronized by youngsters entirely on the honor system, even to making their own change. Running time, 9 mins. "G."

"Brokers' Follies"

(*Columbia*)

A stock broker's office is the setting. The ensuing entertainment is a collection of passable acts that range from Campbell's Royalists, a singing act, to the Seven Loria Brothers, a Latin-American child orchestra. It also has fairly clever comedy material. Running time, 10½ mins. "G."

"Porky's Hero Agency"

(*Vitaphone*)

The highly entertaining cartoon character appears all too briefly here in a comedy adaptation of that Greek myth involving the Gorgon's Head. It has been ingeniously executed. There are modern comic slants and laughs every few seconds. It should get advance billing. Running time, 7 mins. "G."

"Silver Threads"

(*Columbia*)

One of John Hix's "Strange As It Seems" shorts, this concerns the degeneration of Hart Danks, composer of "Silver Threads Among the Gold," when success arrived. It is feebly acted and tear-jerking in type. Running time, 9½ mins. "G."

"Going Places No. 42"

(*Universal*)

Two widely diversified exhibitions of skill feature this number of the Lowell Thomas series. Able jewelry workers in California fashion tiny replicas of all sorts of things in gold to adorn women's wrists on chain bracelets. The second sequence pictures the capturing of turtles in the Bahamas, showing the native divers as they swim below and emerge with the snappers for food and byproducts. An interesting subject. Running time, 10 mins. "G."

"Going Places No. 41"

(*Universal*)

An interesting and informative subject in this series, assisted admirably by the quiet, descriptive narrative of Lowell Thomas. The short pictures, with touches of beautiful scenic photography, the daily activity of the Quinault Tribe in their Washington reservation, set aside for their exclusive use by treaty. The men hunt for food and sport, and salmon fishing in the teeming waters makes the community highly prosperous. Running time, 9 mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Sergeant Murphy"

(*Warners*)

HOLLYWOOD, Dec. 9.—The entertainment and commercial potentialities of this picture stem from the adventures of a horse who plays the title role. Too tough for the artillery, he is transferred to the cavalry, whence, despite the excited agitation of his pal, Ronald Regan, he seems destined to become dog food. Between times, he makes things embarrassing for Colonel Donald Crisp during a review. But Regan, who loves Sergeant Murphy greatly, and who also is romantically inclined towards the colonel's daughter, Mary Maguire, saves him. He trains the Sergeant to be a jumper, the horse sweeps all American competition. Then Regan enters him in England's great racing-jumping classic, the Grand National. Although forced to travel with a shipload of mules and having to swim ashore, Sergeant Murphy wins.

Supplementing the sequences devoted to the horse's experiences and the romantic interludes in which Regan and Miss Maguire indulge, Crisp provides some amusing comedy, and the reproduction of the artillery review and insertion of clip shots from authentic Grand National races make for spectacle.

Other than the players mentioned, the supporting cast has little to do. Produced by Bryan Foy and based on an original by Cy Bartlett which was adapted by William Jacobs, the picture was directed by B. Reeves Eason. The review and race shots reveal his best work. The film will probably prove most popular with juvenile audiences.

Running time, 60 minutes. "G."

Looking 'Em Over

"Colorado Kid"

(*Republic*)

Strictly routine in all departments, this western probably will prove satisfactory for the youngsters and the adults who like their western action material on the screen as long as there is a quota of riding, shooting and scrapping included.

Bob Steele is the hero of the piece, which was directed by Sam Newfield from an original story by Harry F. Olmstead, and is supported by Marion Weldom, for the romance, Karl Hackett, supplying the menace, and Ernie Adams as Steele's buddy, who helps him out of his difficulties, but who otherwise adds little to the film.

Steele is unjustly accused of murder, and escapes from jail after being sentenced to death, bent on bringing to book the actual murderers of his friend and former employer. He suspects Hackett, and in the course of his pursuit of the murderer and his henchmen, becomes involved in a fight between Hackett and Miss Weldon's father. Steele of course makes good his promise to bring the murderers in, and at the same time assists the girl's father and finds romance with her.

Running time, 56 minutes. "G."

"The People of France"

(*Contemporary Amusement Corp.*)

This film was produced as straight election propaganda by the Communist Party of France in an effort to seat the Popular Front Government. It is a documentary treatment of labor conditions, anti-Fascism and Communist procedure in telling converts of the advantages of the party and a verbal exposition by prominent leaders of Marxian theories as they are practiced in Russia.

The production enlisted the talents of prominent French players who contributed their talents, as did technicians and studio workers. The leaders of the Communist Party of France are also to be seen on the debating platform and in their offices. Jean Renoir directed.

Running time, 63 minutes. "A."

(Additional Review on Page 11)

Reopen 2 in Seattle

SEATTLE, Dec. 9.—Two local neighborhood houses have just reopened after pre-holiday renovating and remodeling jobs, Jensen-Von Herberg's Bagdad, and the Sterling Arabian.

Plan Dutch Exhibition

AMSTERDAM, Nov. 28.—Dutch interests have completed plans for an annual international film exhibition at Scheveningen, seaside resort near here, and designed to promote the resort.

Variety Club

Cleveland

CLEVELAND, Dec. 9.—The fourth annual Variety Club banquet and ball at the Allerton ballroom drew 600 members and guests for the banquet. During the dinner and throughout the evening entertainment was furnished by 200 artists appearing in 35 acts.

DAVE RUBINOFF, headliner on the current RKO Palace bill, was present, both as an entertainer and as an ex-Clevelander. He was orchestra leader at the Allen about 10 years ago. Dancing was to the music furnished by Maurice Spitalny and his orchestra.

DON WOLF, nine-year-old son of NAT WOLF, Warner zone manager and general chairman of the affair, appeared with the Vivien O'Neil Apple Dancers while the SCHMERTZ family was represented by 14 year old ESTELLE, daughter of I. J. SCHMERTZ, 20th Century-Fox branch manager, in a solo dance.

Prize feature of the entertainment was a sideshow showing Variety Club members' heads superimposed on the heads of stars as they appeared in theatrical posters. This was the last formal party in the regime of Chief Barker M. B. HORWITZ whose term ends the first of the year.

Omaha

OMAHA, Dec. 9. — WALTER M. GREEN, Omaha branch manager of Fepco Theatre Advertising Co., is the new chief barker of Tent No. 16, Variety club, succeeding A. MENDENHALL, Paramount branch manager.

Evert R. Cummings, Tri-States district manager, has been re-elected first assistant chief barker and SOL J. FRANCIS of the American Distributing Corp. has been named second assistant chief barker. SAM EPSTEIN of the Epstein Theatres Corp. is dough guy, succeeding M. G. ROGERS of the Film Transport Co. EDWARD SHAFTON has been reelected property master. Canvasmen are: HARRY J. SHUMOW, D. V. MCLUCAS, LEROY MILLER, R. S. BALLANTYNE, W. J. FOLEY, H. NOVITSKY, ROGERS, MENDENHALL and E. I. RUBIN.

Clowns to the national convention in Cincinnati next April will be SHAFTON and SHUMOW, with GREEN and MENDENHALL alternates.

Plans for the club's Christmas party in the Fontenelle ballroom Dec. 12 have been completed. About 200 persons are expected.

Pittsburgh

PITTSBURGH, Dec. 9.—BILL LEWIS, the *Sun-Telegraph* drama editor, is recovering in the Mercy Hospital after a fall.

DICK STABILE has invited the boys to the reception following his marriage to GRACIE BARRIE the day after Christmas.

C. J. LATTA and his family have moved from Mt. Lebanon to the Royal Yorke apartments.

BERT STEARN of the Cleveland tent and his wife came down for the annual Warner Club party.

The Monday night dinner was called off this week because of the testimonial banquet to IRA H. COHN.

Ten members haven't missed a Monday night dinner in the new series. They are WRIGHT, GALLAGHER, DOWNEY, SMITH, MALONEY, MCGREEVEY, HARRIS, KRUMENBACKER, WEIBLINGER and SEED.



MERRY XMAS

HAPPY NEW YEAR

Nelson Eddy
Eleanor Powell
IN M-G-M's "Rosalie"

ROSALIE

Nelson Eddy
as the singing
West Point Cadet

Eleanor Powell
as the dancing
Princess

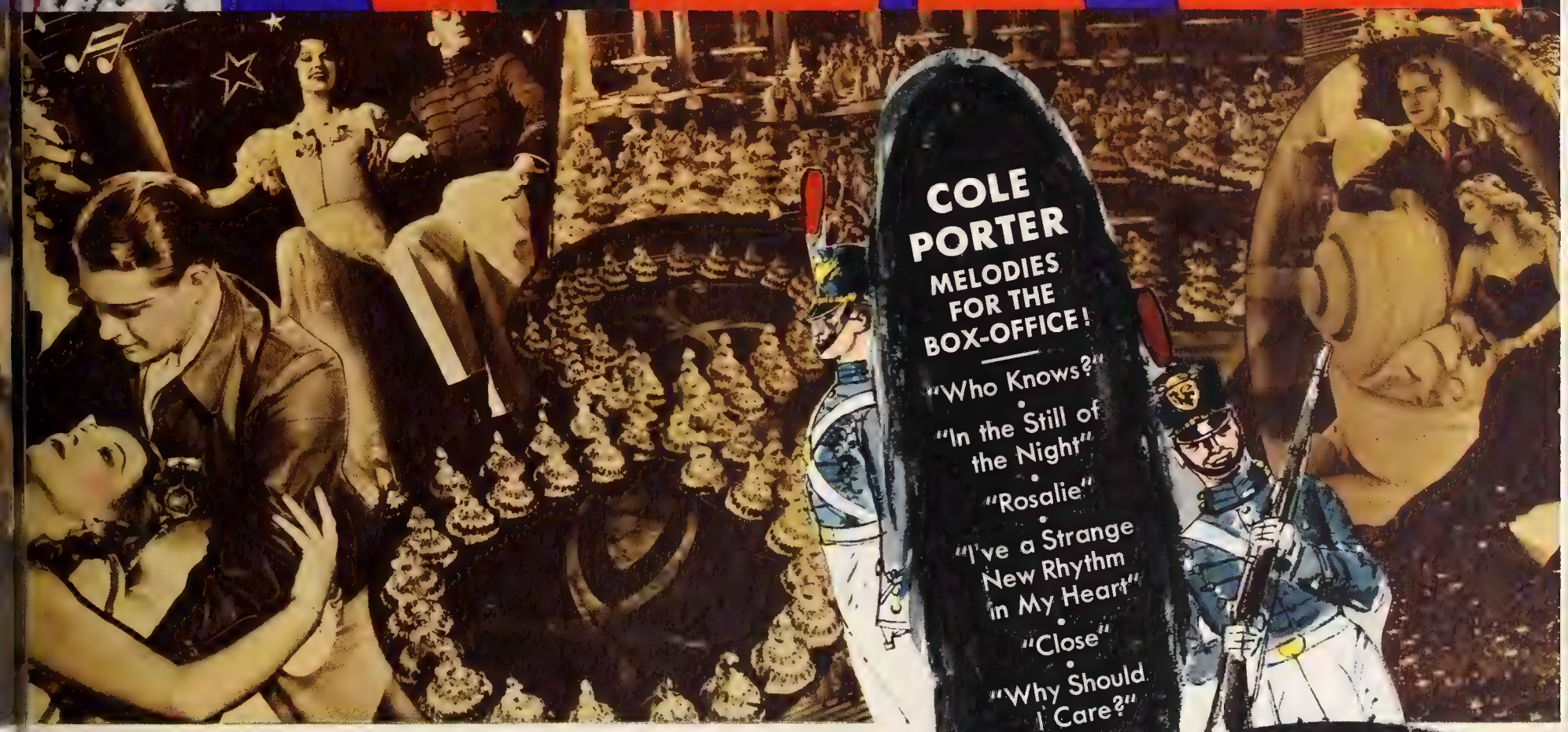
Ilona Massey
exotic new star
sensation!

Frank Morgan
as the henpecked
King



The amusement world is ablaze! "Rosalie" is all that you have heard for months! The promise of greatness has come thrillingly true! M-G-M, the lavish producers of "The Great Ziegfeld" have done it again in a screen show combining magic of showmanship, wealth of appealing personality, excitement of story and rousing Cole Porter songs that are already sweeping the nation. It is truly a Merry Christmas and Happy New Year that presents "Rosalie" one of the greatest box-office attractions of all time.





starring

NELSON EDDY
ELEANOR POWELL

featuring

FRANK MORGAN • EDNA MAY OLIVER

Ray Bolger • Ilona Massey • Billy Gilbert • Reginald Owen

Screen Play Written and Produced by Wm. Anthony McGuire

Directed by W. S. VAN DYKE II

The Big Ones are Always

Metro-Goldwyn-Mayer

M-G-M's Merry Xmas–Happy New Year!

ROSALIE



and the Holiday Box-Office will spell it

SROSALIE

M-G-M Men Going to Chicago Sales Meet

Tom Connors, eastern divisional sales head; E. K. O'Shea, temporary eastern district manager; Edward Aarons and Alan Cummings of the home office will leave tonight for Chicago to attend the three-day mid-winter M-G-M division and district managers' meeting. The three-day session will get under way tomorrow at the Palmer House. Howard Dietz, who is scheduled to return today from Boston, may leave with the home office executives.

William F. Rodgers, general sales manager, and E. M. Saunders, western sales manager, will go to Chicago from Des Moines, where they attended the A. H. Blank dinner last night.

Regular company problems will be discussed at the get-together, it was pointed out, in addition to whatever business may come up.

Also attending will be Sam Shirley, Chicago branch manager; Jack Flynn, district manager with headquarters in Chicago; Charles E. Kessnick, district manager with headquarters at Atlanta; Bob Lynch, Philadelphia; George Hickey, Los Angeles; Harris P. Wolfberg, Kansas City; Henry Nathanson and Walter Haynor, Toronto.

M-G-M Files Denial In "People" Action

Metro-Goldwyn-Mayer Corp. yesterday filed a general denial in answer to the amended complaint of Henry Rose against it, M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc., Culver Export Corp. and Frank Dolan.

Rose claims that his copyrighted play, "Burrow Burrow," was infringed in "Man of the People." He asks a permanent injunction and an accounting. M-G-M, in its answer, also attacked the constitutionality of the copyright law which gives the protection of copyright to unpublished manuscripts. The answer demands a dismissal of the complaint with costs and attorney's fees.

Musso Here to Aid U S-Italy Relations

G. D. Musso, president and owner of ICI, described as the largest film company in Italy, located in Rome, and the distributor of Universal product there, is in New York in an effort to clarify the situation between American and Italian film interests, particularly with relation to the frozen capital problem in that country. With Musso is Edward Fenton, general manager of ICI.

The prime purpose of Musso's visit to this country, according to Fenton, is to cement relations between the two countries on film matters. The two have bought 28 American films for distribution in Italy next season, and brought with them three Italian films, "Cavalleria," "Contessa di Parma" and a special, "Dr. Antonio," starring Maria Gambarelli.

The company plans to bring over eight films a year for distribution here. Negotiations are now under way for a distributor. It is also planned to use 30 American pictures a year in Italy. A New York office will be opened.

The two will leave here Friday for Hollywood, where they plan to remain for one week. They will return to New York and will sail Jan. 5 on either the *Conte di Savoia* or the *Rex*.

Looking 'Em Over

"Merlusse"

(*French M. P. Corp.*)

A poignant and realistic drama of provincial school life is offered in this French film which was produced by Marcel Pagnol. Continental newspaper notices have rated it above the memorable "La Maternelle" but only in rare moments does it reach the heart-appealing level of that film. It has finely handled situations that are compelling as they unfold with genuine artistry. The picture should have average reception with its proper audiences.

Briefly, the story concerns a school teacher and his problems with the student body which is composed of young boys. Their torments and his reaction have given him a notorious reputation as a fierce and strict overseer. He is also up for promotion, being senior member of the faculty. On Christmas Eve he is assigned to look after a number of youngsters whose parents did not call for them and those who have none at all. He minds his flock with his usual characteristics and sees them to bed. The next morning they all find little gifts in their shoes and they see Merlusse in a new aspect. He, too, is touched by their reciprocity and the film closes on a more cheerful note. He also gets the promotion in addition to the esteem of the boys.

The title role is very well portrayed by Henri Poupon. Marcel Pagnol directed.

Running time, 70 minutes. "G."

Railway Express in "Wells Fargo" Tieup

Alec Moss and Hal Danson of Paramount have effected a tieup with Railway Express, starting Christmas, whereby two and four-sheet posters will be plastered on approximately 10,000 trucks throughout the country on "Wells Fargo." In addition to these posters there will be special 25 in. x 33 in. window cards in color advertising the film for display in the express company's offices.

Several million giveaways have been printed for distribution at Paramount exchanges and will be available to exhibitors free. Railway Express will mention the picture in all of its national newspaper advertising and special publicity will appear in *The Express Messenger*, house organ distributed to railway passengers. The January cover of the monthly magazine will feature a special design on "Wells Fargo."

N. O. Awaits Bill Pine

NEW ORLEANS, Dec. 9.—Bill Pine, Paramount associate producer, is scheduled to arrive here Dec. 26 to make arrangements for the premiere of "The Buccaneer." Cecil B. DeMille will plane in the following week, and is scheduled to address the Y. M. B. C. at a luncheon, then take over command for the opening at the Saenger Jan. 7. Akim Tamiroff is expected to be on hand. Dorothy Lamour is also expected.

Morely for "Antoinette"

HOLLYWOOD, Dec. 9.—Robert Morely, English actor, has been set for the leading male role in "Marie Antoinette," originally scheduled for Charles Laughton.

Plan Jacques Dinner

CINCINNATI, Dec. 9. — Stanley Jacques, manager of the RKO branch here, will be tendered a 20th anniversary dinner at the Netherland-Plaza here on Jan. 10.

Five Erpi Engineers Appointed by Altec

Five former Erpi engineers were named yesterday to head divisions of the engineering department of Altec Service Corp., the new company which has taken over Erpi's theatre sound equipment servicing and installation business.

F. C. Gilbert, who has been with Erpi in executive engineering capacities for the past 10 years, was named chief engineer of Altec. E. S. Seeley, with Erpi's field engineering group since 1931, was named to Gilbert's staff with supervision over precision measuring apparatus, in addition to directing a special group of technical investigators. T. H. Carpenter will head a department formed to handle mechanical problems, supply special information on theatrical sound problems and serve in a consulting capacity to manufacturers of sound equipment apparatus. L. J. Patton will be in charge of liaison between the engineering group of Altec and the theatre and film fields.

The appointments were made by G. L. Carrington, vice-president and general manager of Altec.

Cleveland I. A. Elects

CLEVELAND, Dec. 9.—Film Exchange Employes' Local B-5, I.A.T.S.E. local 160, has elected the following officers: President, J. K. Johnson; vice-president, John C. Wein; financial secretary, Irwin Sears. A recording secretary will be elected in January.

The Board of trustees includes: Joe Bernstein, Pearl Geib and Harry Lyman. Executive board members are Harry Lyman, John C. Wein, Alice Pennington, Gertrude Swee, George Sendry, Jerry Krupka and Henry Fosbender. Ira Beckstead was re-elected business agent of the local.

Columbia Title Change

HOLLYWOOD, Dec. 9.—"Women in Prison" will be the release title of the Columbia picture which was in production as "Forgotten Women."

Loew Toronto Firm Net Up to $111,730

TORONTO, Dec. 9.—Net profit, after all charges, of Marcus Loew's Theatres, Ltd., for the fiscal year ending last August amounted to $111,730, this being considerably above the net of $81,795 for the previous 12 months. Other items in the annual report also indicate a much improved position, the surplus account being increased to $753,930 from $699,416 and the working capital being up to $264,998, compared with $166,364 at the end of the 1936 period.

Included in the payments for the past year were dividends on preferred shares of 8¾ per cent and the statement shows this stock is now in arrears from June 30, 1931. Earnings for the 1936-1937 year represented $17.08 per share of the seven per cent preferred stock compared with $12.51 for the previous year.

Loew London Net $15,596

TORONTO, Dec. 9.—Loew's London Theatres, Ltd., has reported a net profit for the year ending last August, after all charges, of $15,596, compared with $11,105 for the previous 12 months. A dividend payment of $5,904 on the seven per cent preferred stock, representing 1¾ per cent, was paid during the year while the previous year saw a dividend payment totaling $11,809.

Working capital of the London house at the end of August was $69,574 as against $55,787 one year earlier, while surplus account stood at $14,529 as compared with $4,837 one year ago.

Order Dissolution Of GTE Committee

WILMINGTON, Del., Dec. 9.—An order calling for the dissolution of the reorganization committee of General Theatres Equipment, Inc., was issued today by Chancellor Josiah O. Wolcott in Chancery Court here.

The assets of the company acquired by the reorganization committee had been turned over to General Theatres Equipment Corp., organized under the plan of reorganization.

The order provided for the payment to the receiver of the balance of the purchase price of the assets of the old company and the distribution of the proceeds of the sale of assets on claims. It provides for payment of $83.80 by the receiver on each $1,000 of all debentures which did not participate in the reorganization.

Former U. S. Senator Daniel O. Hastings of Delaware is the receiver for the old company.

Wilmington Union Elects

WILMINGTON, Dec. 9.—New officers of the Theatre Employes Union B 94, affiliated with the A. F. of L., have been elected. Bayard J. Barnes is president.

Other new officers, to be installed Sunday, are: Vice-president, Hugh Kipp; secretary-treasurer, Lawrence Toselli; recording secretary, Josephine Fritz; business agent, Merritt Pragg, Jr.; executive committee, Margaret Toselli and James Jennings; trustees, F. Young, Marie Chalmers, Stanley Zebrosky; sergeant-at-arms, J. Powell; delegates to the Central Labor Union, Pragg, Miss Toselli, Miss Chalmers, Miss Fritz, R. Broadbent; alternates, Kipp and John Hamilton.

Here's Columbia's Hearty Way of Wishing You a Merry Xmas!



We're saying it on the screen . . . with six grand pictures!

As superb in performance as its mighty theme!

FRANK CAPRA'S
Greatest Achievement
RONALD COLMAN
LOST HORIZON

Biggest box-office smash *ANYWHERE* today!

IRENE DUNNE
CARY GRANT
The AWFUL TRUTH
RALPH BELLAMY · ALEXANDER D'ARCY · CECIL CUNNINGHAM
A LEO McCAREY *Production*
Associate Producer EVERETT RISKIN

Madcaptivating stars... in a comedy triumph!

GRACE MOORE
I'LL TAKE ROMANCE
Melvyn DOUGLAS
HELEN STUART
WESTLEY • ERWIN
Directed by EDWARD H. GRIFFITH
Produced by EVERETT RISKIN

The loonatic . . . croonatic . . . collegiate laugh show that'll make you

And Soon! **START CHEERING**

JIMMY DURANTE · WALTER CONNOLLY · JOAN PERRY · CHARLES STARRETT · PROF. QUIZ
GERTRUDE NIESEN · RAYMOND WALBURN · 3 STOOGES · HAL LeROY · JOHNNY GREEN and his orchestra



Breezy farce . . . especially entertaining to women! Indubitable smartness! Luli Deste a player of appeal and charm!"

—HOLLYWOOD REPORTER

SHE MARRIED AN ARTIST

starring

JOHN BOLES ★ LULI DESTE

with

HELEN WESTLEY ★ FRANCES DRAKE
ALEXANDER D'ARCY

Directed by MARION GERING

Produced by SIDNEY BUCHMAN

PENITENTIARY

An exploitation special . . . the dynamic . . . down-to-earth story of the underworld's most ruthless overlords! Packed with dramatic power!

'Awful Truth' Second Week Seattle Lead

SEATTLE, Dec. 9.—"The Awful Truth" led a general pickup among first runs by getting $7,600 at the Liberty in its second week. This was $2,600 over normal.

"Heidi" was well into the profit column with a take of $8,100 at the Fifth Avenue, and "Ali Baba Goes to Town" was $300 over par on a take of $4,300 at the Blue Mouse in the second week.

Total first run business was $39,850. Average is $36,500.

Estimated takings for the week ending Dec. 3:

"ALI BABA GOES TO TOWN" (20th-Fox)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $4,300. (Average, $4,000)

"HEIDI" (20th-Fox)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8,100. (Average, $7,000)

"THE AWFUL TRUTH" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 2nd week. **Gross:** $7,600. (Average, $5,000)

"THE FIREFLY" (M-G-M)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Fifth Avenue. **Gross:** $3,600. (Average, $4,000)

"LIVE, LOVE AND LEARN" (M-G-M)
"45 FATHERS" (20th-Fox)
ORPHEUM — (2,450), 30c-40c, 7 days. **Gross:** $6,100. (Average, $6,000)

"PORTIA ON TRIAL" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by "The Heat Waves." **Gross:** $4,400. (Average, $4,500)

"CONQUEST" (M-G-M)
"DANGEROUSLY YOURS" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $5,750. (Average, $6,000)

"Ebb Tide" on Dual Top in Milwaukee

MILWAUKEE, Dec. 9.—"Ebb Tide" and "45 Fathers" was the week's winning combination with $8,300 at Fox's Palace for nine days. This was $3,300 above average.

"A Damsel in Distress" and "Breakfast for Two" were good for $7,000 at the Warner, $2,000 over average, while "Navy Blue and Gold" and "Big Town Girl" grossed $9,000 at Fox's Wisconsin in eight days. This was $1,000 to the good. Other business was just fair.

Total first run business was $36,800. Average for five houses is $26,500.

Estimated takings:

Week Ending Dec. 1:

"A DAMSEL IN DISTRESS" (RKO)
"BREAKFAST FOR TWO" (RKO)
WARNER — (2,400), 35c-50c, 7 days **Gross:** $7,000. (Average, $5,000)

Week Ending Dec. 2:

"SECOND HONEYMOON" (20th-Fox)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
GARDEN—(1,200), 35c-50c, 7 days. **Gross:** $3,500.

"EBB TIDE" (Para.)
"45 FATHERS" (20th-Fox)
PALACE—(2,460), 35c-50c, 9 days. **Gross:** $8,300. (Average, $5,000)

"OUTLAWS OF THE ORIENT" (Col.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: "Hollywood Bandwagon." **Gross:** $5,000. (Average, $5,000)

"STAGE DOOR" (RKO)
"WEST OF SHANGHAI" (F.N.)
STRAND—(1,400), 35c-50c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,500)

"NAVY BLUE AND GOLD" (M-G-M)
"BIG TOWN GIRL" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 8 days. **Gross:** $9,000. (Average, $8,000)

Out Hollywood Way

HOLLYWOOD, Dec. 9.—WILLIAM L. PENZNER, independent producer, is planning to produce an undersea color picture, "20 Years Under the Sea," He has signed J. E. WILLIAMSON, undersea explorer and scientist, as technical adviser. No release arrangements have been made. . . . HUGH HERBERT and ALLEN JENKINS will play the top roles in "That's My Sister," which BRYAN FOY will make for Warners . . . W. E. CALLAWAY, Warners district manager, is on a sales trip to San Francisco and Seattle . . . FRANCISKA GAAL will have the lead opposite JACK BENNY in Paramount's "Never Say Die." RAOUL WALSH will direct and ARTHUR HORNBLOW, JR., will produce. . . . FRED MACMURRAY and BING CROSBY are set tentatively for co-starring roles in WESLEY RUGGLES' next Paramount film, "Harmony for Three" . . . EVELYN DAW, Grand National "find," will start a week of personal appearances Dec. 13 with WILLIAM OLIVER, drama editor of the *Herald-Express*, at the Orpheum.

January 8 has been set as the release date for JIMMY FIDLER'S "Personality Parade," a three-reel short produced by FIDLER and RALPH STAUB in which 20 former stars appear in highlights of their careers . . . The first of "The Captain and the Kids" cartoons at M-G-M may be ready for release Dec. 18 . . . SIDNEY HOWARD, playwright, has started on a series of flights in which he will visit all Caribbean ports and South American countries for material which will be used in "Transatlantic Flight," Goldwyn.

Halted last spring by JAMES STEWART'S illness, RKO's "Vivacious Lady," starring GINGER ROGERS, will resume shooting, Dec. 15 . . . EDWARD GROSS has signed HARRY EDWARDS to direct the second unit of the JOE E. BROWN vehicle, "Wide Open Faces."

"Submarine" Dual High in New Haven

NEW HAVEN, Dec. 9.—"Submarine D-1," on a dual with "Fight for Your Lady," turned in the best comparative showing of a week helped along by Thanksgiving Day grosses. The take at the Roger Sherman was $7,200, up by $2,600.

"The Firefly," with "Dangerously Yours," was strong at Loew's Poli with a gross of $10,500, over the line by $2,500. "Ebb Tide" and "Night Club Scandal" also made a good showing, $7,000, over par by $2,200, at the Paramount.

Total first run business was $28,200. Average is $20,200.

Estimated takings for the week ending Dec. 2:

"LIVE, LOVE AND LEARN" (M-G-M)
"IT HAPPENED IN HOLLYWOOD" (Col.)
COLLEGE—(1,499), 25c-35c, 8 days. **Gross:** $3,500. (Average, $2,800)

"THE FIREFLY" (M-G-M)
"DANGEROUSLY YOURS" (20th-Fox)
LOEW'S POLI—(3,040), 35c-50c, 7 days **Gross:** $10,500. (Average, $8,000)

"EBB TIDE" (Para.)
"NIGHT CLUB SCANDAL" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days **Gross:** $7,000. (Average, $4,800)

"SUBMARINE D-1" (W. B.)
"FIGHT FOR YOUR LADY" (RKO)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $7,200. (Average, $4,600)

Malco-Para. to Build

MEMPHIS, Dec. 9.—The Malco interests and Paramount are ready to begin construction of a new 1,000-seat theatre in Princeton, Ky., according to M. A. Lightman.

The new building, according to present plans, will be modernistic in design, with stores adjoining the lobby. The site already has been purchased. The present Malco house in Princeton will continue to operate for "B" pictures, Lightman stated.

"52nd Street" Is Held

SAN FRANCISCO, Dec. 9.—The Embassy here is holding "52nd Street" for a second week. The take for the first four days of the holdover period was $4,100, a holdover record for the house.

"Sacred" Is $8,400 Grosser at Houston

HOUSTON, Dec. 9.—"Nothing Sacred" zipped its way to box-office laurels at Loew's State with a take 20 per cent above normal. The figure was $8,400. Par is $7,000.

"Submarine D-1" at the Majestic hit par with $7,000, but "A Damsel in Distress" at the Metropolitan fell off slightly, taking $6,750. Normal is $7,000. The Kirby had a par week at $5,000, playing "West of Shanghai" and "Sophie Lang Goes West."

The weather was wet and cold. Rice Institute championship games offered chief competition.

Total first run business was $27,150. Average is $26,000.

Estimated takings for the week ending Dec. 2:

"WEST OF SHANGHAI" (F. N.)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $3,000. (Average, 7 days, $5,000)

"SOPHIE LANG GOES WEST" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"NOTHING SACRED" (U. A.)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $8,400. (Average, $7,000)

"SUBMARINE D-1" (F. N.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"A DAMSEL IN DISTRESS" (RKO)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $6,750. (Average, $7,000)

N. H. Parties Planned

NEW HAVEN, Dec. 9.—Christmas parties will be led off by the M-G-M staff party at a night club Dec. 16. Unit B-41 of exchange employes under the A.F. of L. will hold its first Christmas dinner and dance at the Hotel Garde Dec. 21, with exchange managers and union officials invited. Warners' theatre department will have its annual festivities at the office, and 20th-Fox will have open house at its new building which will be completed Dec. 28.

Belmont Claims Record

The Belmont claims Saturday and Sunday records with "Love or a Kingdom," Polish picture. Evelyn Lee Jones is now handling publicity at the house.

"Barrier" and Bergen Smash Hits on Coast

LOS ANGELES, Dec. 9. — "The Barrier," with the help of Edgar Bergen and his dummy, Charlie McCarthy, turned in a sensational $33,700 at the Paramount. Ken Murray and Oswald also were on the program. Normal for the house is $18,000.

"Submarine D-1," with "The Adventurous Blonde," was a doubled-barreled hit, getting $20,500, up by $6,500, at Warners' Hollywood, and $17,400, up by $5,400, at Warners' Downtown.

"The Awful Truth," with "The Man Who Cried Wolf," was a hold-over hit at the Hillstreet and Pantages. At the former the $11,000 take was in the profit column by $3,000 and at the latter the $12,000 gross was $4,000 to the good.

Total first run business was $136,268. Average is $107,950.

Estimated takings for the week ending Dec. 8:

"THE HURRICANE" (U.A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 5th week. **Gross:** $10,200. (Average, $17,000)

"NOTHING SACRED" (U.A.)
"BEG, BORROW OR STEAL" (M-G-M)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $12,523. (Average, $12,500)

"VICTORIA THE GREAT" (RKO)
4 STAR—(900), 40c-55c, 7 days, 3rd week. **Gross:** $3,143. (Average, $3,250)

"SARA LAR SIG FAIKETT"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,600. (Average, $1,200)

"THE AWFUL TRUTH" (Col.)
"THE MAN WHO CRIED WOLF" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $8,000)

"NOTHING SACRED" (U.A.)
"BEG, BORROW OR STEAL" (M-G-M)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $14,202. (Average, $14,000)

"THE AWFUL TRUTH" (Col.)
"THE MAN WHO CRIED WOLF" (Univ.)
PANTAGES—(3,595), 30c-65c, 7 days. **Gross:** $12,000. (Average, $8,000)

"THE BARRIER" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: Edgar Bergen & Charlie McCarthy with Ken Murray & Oswald. **Gross:** $33,700. (Average, $18,000)

"SUBMARINE D-1" (F.N.)
"THE ADVENTUROUS BLONDE" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $20,500. (Average, $14,000)

"SUBMARINE D-1" (F.N.)
"THE ADVENTUROUS BLONDE" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $17,400. (Average, $12,000)

Sawed House Up Again

OKLAHOMA CITY, Dec. 9. — The now famous "sawed house" case has bobbed up in U. S. District Court again. Universal Film Exchanges, Inc., and other defendants, have filed a motion to strike the plaintiff's amended petition from the files and to grant judgment for the defendants.

In the original suit for libel asking $25,000 damages, $15,000 actual and $10,000 exemplary, Mrs. Fern Chadwick, widow of an Oklahoma City chiropodist, charged that Universal newsreels showing the sawing in two of her home by a loan company had ruined her reputation, credit and social standing by suggesting that she had been evicted from her home and was in dire financial straits.

LISSEN, SON, YOU KIN TELL THEM THE-AY-KER BOYS THAT WHAT I DID TO SINDBAD THE SAILOR LAST YEAR AIN'T NUFFINK COMPARED TO WHAT I'M A-DOIN TO ALI BABA AN' THEM FORKY THIEVES THIS YEAR!







FOLLOW ME

PARAMOUNT Gives You Again . . .

The Only 3-Dimensional, 3-Color Technicolor Short Feature Cartoon!



Paramount Pictures

By arrangement with King Features Syndicate, Inc., and Segar...Photographed in Technicolor

Miss Pickford Cites Her Aid Given UA Deal

(*Continued from page* 1)

statements that I am responsible for the failure of Korda and Goldwyn to exercise the option.

"The statement that I might trade my franchise of six pictures annually to the detriment of United Artists is absurd and utterly without foundation. Creation of United Artists originated with me and it has been my constant aim to maintain its high artistic standards since its organization 19 years ago, and I certainly would be the last to mar either its glorious past or its potentially brilliant future.

Asked No Discrimination

"It was part of the deal that I should have the right to release six pictures annually. United Artists distribution contracts contain the 'favored nation' clause and I simply requested continuation of the old contract. At no time was the suggestion made by me that I should be entitled to better terms than other producers.

"Despite innumerable and varied statements that have been given the press, the true reason for the so-called 'flop of the option' has never been printed, but I leave it to the imagination of the picture industry and I sum up the situation in 'two words.'"

Goldwyn pointed out that his connection with United Artists is through its distributing corporation, and that he is sole owner of his producing company, Samuel Goldwyn Prod.

It was believed in some quarters here that Goldwyn's pointed reference in the statement to the fact that United Artists owns no part of his producing company was an indication that he might withdraw his product from United Artists release.

Clarified "Misapprehensions"

The statement was preceded by an explanation that is was issued to clarify any misapprehensions arising out of the decision not to exercise the U. A. purchase option. The statement said:

"United Artists is a distributing corporation. My only relationship with United Artists is that I own one-fifth of this corporation and am distributing my pictures through United Artists at the present time. United Artists does not own any part of Samuel Goldwyn Prod. I am sole owner of my production company and have been for the past 15 years, during which I have produced pictures independently."

Scully to Pick Aide From Universal Men

(*Continued from page* 1)

nel in the Universal organization. Scully is continuing his post as eastern district manager for M-G-M until the first of the year when he will move over to Universal and to his new post as sales chief.

Meanwhile Frank J. A. McCarthy, eastern division sales manager for Universal, has taken over the duties of James R. Grainger, who retired last week.

Blank Dinner Is Milestone In His Career

(*Continued from page* 1)

to capacity, with nearly 400 in attendance, and those who spoke were unanimous in their verbal applause of the guest of honor.

The speakers, who were representative of the industry, the church and officialdom, included: Gov. Nels Kraschel of Iowa, Gov. R. L. Cochran of Nebraska, Barney Balaban, president of Paramount; Joseph Allen, Mayor of Des Moines; George J. Schaefer, vice-president and general manager of United Artists; Bishop Gerald Bergan of Des Moines; Y. Frank Freeman, head of Paramount theatre operations; M. A. Lightman of Memphis; John Cowles, owner and publisher of the *Des Moines Register and Tribune;* Herbert Yates, head of Consolidated Film Industries; N. L. Nathanson, head of Famous Players Canadian; E. V. Richards, New Orleans.

Gift Voyage Presented

The employes of Tri-States Corp. gave Blank a four-week trip to Honolulu, while the employes of Central States, the other Blank company, presented him with a handsome luggage set, in order that he may make the Honolulu trip in style. The Blanks will leave soon after Jan. 1.

Blank expressed his deep appreciation for the honor, cited the loyalty of his employes, and said:

"The theatre has always held for me a tremendous fascination. Doubtless this fact has colored my viewpoint tonight. I am glad I chose to entertain the public as my official job. To be proud of the motion picture industry means the deep appreciation of the men who make that industry.

"I have understood fine promises make friends—but it takes performances to hold them—to call all present my friends warms my heart with satisfaction and pride."

Business Meeting Held

All Tri-State managers and exhibitors met with company officials for a business meeting at the hotel this morning, when Freeman discussed better cooperation between distributors and producers. The Blank Silver Anniversary contest started by Tri-State theatre managers three months ago, ended with presentation of the prizes at the banquet. The Central States managers' contest will end Jan. 1.

Present at the dinner from other cities were: Robert Ringler, Omaha, and W. A. Judd, Des Moines, Monogram; Leo Blank, midwest district manager, Chicago, and A. W. Anderson, Des Moines, Warners; Lew Patz, Milwaukee; James Winn, Chicago; Lew Levy, Des Moines, and Joseph Rosenberg, Omaha, Grand National; Lew Elman, Des Moines, RKO; Max Roth, Chicago; Henry Novitsky, Omaha, and E. J. Tilton, Des Moines, Republic.

Also, E. T. Gomersall, Chicago, and J. J. Spandau, Des Moines, Universal; Phil Dunas, Chicago; I. M. Weiner, Omaha, and Mel Evidon, Des Moines, Columbia; M. A. Levy, Minneapolis; W. E. Scott, Kansas City, and Stanley J. Mayer, Des Moines, 20th Century-Fox; H. P. Wolfberg, Kansas City; F. C. Hensler, Kansas City; W. E. Banford, St. Louis; H. J. Shumow, Omaha, and D. C. Kennedy, Des Moines, M-G-M; R. C. Libeau, Kansas City, and R. M. Copeland, Des Moines, Paramount.

Quota Discussions In Commons Heated

(*Continued from page* 1)

said it is absurd for producers to write to the press saying the present difficult times were due to the quota. Capt. Cunningham Reif claimed that under the present quota system the distributors threw in British pictures like so much tea. Stanley appealed to the committee to speed up its consideration of the legislation.

IATSE Assessments To End on Saturday

(*Continued from page* 1)

explained by I.A.T.S.E. leaders as the creation of a fund for organizational activities. The levy of the two per cent tax on members' earnings was a sore point with certain members and intramural factions of locals here ever since its adoption.

The return of autonomy to the four locals now run by International officers remains a moot question as officers of Alliance here are silent except to announce the dropping of the assessment. The autonomy move and assessment dropping demands were subjects of the recent legislature committee investigation and figured in two civil suits brought against International officers by members of the union.

Cleveland Meet Today

CLEVELAND, Dec. 9.—The Cleveland M. P. Exhibitors Ass'n will hold its final meeting of the year tomorrow. President Ernest Schwartz will preside. There will be a report on the I.T.O. convention in Columbus.

Wall Street

Board Recedes Lightly

	Open	High	Low	Close	Net Change
Cons., pfd.	6½	6¾	6½	6¾	— ½
E. K.	164	167	164	167	+2
E. K. (15 days)	164	164	164	164	.....
G. T. E.	14¾	14¾	14⅜	14⅜	— ⅝
Loew	52	52	50½	50½	—1½
Para.	12½	12½	11⅞	12	— ¾
Para. 2	11½	11½	11	11	— ⅝
Pathe	6⅜	6⅜	6	6	— ⅜
RKO	4¾	4¾	4¾	4¾	.....
20th Fox	21⅞	21⅞	21½	21½	— ¼
20th, pfd.	27¾	27¾	27½	27½	— ½
Univ., pfd.	34	34	34	34	—1
W. B.	8	8	7⅝	7⅝	— ¼

Small Curb Change

	Open	High	Low	Close	Net Change
G. N.	1	1	1	1	+1/16
Monogram	1¾	1¾	1¾	1¾	+ ¼
Tech.	19½	19½	18¾	18¾	— ½
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....
Univ. Corp.	2	2	2	2	— ¼

Little Bond Activity

	High	Low	Close	Net Change
Loew 3½s '46	98½	98½	98½	.....
Para. B'way 3s '55	60	60	60	.....
W. B. 6s '39	78½	78	78	— ½

(Quotations at close of Dec. 9)

News Service with Television Starts

(*Continued from page* 1)

event were first shown the transmitting equipment and offered an explanation of how the Peck system operates and later read the news as it flashed across the ground glass screen of the receiving machine in Dempsey's.

Stripped of its technical verbiage, the system operates in the following fashion: The messages are typed onto a cellophane ribbon at the Hotel Lincoln, and the ribbon is spun into the transmitting machine, where photo electric cells pick up and send out the message.

The present line definition of Peck Television is not known at the moment, the company at present being unwilling to divulge the information. However, they promise that the 441-line definition will be achieved very shortly.

"Times" Type of News

The messages are in black and white, and the letters are approximately four inches high. The messages are of the pointed, high spot variety such as are flashed on the *New York Times* screen, and are quite legible on the Peck receiver. Because the company has not yet received a Government permit, it is operating on a channel up to 30,000 cycles.

With Dempsey's as the nucleus, the company, according to a spokesman, expects to have approximately 200 clients within six months. In six months it expects to be selling its receivers on the open market for about $250 per set.

The service such as is now in operation at Dempsey's is leased for $35 to $45 per month. Peck will maintain news service to the clients for 18 hours a day. A company spokesman said that a permanent news agency will be selected shortly. Peck's news television can be received at a distance of 72 miles from its transmitter, it is claimed.

Lorillard Sponsors New Series on WOR

P. Lorillard & Co., for Muriel cigars, will sponsor a new series of news dramatizations over WOR, beginning Dec. 14, from 7:30 to 7:45 P. M. The series will be offered twice weekly, Tuesdays and Thursdays. The program is produced by Ben Rocke, and the agency is Lennen & Mitchell.

Orders for renewals of two current WOR programs were placed yesterday. Hoffman Beverage Co., sponsors of Arthur Hale's Transradio news programs, renewed for one year. The New York Telephone Co. will continue its participation sponsorship of the Martha Deane program for another year. Both renewals are through Batten, Barton, Durstine & Osborn.

Princess Pat Renews Show

Princess Pat, Ltd. has renewed "A Tale of Today," serial script broadcast Sundays from 6:30 to 7 P. M., on the NBC-Red. The renewal is for 52 weeks, beginning Dec. 19. The McJunkin Adv. Corp. handles the account.

More Radio—P. 18

Radio Personals

HERMAN BESS, sales manager of WNEW, returned to the station yesterday after a tour of the midwest . . . Wally Duncan of the same station will tender a party to his friends in radio at Bill's Gay Nineties . . . Gale Page, NBC actress and singer, is en route to Hollywood for a second set of Warner screen tests . . . Alice Cornett has been renewed for 13 weeks on the Coca-Cola program . . . The Kampus Kids have been signed for a Warner short, and the "Kidoodlers" will make Brunswick recordings, the bookings through the NBC artists service . . . NBC President Lenox R. Lohr was a guest at the National Ass'n of Manufacturers' dinner last evening.

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Joe Marsalla will place his band under MCA management about the first of the year. . . Anne Shirley and Ralph Bellamy are the guests of the week in the Kraft "Music Hall" Dec. 16. . . Don Johnson, known as "Prof. Figgsbottle," has been engaged as a writer for the Diamond Salt "On Broadway" program. . . Roger Fawcett, secretary and treasurer of Fawcett Publications, won the high-overall cup at the Travers Island traps of the New York A. C. recently.

Buy Briggs & Varley Agency

The Briggs & Varley agency has been purchased by L. E. McGivena, now director of copy for Lennen & Mitchell; Frederic Suhr, executive art director of the same agency, who resigned Nov. 30, and Tom Varley. The change in ownership takes place in January. No officers have been selected yet.

Ohio A. F. M. Executive Dies

HAMILTON, O., Dec. 9.—Edward Stephan, charter member of Hamilton's Local 31, American Federation of Musicians, died suddenly here today at the age of 67. He had been treasurer of the A. F. M. local for 43 years, having been reelected to the post only last Sunday. His widow and seven children survive.

Seeks Writ Against Kate Smith

An injunction to prevent Kate Smith from using the title "The First Lady of Radio" was sought in N. Y. Supreme Court yesterday by Vaughn de Leath, who claims that the title belongs to her because of prior usage. There will be no hearing on the suit for several days.

Renew G. E. Program

General Electric Co.'s "Hour of Charm" program, featuring Phil Spitalny's all-girl orchestra, has been renewed for 26 weeks over NBC. The series is heard Mondays from 9:30 to 10 P. M. on the Red, over 56 stations. Maxon, Inc., is the agency. The new pact will become effective Jan. 10.

Buell Mason Joins WBNS

COLUMBUS, Dec. 9.—Buell Mason, formerly with Rudy Vallee's orchestra, has joined WBNS here as staff pianist.

NBC Program Hours Better 1936 by 197

A survey of the statistical records for the year shows a total of 19,400 hours of NBC program production, an increase of 197 hours over 1936.

Music leads all divisions, with an estimated total of 11,476 program hours. Literature follows, with 3,427 hours; talks, 1,543 hours; news and special events, 692 hours; sports, 293 hours; comedy, 705 hours; women's programs, 404 hours; children's, 623 hours, and religion, 237 hours.

Philco Gets Permit For Television Use

WASHINGTON, Dec. 9.—The F.C.C. today announced the granting of the application of Philco Radio & Television Corp. for a new television broadcast station at Philadelphia to operate on the 20,400-21,000 kilocycle band with 15 watts power on an experimental basis.

The commission also stated that it has granted experimental authority to WGN, WOR, Newark, N. J.; WSM, Nashville, and KSD, St. Louis, to use their broadcast transmitters for experimental transmission of facsimile on their regular frequencies between the hours of 1 and 6 A. M.

Baird Television Is Viewed as a Success

LONDON, Dec. 9.—The Baird Television experiment yesterday was pronounced a success by most of those in attendance. The program was broadcast from Alexandra Palace to the Bromley Theatre, and shown on a screen 15 feet by 12 feet in size. The result was clear and the sound adequate.

Scophony, linked with the Deutsche system, also is planning news and topical television presentations. A demonstration was held yesterday at the Odeon in Leicester Square, on a screen measuring six by eight feet. The images were less impressive than the Baird result, being brightly lit, but varying in definition. Scophony aims to supply newsreel houses and small theatres.

Brophy Is President Of Kenyon Agency

Thomas Brophy, first vice-president of Kenyon & Eckhardt, Inc., has been elected president of that organization. Henry Eckhardt becomes chairman of the board, and Otis Allen Kenyon remains treasurer.

Brophy joined Kenyon & Eckhardt in 1931. He was formerly in charge of sales research and development for Anaconda Copper Mining Co.

Two Shows Renewed By Standard Brands

Standard Brands yesterday renewed "One Man's Family," script program, and the Chase & Sanborn variety hour, both on NBC's Red network. The renewals are for one year.

"One Man's Family" renewal, for the coast-to-coast program will be effective Jan. 2. It is broadcast Wednesdays from 8 to 8:30 P. M. Renewed also is the Pacific coast network edition of the same program, broadcast Sundays from 9:30 to 10 P. M. over the Pacific Red network.

The "Chase & Sanborn Hour" renewal will become effective Jan. 2. J. Walter Thompson is the agency.

ARTA Certified for Bargaining at KFAC

WASHINGTON, Dec. 9.—The American Radio Telegraphists' Ass'n tonight was certified by the National Labor Relations Board as the exclusive collective bargaining representative of the employes of the Los Angeles Broadcasting Co., Los Angeles, operators of KFAC.

The union filed a request Aug. 3, last, for investigation and certification as representative, and a public hearing was held at Los Angeles Oct. 12. The board's certification, it was said, was based upon the uncontested evidence of signed designations authorizing the union to represent them, union members constituting 14 of the 16 employes who are affected.

Excluded from the A.R.T.A. bargaining units are the office manager and assistant, technicians and announcers.

F.C.C. Schedule Of Hearings Set

WASHINGTON, Dec. 9.—The F.C.C. tentatively has scheduled the following cases for hearing:

Dec. 20, before an examiner—Contesting applications of Colonial Broadcasters, Inc., and Seaboard Broadcasting Corp. for a 1,310-kilocycle, 100-watt station at Savannah.

Dec. 21, before an examiner—Application of Santo Sottile for a 1,200-kilocycle station at Charleston, S. C., 100 watts night, 250 watts day.

Jan. 5, before an examiner—Application of WGNY, Newburgh, N. Y., for increase of day power from 100 to 250 watts.

Jan. 6, before the commission—Applications of Warren B. Worcester for a 1,400-kilocycle station at San Diego, 250 watts night, 1,000 watts day; and KGKO, Wichita Falls, Tex., for increase of power from 250 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; and contesting applications of Philadelphia Radio Broadcasting Co., Philadelphia, and Abraham Plotkin, Chicago, for a 1,570-kilocycle, 1,000-watt station.

Jan. 7, before an examiner—Applications of WFIL, Philadelphia, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; WLBL, Stevents Point, Wis., for extension of time to operate nights with 1,000 watts power; Tri-City Broadcasting Co., Inc., for a 950-kilocycle, 1,000-watt station at Schenectady; Thum Broadcasting Co., for a 950-kilocycle station at Sandusky, Mich., 500 watts night, 1,000 watts day, and University of Illinois for a 580-kilocycle, 5,000-watt daytime station at Urbana, Ill.

Seeking Power Increase

WASHINGTON, Dec. 9.—Application for an increase of power from 10,000 to 50,000 watts has been filed with the F.C.C. by WOWO, Fort Wayne.

WBNX to Name Languages

WBNX has introduced a new informative service to conform with its slogan, "The Station That Speaks Your Language." As the language changes, the audience will be informed as to the name of the language to be broadcast and the duration of the particular language.

Seek New Spot for WOL

WASHINGTON, Dec. 9.—William B. Dolph, general manager of WOL, has announced that the American Broadcasting Co. is conducting surveys near Chillum, Md., to find a new location for the station's transmitter.

New Shows on the Air

"Your Hollywood Parade"

The third venture into radio by a film studio was instituted Wednesday when the Warner-American Tobacco "Your Hollywood Parade" moved into the microphone. For the record: The first trial was Paramount's, ill-fated and quickly over; the second by M-G-M, still current and improving after a vacillating start. Of the two film studio programs now on the air, Warners' is by far the best.

Headed by Dick Powell, a mike-proved and sure-of-himself em cee, the list of players assembled for the first broadcast included Gary Cooper as guest; Leo Forbstein's orchestra; Rosemary Lane; Rufe Davis; Bette Davis, Olivia de Havilland, Basil Rathbone, Eric Blore and Patric Knowles in a radio version of the film "It's Love I'm After."

The program was entertaining throughout and was soundly if somewhat familiarly produced. Wisely not attempting for a spectacular effect such as M-G-M strove for and which made its first shows so confusing, "Your Hollywood Parade" adhered to a straightforward variety pattern and thus succeeded eminently in its mission of pleasing listeners.

Dick Powell does much to make the hour enjoyable. As em cee he succeeded in keeping the proceedings moving smoothly at top speed, and as a vocalist he is pretty near tops in his field. Forbstein's orchestra is rather weighty, but good; Gary Cooper's monologue titled "The Girl of the Golden West" was a highspot; Rufe Davis contributed amusing ditties and some of his inevitable animal imitations; the dramatization was completely satisfying.

"Hollywood Parade" is offered Wednesdays over the NBC-Red from 10 to 11 P. M. BANNER

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Director, "Canada, 1937"
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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 138 NEW YORK, SATURDAY, DECEMBER 11, 1937 TEN CENTS

Warners Plan 16 - 20 Films For England

Word Comes from Talks Held on the Coast

HOLLYWOOD, Dec. 10.—Warners will make from 16 to 20 pictures in England next season, it was indicated yesterday at meetings being held at the studios by Harry M. and Jack L. Warner, Sam E. Morris, head of the company's foreign activities, and Irving Asher, London production head.

Joseph Hummel, foreign manager, had been sitting in on the conferences. He sailed Wednesday on the *Mariposa* for Sydney, Australia, and other foreign ports.

Warners have been aiming for 20 pictures a year, although it was planned to make 16 next season. Four pictures with a world wide scope have been added to the program. The studio's contract players will be sent to England to appear in the films designed for world distribution.

Asher will remain here until after the holidays and will then return to don. His wife, Laura La Plante, may

(*Continued on page 3*)

Ask Ascap's Gross In Nebraska Fight

LINCOLN, Dec. 10.—Attorney General Hunter of Nebraska went before the U. S. District Court here today and asked for the complete gross receipts of Ascap since 1920, in connection with the Ascap action against state officials to prevent the enforcement of the anti-Ascap legislation enacted last spring. Ascap has obtained a temporary injunction.

In addition, Hunter presented to the court a list of 137 other questions, 63 of them aimed at Gene Buck, president of Ascap.

Florida Considers Radio Cancellation

LAKELAND, Fla., Dec. 10.—Florida's Citrus Commission, which recently contracted for a 26-week series of broadcasts by Emily Post over CBS, meeting yesterday in Lakeland, considered the advisability of canceling the last half of the contract because of the possibility that its efforts might be nullified through the shipment of fruit damaged by cold weather earlier

(*Continued on page 4*)

More Radio—P. 4

Film Finance Is Problem of French Trade

Law Governing Industry Expected Shortly

By PIERRE AUTRE

PARIS, Dec. 1.—The greatest problem facing the French film industry is that of finance, it is generally conceded, as plans move forward toward the introduction in Parliament of a new measure which is expected to embrace legislation virtually governing the activity of the industry. The bill is the work of Jean Zay, Minister of National Education, who said recently that in the near future he would "present before the Parliament a complete bill which would constitute a real statute of the cinema industry in France." Zay has already begun to consult trade leaders on the subject.

As the situation now stands with respect to production financing, there are

(*Continued on page 3*)

Stanley Statement Stirs Speculation

LONDON, Dec. 10.—The trade was speculating today on the statement of Oliver Stanley, president of the Board of Trade, yesterday that the Films Act Committee of the House of Commons at a later date will present an alternative plan to the separate quota proposal which has been advanced.

Although in some quarters the statement is interpreted as indicating an adjustment in the constitution of the proposed Film Council, to permit reconstruction of the whole matter after a given period, others in informed circles are inclined to see the statement as merely a tactical move to accelerate the committee discussions.

Plan Special Train For Fabian's Dinner

Arrangements have been completed by Phil Fox, chairman of the dinner committee, for a special train to leave Monday afternoon for Albany, to be known as the Fabian Special. A special testimonial banquet is to be tendered Si Fabian on his 20th year in the film business.

Numerous local sales executives, exhibitors and friends of Fabian will leave for Albany on the train which will leave Grand Central station at 4:20 P. M.

Included in the group scheduled to attend are George J. Schaefer, A. W. Smith, Jr., Nate J. Blumberg, William

(*Continued on page 3*)

Friendly Gesture

London, Dec. 10.—A gesture of cordiality from British officials to American distributors will be made by Lord Mountbatten, who has invited eight distributors, mainly American, to attend a dinner next Tuesday at Mountbatten House to discuss a supply of films for 200 British warships.

The Duke of Kent will be present, and the distributors have been invited to meet the chiefs of the Royal Naval Film Corp. and the Admiralty Board for a discussion of the problem.

A. H. Blank Denies Retirement Report

DES MOINES, Dec. 10.—Somebody lacked a sense of humor at the banquet in honor of A. H. Blank last night and reports were wired out that Blank was retiring from direction of his film enterprises. He denies this emphatically.

The report was caused by one of the banquet stunts—a special edition of a local paper which was misunderstood by a reporter.

Blank said today that he was so unhappy after selling out in 1929 that he will never quit the business again. In refuting the retirement story today he pointed to his talk last night during which he said:

"I will take a vacation trip given me by my organization, as I feel I have the finest organization to be found and can go away for an indefinite period, realizing that Ralph Branton and H. M. Weinberg will do an even better job than if I were present. The loyalty and cooperation of men working with me has been one of my greatest satisfactions for the past 25 years."

M-G-M Chicago Meet To Get Start Today

CHICAGO, Dec. 10.—M-G-M's three-day mid-winter sales meeting will get under way tomorrow at the Palmer House with William F. Rodgers, general sales manager, presiding. Tom Connors, Eddie Aarons and Alan Cummings will arrive from New York on the Century tomorrow, while Rodgers and E. M. Saunders and several other district managers who attended the A. H. Blank dinner at Des Moines Thursday arrived here last night.

Al Lichtman, who had planned to be on hand, has been detained on the coast conferring with Nicholas M. Schenck, president.

U.A. Move to Hold Selznick Is Indicated

His Plans Halted Sale, Is Belief Here

A determined effort to retain David O. Selznick in United Artists producer ranks will be made by the company, it was reported in well informed quarters here yesterday.

Although there are official indications that Selznick has reached an agreement whereby he will release through M-G-M, it is pointed out here that no deal has been signed yet and there is every indication that United Artists will offer the best possible inducements to retain him.

Selznick's determination to withdraw from United Artists in the event that the Samuel Goldwyn-Alexander Korda option for the purchase of the Charles Chaplin, Douglas Fairbanks and Mary Pickford stock was exercised, is believed in financial quarters here to be the real explanation of the collapse of the deal. One account which is credited in responsible quarters is that Goldwyn and Korda were not convinced that Selznick would

(*Continued on page 3*)

Anti-Trust Appeal Is Filed in Dallas

DALLAS, Dec. 10.—George Wright, counsel for distributors and Interstate, defendants in the anti-trust suit which was lost by his clients here recently, today filed two appeals in U. S. District court here, one appeal for Interstate as exhibitor defendant and the other for the distributors. While the appeals are companionate cases they were made separately.

The filing of the appeals had been scheduled for Wednesday but Judge Atwell held that a delay was necessary

(*Continued on page 3*)

Grand National Cuts Home Office Staffs

Grand National yesterday started paring its home office staff by dismissing persons from the story, publicity, advertising and exploitation departments. Edward Peskay, general sales manager, stated that Edward Finney would move his department to the coast Jan. 1.

Helen Harrison will continue as contact with Finney at the home of-

(*Continued on page 3*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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20th-Fox European Heads Coming Here

Ben Goetz, general production head of M-G-M in England; Francis L. Harley, managing director for 20th Century-Fox in England; Ben Miggins, European manager for the same company; Samuel Engel, producer, Victor McLaglen and Brian Donlevy, who appear in "He Was Her Man," made by 20th Century-Fox in London, will sail Dec. 18 on the *Normandie* from Southampton.

Goetz will spend about a week here with his family and will attend the marriage of his sister. Harley and Miggins will confer with Walter J. Hutchinson, 20th Century-Fox foreign sales head, and then will leave for Hollywood for a review of new product, while Engel, McLagen and Donlevy will go west immediately.

"Wells Fargo" Shown

WASHINGTON, Dec. 10.—Representatives of the Bureau of Internal Revenue, the Bureau of Printing and Engraving and the White House were shown "Wells Fargo" in the Paramount exchange projection room by Robert Denton, supervisor for Paramount News.

Purely Personal

ROBERT TAYLOR, LIONEL BARRYMORE, JACK CONWAY, HARRY HAM, Selznick European representative; LEO MCCAREY and JOHN WOFENDEN of the M-G-M publicity department, arrive Monday on the *Queen Mary*.

•

MADELEINE CARROLL, just back from Europe, will leave within a week for the coast where WALTER WANGER has scheduled her for a starring role in "The River Is Blue."

•

AUBREY BLAIR, secretary and treasurer of the Junior Screen Actors' Guild, will leave New York Tuesday for Hollywood.

•

DAVID O. SELZNICK, CAROLE LOMBARD and FREDRIC MARCH have been made honorary members of the N. Y. Sheriffs' Ass'n.

•

MERRITT HULBURD, associate producer for SAMUEL GOLDWYN, will arrive Monday on the *Queen Mary*.

•

PAULA GOULD has completed a new novel, "I, Mary, Take Thee, John," which will be published next fall.

•

RUSS MORGAN and his orchestra will begin a stage engagement at the Paramount next Wednesday.

•

MILTON HOSSFELD is due to return from a field visit of National Theatres some time this week.

•

J. J. UNGER left Des Moines yesterday for Dallas after attending the A. H. BLANK dinner.

•

EDWARD G. ROBINSON will be in town after Christmas, according to present plans.

•

RALPH ROLAN of RKO left last night for the coast via American Airlines.

•

ETHEL MERMAN is due from the coast next week on a holiday trip.

•

GUS SCHAEFER of Universal is due today on the *Washington*.

•

LEE BOWMAN, RKO player, is due soon from Hollywood.

•

HERSCHEL STUART is back from Dallas.

Agfa to Give Bonus

BINGHAMTON, Dec. 10.—The Agfa Ansco Corp. will give bonuses totaling $100,000 to its employes next Wednesday. About 2,300 workers will receive the money.

Critics Favor "Sacred"

Twenty-four critics of the Scripps-Howard newspapers have voted "Nothing Sacred" the best picture in November.

Doyle Delays Arrival

Stuart F. Doyle, former managing director of Greater Union Theatres in Australia, has delayed his arrival from England until next Wednesday.

Academy Committees On Awards Named

HOLLYWOOD, Dec. 10.—The awards committee for the Academy Awards, which will be announced at the annual banquet on March 3, will be headed by Frank Capra, president, and Howard Estabrook, vice-president, for the Academy.

Others include: Actors—Alan Mowbray, Larry Steers and Regis Toomey; Directors—George Cukor, Roland V. Lee and Irving Pichel; Producers—David O. Selznick, Jack Warner and Darryl F. Zanuck; Technicians, Bernard Herzbrun, Major Nathan Levinson and Victor Milner; Writers—Claude Binyon, Oscar Hammerstein, II, and Dwight Taylor.

For the technical awards such as photography, art direction and the like, there is a possibility craft groups outside the Academy Technicians' Branch may be invited to join. Plans for such awards are being worked out by committees which will report to the Capra committee at a meeting Dec. 21.

It is estimated that under the new system, which for the first time will throw the awards balloting open generally to all industry workers, 15,000 will join in the voting. The awards publicity again will be directed by Hal Hall, who did the work last year. Various voting methods still have to be worked out.

Monogram Organizes New Concern at K. C.

KANSAS CITY, Dec. 10.—Monogram Film Distributors, Inc., has been organized here to take over the Western Missouri and Kansas franchise for Monogram product of Dec. 13.

Les F. Durland, who was sales manager of the former Monogram distributing company here, Monogram Pictures of Kansas City, Inc., is general manager. The new company is being financed by eastern interests headed by W. Ray Johnston.

W. L. Norris and W. P. Humston, who formerly held the Monogram franchise, will form a new company soon.

Sam Rosen Wins Drive

Sam Rosen, branch manager of the Philadelphia exchange, has been declared the winner of the first prize in the recent W. Ray Johnston Playdate Drive. Henri Elman, president and manager of the Chicago branch, won the R. Scott Dunlap trophy and D. J. Selznick, Pittsburgh manager, took the third prize, a trophy donated by Edward A. Golden, general sales manager.

New Republic Story Head

Margaret Waite has been named as eastern story head for Republic. She will leave for the coast shortly to confer with studio heads on new material. It is understood the company is after approximately 25 action stories.

Negro Actors Organize

The Negro Actors' Guild has been formed. It is the first organization of its kind. Noble Sissle, colored orchestra leader, is president. A membership drive will begin on Dec. 17 at a benefit at the Apollo in Harlem.

Moskowitz Finishes Studio Conferences

HOLLYWOOD, Dec. 10.—Charles C. Moskowitz, assistant to Nicholas M. Schenck, left for New York tonight by train after completing conferences with the Loew president and studio executives. Moskowitz was here six days. Schenck will leave either Saturday or Sunday and is due to reach New York the middle of next week. Al Lichtman who returned Tuesday from England, will probably remain here indefinitely.

Figure Loew Net $1.70-$1.75

Preliminary figures on earnings of Loew's for the first quarter of the fiscal year ended Nov. 25 indicate a net of $1.70 to $1.75 a share on the common. Last year for the corresponding 12 weeks, the net was $2.14 a common share.

An executive of the company yesterday stated that the books for the fiscal year ended Aug. 31 have not yet been closed and therefore it cannot be estimated at this time the earnings during that period. It was estimated to be $9.

Internat'l Cinema Stock Is Approved

WASHINGTON, Dec. 10.—The Securities and Exchange Commission has announced that the registration statement filed Sept. 16 by International Cinema, Inc., Los Angeles, has become effective with respect to an issue of 50,000 shares of $5 par value seven per cent cumulative convertible Class A common stock and 100,000 shares of common stock reserved for conversion at a ratio of two shares for one of Class A.

The company expects to raise $250,000 from the operation. Fifty thousand dollars will be used for new equipment and a like sum for working capital and $100,000 will be applied toward reduction of indebtedness.

The stock covered by the registration is part of an authorization of 200,000 shares of Class A and 1,000,000 shares of common. Five hundred thousands shares of the latter are already outstanding, 40 per cent in the hands of Regan-Day, Inc.

Oppose Chicago Benefit

The Theatre Authority, organization against benefit racketeering, has disapproved the annual benefit of Mayor Kelly of Chicago which was scheduled there for Dec. 15. The mayor refused to recognize the organization and turn 15 per cent of the receipts over to actors' charities. Other theatrical organizations, according to the secretary of the organization, have joined the Theatre Authority in its stand.

Skouras Party to Leave

Spyros Skouras, Edward Zabel and A. S. Gambee are scheduled to return from a tour of National Theatres' divisional operating headquarters on Wednesday. The three have been conferring with division heads on policies and new product for the holiday season.

Dieterle, Wife Injured

LOS ANGELES, Dec. 10.—William Dieterle, director, and his wife, Charlotte, were injured in a traffic accident here yesterday.

Film Finance Is Problem of French Trade

(Continued from page 1)

a number of small French companies, very few of which produce more than one or two pictures annually. New capital must be obtained for each film, which usually absorbs all money in production. If the film is a success, the producer gets no return on his money for many months.

It is reported that of the 120 films which will have been produced by the end of 1937, about half have been financed by English money. It is pointed out that French production received its greatest impetus this year from the $3,300,000 loaned by Lloyds of London to French producers.

It is contended that if the French Government is desirous of regulating the industry, it must supply the needed 100,000,000 francs for next year's production. One method of assistance suggested calls for the reduction of the industry's tax burden, which is estimated at 40 per cent of the annual receipts.

Production Cost Jumps

Official figures reveal that the cost of French production, on the average, has increased from 1,850,000 francs per film in 1935 to 2,650,000 francs in October, 1937, a gain which is attributed chiefly to the generally higher costs in the country and new legislation which has increased labor costs sharply.

It is understood the proposed film legislation will regulate, within limits, the type of individual who may produce, with respect to criminal record, will protect the staffs of producers from salary holdout, will regulate distribution and exploitation, regulate special showings, impose a special tax on foreign film dubbing, probably amounting to 22 cents per foot, and require censor approval of scripts prior to production.

The measure also is said to provide for virtual Government regulation of the entire industry, with the creation of a "Chamber of the Cinema," whose membership would include representatives of the industry, labor and the government, and the creation of a central film fund, which would govern all trade operations and financing.

Grand National Cuts Home Office Staffs

(Continued from page 1)

fice. The dismissals were effective yesterday with each employe given an extra week's pay.

Among those let out were Harry Blair, Lydia Senko, Joe O'Sullivan, Merritt Crawford, George Fish, Frank Pratt, Charles Dorsa, Jack Kerness, Barbara Day and Marjorie Dobbs.

Peskay is planning to leave soon for the coast to confer with Edward L. Alperson, president. He is awaiting a telephone call from London before he takes off for Hollywood. In the event the transatlantic call does not come through by Monday night, Peskay will leave for Albany to attend the Si Fabian testimonial dinner.

Anti-Trust Appeal Is Filed in Dallas

(Continued from page 1)

since all papers had to be signed by him in Brownsville. This was done yesterday and the papers were returned here today. Deadline had been set for Dec. 13.

The appeal is based upon two premises although the appeal is taken from the court's entire decision. The first premise is that each distributor defendant acting independently of any other distributor defendants as owner of a copyrighted film has the legal right to contract with a first exhibitor providing that certain pictures shall not be subsequently shown at admission of less than 25 cents nor as part of a double bill.

The second premise is that there was no evidence showing an agreement, understanding or conspiracy between the several distributor defendants to make such contracts with the exhibitor.

The appeal goes direct to the Supreme Court and will be set down for hearing within 40 days and likely be heard in March or April. U. S. Assistant District Attorney John Erhard said the Government will ask a hearing before Judge Atwell Saturday regarding a statement filed with the appeal. No supersedeas writ has been asked yet but still may be, it is understood.

Reduction on Rialto Assessment Affirmed

The Appellate Division of the N. Y. Supreme Court yesterday unanimously affirmed a $300,000 reduction in the assessment of the Rialto Theatre for the years 1935 and 1936, and ordered taxes paid on the basis of the higher assessment returned with interest. Rialto Times Square, Inc., lessees of the theatre, with a 20-year lease as of October, 1934, had asked that the 1935 assessment of $2,825,000 and the 1936 assessment of $2,700,000 be reduced to $1,400,000 each.

Supreme Court Justice Ernest Hammer reduced them to $2,525,000 and $2,400,000, respectively, on April 22. The Commissioner of Taxes and Assessments appealed from the order granting the reduction.

Monogram Charges Infringement

Monogram Pictures Corp. yesterday filed suit in U. S. District Court against Screen Attractions Corp. and M. Kleinerman, who does business as Exhibitors' Film Exchanges and Star Safety Laboratory, for alleged infringement of their picture, "The Girl of the Limberlost." The complaint states the picture was produced in 1934 and the 16 mm. rights were sold to Walter O. Gutlohm, Inc., on Dec. 3, this year. It is alleged that the defendant has been infringing by producing 16 mm. copies of the picture. A permanent injunction, damages and an accounting of profits are asked.

Principal Case Settled

Judge William Bondy in U. S. District Court yesterday approved an out-of-court settlement of the $5,000 breach of contract suit brought by Principal Film Exchanges against Julius Kendis, who operates as Jay Dee Kay Prod. The suit arose out of an alleged contract made in July which granted the plaintiff exclusive distribution rights to "Crusade Against Rackets." It was alleged that the picture was exhibited at the Gaiety in violation of the contract. Details of the settlement were not disclosed.

Approves Weisman Lease

Milton C. Weisman, equity receiver for Fox Theatres Corp., was authorized by Circuit Judge Martin T. Manton in U. S. District Court yesterday to renew his lease for office space at 1450 Broadway for one year at an annual rental of $2,700.

U. A. Move to Hold Selznick Is Indicated

(Continued from page 1)

withdraw until E. H. Lever, British financial representative in the deal, was on his way back to London to close the agreement which had been reached here. When the information reached London, according to the account, Casenove, Akroyds and Greenwood & Co. withdrew their offer to advance $4,500,000 cash for the exercise of the options.

With the deal having collapsed and Dr. A. H. Giannini having been reelected president of United Artists, informed sources here believe that Selznick, once more, is open to renewed negotiations with United Artists.

Call Merger Reports False

Financial executives associated with both Paramount and RKO declared yesterday that coast reports that United Artists might be merged with either of those companies were "without any foundation in fact, whatsoever." The positions of the officials who were queried are such that no merger discussions of the kind reported could occur without their being consulted.

Goldwyn's own plans are the subject of widespread conjecture here. Responsible quarters, however, appear to be without definite information as to the producer's attitude.

U. A. Talks Dividend

HOLLYWOOD, Dec. 10.—Directors of United Artists in an all-day session today resumed discussions which had been deferred by the Goldwyn-Korda option negotiations. Among the important questions involved was that of dividends for owner-members. No definite action was taken and the matter will come up again at tomorrow's session. The option purchase situation was not discussed.

"Monastery" Is Opened

BOSTON, Dec. 10.—"Monastery," film record of the life of monks, opened here last night at the Fine Arts in Boston's first $10 premiere. The proceeds, $5,850, were turned over to Rev. Michael J. Ahearn, narrator of the film, for the Father Ahearn Fellowship Fund. Present were Mayor Frederick Mansfield, Bishop Francis Spellman and Rabbi Samuel J. Abrams. World Pictures is releasing the film.

Warners Plan 16 - 20 Films For England

(Continued from page 1)

stay over for several weeks with her family. Morris will probably return to New York ahead of Asher. Harry M. Warner has no definite plan to return east for some time, it was learned.

Next Monday, stockholders will hold an annual meeting at Wilmington without the president. It will be the first meeting he has missed in many years. He and his two brothers, Jack and Albert, are slated to be reelected directors by the stockholders and the following day they will be renamed by the directors in New York to the executive posts they now hold.

S. Charles Einfeld, publicity and advertising director, will leave for New York after the first of the year. He has been here for some time reorganizing the studio publicity department.

Plan Special Train For Fabian's Dinner

(Continued from page 1)

A. Scully, Abe Montague, Byron F. (Dinty) Moore, Sol Edwards, Carl Leserman, George Skouras, Herman Starr, Leslie E. Thompson, Herman Robbins, Joe McConville, Lou Weinberg, Joe Bernhard, Sam and George Dembow, Rube Jackter, Jules Levy, Albert Warner and John J. O'Connor.

Louis Weber Recovering

Louis Weber, attorney for the Skouras Circuit, is recovering at the New York Hospital from a second operation. He will leave for the coast shortly after he is discharged.

Richard Dix Signed

HOLLYWOOD, Dec. 10.—Richard Dix has been signed to a long-term contract with RKO.

Wall Street

Board Losses Continue

	Open	High	Low	Close	Net Change
Col., pfd....	27¾	27¾	27¾	27¾	—3¼
E. K.	166	166	163	165	—2
G. T. E.....	14	14	14	14	— ⅜
Loew	50½	50½	48½	48⅝	—1⅞
Loew, pfd...	105	105	105	105	.....
Para.	12	12	11⅝	11¾	— ¼
Para. 1.....	93	93	92½	92½	—6
Para. 2.....	10¾	10⅞	10¾	10¾	— ¼
Pathe	6	6	5⅞	6	.....
RKO	4¾	4¾	4½	4½	— ¼
20th Fox ..	21¼	21⅜	21	21¼	— ¼
20th, pfd. ..	27¼	27⅜	26⅞	27⅜	— ⅛
W. B.	7⅝	7⅝	7⅜	7½	— ⅛

Uneven Curb Activity

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1	1	.....
Sonotone ..	1¾	1¾	1¾	1¾	+1/16
Tech.	18⅝	18⅝	18½	18⅝	— ⅛
Trans-Lux	3	3	3	3	+ ⅛
Univ. Corp.	3½	3½	3½	3½	—1

Paramount Bonds Up Slightly

	High	Low	Close	Net Change
Keith 6s '46.....	83½	83½	83½	.....
Loew 3½s '46....	97¾	97¾	97¾	— ¼
Para. Pict. '47....	75	74¾	74¾	+¾
W. B. 6s '39.....	77	77	77	.....

(Quotations at close of Dec. 10)

Hearings for New Station Pleas Fixed

WASHINGTON, Dec. 10.—The F.C.C. today ordered hearings held on a number of applications, among them the following requests for new broadcasting stations:

Frank Ray, Dickinson, N. D., 1,310 kilocycles, 100 watts night, 250 watts day; Jonal Weiland, New Bern, N. C., 1,370 kilocycles, 100 watts, and Larry Rhine, San Francisco, 1,150 kilocycles, 1,000 watts, daytime only.

Hearings were also ordered on applications of WBNX, New York, for increase of day power from 1,000 to 5,000 watts; WRDW, Augusta, Ga., for change of frequency from 1,500 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; WFOY, St. Augustine, Fla., for change of frequency from 1,210 to 590 kilocycles and increase of night power from 100 to 250 watts; KAPC, Port Arthur, Tex., for change of frequency from 1,260 to 1,350 kilocycles and increase of power from 500 to 1,000 watts, and WMBS, Uniontown, Pa., increase of time to operate nights with 100 watts power.

Examiners' Reports Received

The commission announced the receipt of examiners' reports recommending the granting of applications for new stations of United Theatres, Inc., San Juan, P. R., 570 kilocycles, 1,000 watts; Nathan N. Bauer, Miami, 1,420 kilocycles, 100 watts; Ellwood W. Lippincott, Inc., Bend, Ore., 1,310 kilocycles, 100 watts; Keystone Broadcasting Co., New Castle, Pa., 1,250 kilocycles, 250 watts, daytime only; El Paso Broadcasting Co., El Paso, 940 kilocycles, 1,000 watts; World Publishing Co., Tulsa, 940 kilocycles, 1,000 watts night, 5,000 watts day; The Tribune Co., Tampa, Fla., 940 kilocycles, 1,000 watts night, 5,000 watts day; Mervel M. Valentine, Laredo, Tex., 1,500 kilocycles, 100 watts night, 250 watts day, and John S. Allen and G. W. Covington, Jr., Montgomery, Ala., 1,210 kilocycles, 100 watts, daytime only.

Dayton Spot Gets Increase

Other reports recommended the granting of applications of WSMK, Dayton, for increase of power from 200 watts to 250 watts night, 500 watts day; WRNL, Richmond, for increase of power from 500 to 1,000 watts, and KQE, San Jose, for increase of day power from 1,000 watts to 5,000 watts.

Reports were received recommending denial of applications for new stations of Airfan Radio Corp., Ltd., San Diego, 1,420 kilocycles, 100 watts; Southern Broadcasting Corp., New Orleans, 1,200 kilocycles, 100 watts night, 250 watts day; Jules J. Rubens, Aurora, Ill., 1,040 kilocycles, 250 watts daytime only; Broward Broadcasting Co., Ft. Lauderdale, Fla., 1,370 kilocycles, 100 watts night, 250 watts day, and Evanston Broadcasting Co., Evanston, Ill., 1,020 kilocycles, 250 watts, daytime only.

Denial also was recommended of applications of WBZA, Springfield, Mass., for change of frequency from 990 to 550 kilocycles; WBNO, New Orleans, for change of frequency from 1,200 to 1,420 kilocycles and increase of day power from 100 to 250 watts, and KGKL, San Angelo, Tex., for change of frequency from 1,370 to 940 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day.

Radio Personals

JANE PICKENS will headline a special holiday stage show at the Brooklyn Strand Dec. 25 and 26 . . . When Benny Goodman leaves the Hotel Pennsylvania on tour, Sammy Kaye may replace him with a CBS wire . . . Frank Cooper, handling radio for Curtis and Allen, has booked Frances Farmer and Luther Adler in a scene from "Golden Boy" on the Vallee program Dec. 16, and Jimmy Shields for a third engagement on the Schaefer Beer program Dec. 16 . . . Abe Lyman's orchestra has been signed for the French Casino through Harry Keller of the William Morris office. . . .

✚

Al Pearce, accompanied by Dinty Doyle of the *American-Journal,* left for Chicago yesterday to take in tomorrow's pro football game and to attend the Ford Sunday broadcast . . . Dick Jergen will go into the Trianon Ballroom in Chicago Dec. 14 with a Mutual wire, and Herbie Kay will succeed Paul Whiteman at the Drake Dec. 18, also with a Mutual wire . . .

✚

Hollywood Town Pump

HOLLYWOOD, Dec. 10.—Log Cabin Syrup has renewed Jack Haley for 13 weeks, when the present contract expires in about four weeks. The show will continue under the present setup, featuring Wendy Barrie, Virginia Verrill and Warren Hull, with the Ted Fio Rito orchestra . . . Bobby Breen will return to the Cantor show Jan. 5, for eight weeks. The boy will travel east with the Cantor troupe when it leaves, Dec. 30 . . . Phil Baker and his radio program cast will do a guest appearance at the Cocoanut Grove this week.

Two New Accounts to WHN

National Transportation Co., for Parmelee taxicabs, has renewed "New York News of the Week" with Bryce Oliver, for 13 weeks over WHN. Wide World Advertising Co. handled the deal. Washington State Apples, Inc., has signed for one-minute transcriptions over WHN starting Monday. J. Walter Thompson controls.

"Martha & Hal" Shifted

"Martha & Hal," now heard over Mutual Sundays from 11 to 11:15 A. M. will broadcast at a new time effective this week, from 11:15 to 11:30 P. M. Humphries Homeopathic Medicine Co. sponsors.

Vera Brodsky Is Re-Signed

Vera Brodsky, concert pianist who made her first appearance with Alfred Wallenstein's orchestra on the Firestone Hour last week, has been re-engaged for Monday's program.

Wheeling Steel to Have Mutual Series

"Musical Steelmakers," sponsored by the Wheeling Steel Corp., will begin over Mutual Jan. 2, from 12:30 to 1 P. M., and weekly thereafter at that time. The series will be carried by WGN, WLW, WOR, WPAY and WWVA, with the point of origination in the studios of the latter station in Wheeling, W. Va.

The series for the past two years has been presented over WWVA, under the production guidance of Walter Patterson, program director of the station. All the talent, save the orchestra, is recruited from the offices, mills and manufacturing plants of the Wheeling Steel Corp.

Florida Considers Radio Cancellation

(*Continued from page* 1)

in the week. The contract totals approximately $120,000, and a definite decision on cancellation must be taken by Dec. 13.

The Citrus Board took immediate steps to forestall shipment of the damaged citrus. Commissioner John Clark of Waverly stated he was in favor of continuing the radio programs if such fruit as was damaged can be kept off the markets. Ruthrauff & Ryan is the agency handling the Commission's advertising.

KTMS, New Station, Is Signed by Weed

KTMS, Santa Barbara, a new transmitter which went on the air for the first time Nov. 7, has designated Weed & Co. as national representatives, effective immediately.

The station is owned by T. M. Storke, publisher of the Santa Barbara *News-Press,* and is managed by Norman R. McLaughlin, formerly with the McClatchey organization.

Pilot Luncheon Dec. 15

Pilot Radio Award Society will celebrate the first year of its existence at a luncheon Dec. 15 at the Waldorf-Astoria. Attending the luncheon will be the recipients of the Pilot awards, comprising practically all of the topflight radio names. Beginning this year, the luncheon will be an annual event.

CBS Again Polls Editors

CBS again is polling the nation's editors to determine the 12 leading news stories of the year. These will be dramatized in the annual "Twelve Crowded Months" program to be presented this year on Dec. 24 from 9 to 10 P. M. Paul White, CBS director of special events, is handling the details.

Jean Ellington on New Show

Jean Ellington and Norman Cloutier's orchestra will be featured in a new Sunday afternoon program over the NBC-Blue at 4:30 P. M., beginning tomorrow.

Jessel to Answer Fidler

LOS ANGELES, Dec. 10.—Georgie Jessel will answer Jimmy Fidler's defense of gossip on the air during his "30 Minutes in Hollywood" program tomorrow over Mutual.

Crawford Predicts Restriction on Air

By CLARENCE LINZ

WASHINGTON, Dec. 10.—Representative Fred L. Crawford (Rep. Mich.) has predicted a drive against freedom of the press which, if successful, will be extended to radio. He cited the preference of Administration officials for the radio as against the newspapers, because broadcast addresses are "uncontaminated by coincident editorial comment."

In an extension of remarks in the *Congressional Record,* Congressman Crawford referred to recent criticism of the newspapers by Postmaster General Farley and other officials and to the current efforts of the National Labor Relations Board to interrogate editors as to the source and reason for adverse comment on its activities as indication of a growing resentment in the Administration against newspapers.

The Federal Government has a closer grip on the radio stations than it has on the newspapers, he pointed out, referring to the limited license term and the necessity of securing F. C. C. approval of all alterations and improvements, and broadcast facilities could be readily controlled.

Peeler Again Seeks Station at Taylor

WASHINGTON, Dec. 10.—George B. Peeler, Taylor, Tex., has re-submitted an application for a construction permit for a new broadcasting station in that city, to operate day only on 1,310 kilocycles with 100 watts power, according to the F.C.C.

The commission also states that the Mountain Top Trans Radio Corp., Denver, has amended its application for a new station, seeking a change in frequency from 1,370 to 1,310 kilocycles.

WGNY, Newburgh, today filed with the commission an application for a change of frequency from 1,210 to 1,220 kilocycles and an increase in power from 100 watts to 250 watts, while WBRY, Waterbury, Conn., filed application for a change in power from 1,000 to 5,000 watts.

Macfadden Show to Move to Mutual Net

Macfadden's "Court of Human Relations" program, currently broadcast on the NBC-Blue network, will be offered over the Mutual network instead, beginning Jan. 9, from 4 to 4:30 P. M. It will be sponsored over Mutual by the Vadsco Sales Corp. The deal is through the Albert M. Ross agency. The contract is for 52 weeks.

Mutual stations which will carry the broadcasts are WOR, WGN, WLW, WGR, WOL, WHK, CKLW, WCAE, WDGY, KWK, WHB, and the Don Lee stations in California. Martha Atwell will produce the programs.

The vacancy in the NBC schedule created when the program moves to Mutual will be filled by another program for Macfadden.

Plan Dinner for Feldman

Friends of Bobby Feldman, vice-president of WMCA, will tender a dinner in his honor Jan. 9 at the Hotel Astor, to celebrate his 20th year on Broadway.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 139 NEW YORK, MONDAY, DECEMBER 13, 1937 TEN CENTS

Warners Plan To Take Over Muzak Corp.

Supplies Wired Programs Directly to Clients

Warners have completed preliminary negotiations to take over the development of Muzak Corp., and eventually will acquire control of Wired Radio, Inc., of which Muzak is a wholly owned subsidiary. Waddill Catchings, president of Muzak and a director of Warners, acted with H. M. Warner, president, in arranging the deal. Catchings declared Saturday that he will retain his post as head of Muzak.

Muzak supplies programs by wire directly, using either telephone or electric light wires, to homes or places of business such as hotels or restaurants, from a central broadcasting location.

Muzak, during three years of experimental development, has assembled a library of 7,500 specially prepared records in master transcriptions. It is planned to develop the company on

(*Continued on page 6*)

Warner Preferred Holders to Elect

WILMINGTON, Dec. 12.—Preferred stockholders of Warners tomorrow will re-elect six directors to the board at the annual meeting here. Common stockholders lost the power to elect several years ago when regular dividends were not declared. There will be no other business than the re-elections.

Ivor Culbertson, who has presided at the annual Warner stockholders' meeting during the past two years, is expected to take over the job again. Sam Carlisle, comptroller, will not at-

(*Continued on page 6*)

Hearing Date to Be Set in Dallas Case

DALLAS, Dec. 12.—A hearing on the defendants' notice of appeal from the Government's Dallas anti-trust suit is scheduled to be set tomorrow by Federal Judge W. H. Atwell for the latter part of this week.

Judge Atwell returned from Brownsville late yesterday and is deferring an immediate hearing on the notice of appeal so that special prosecutors from the U. S. Attorney General's office can come here from Washington. The defendants' notice of appeal was filed here on Friday, the day before the expiration of the appeal time.

Competition For Holidays Will Be Keen

Broadway Spots Booking Strong Attractions

Competition will be unusually keen among Broadway houses during Christmas and New Year's weeks with all theatres, except the Rialto, having lined up big attractions for the holiday bills. Arthur Mayer has not completed his bookings for the Rialto, but will probably get set in the next day or so.

The Capitol has "Rosalie" dated in for both holiday weeks. The management over the weekend was undecided whether to open the picture Dec. 23 or Christmas Day, but in any case

(*Continued on page 6*)

Para. Board to Talk Dividends Tomorrow

The regular dividend action on the Paramount first and second preferred stock is scheduled to be taken by the company's board of directors at the adjourned meeting scheduled for tomorrow.

The meeting was deferred from late November for the return to New York

(*Continued on page 6*)

Reverses the Idea

Washington, Dec. 12.—J. E. Fontaine, Paramount branch manager here, has reversed the usual order of procedure. Instead of letting his men give him a testimonial dinner, he is going to give them one to show his appreciation of their work.

The affair will be held Monday at the Occidental Restaurant with the salesmen and booker present.

Rodgers Undecided On Scully Vacancy

CHICAGO, Dec. 12.—William F. Rodgers, general sales manager of M-G-M, today told MOTION PICTURE DAILY he has not definitely decided on a successor to William A. Scully, eastern district manager. Scully is not present at the district managers' meeting which got under way yesterday at the Palmer House. However, E. K. (Ted) O'Shea, who has been reported as the likely successor, is here.

Rodgers added that he might not announce the new eastern district manager at the local sessions. He also stated that the meetings here are "merely routine and nothing special is planned either in announcements or policies." Sales problems of various kinds will be discussed, he said.

CBF, Canada's 50,000-Watt Unit, Started at Montreal

MONTREAL, Dec. 12. — Canadian Broadcasting Corp. stepped up into the front rank of North American radio systems with the inauguration Saturday of the new 50,000-watt station here, CBF.

This new outlet, operating on 910 kilocycles is the most powerful to date in the Dominion, but will share that honor with a Toronto station when new equipment is inaugurated there Christmas Eve. CBF is to be an all French-language station, but will draw from both Red and Blue networks of NBC for material.

Inaugural ceremonies here Saturday were officiated at by C. D. Howe, Federal Minister of Transport and Ernest Lapointe, Federal Minister of Justice. H. Rooney Pelletier, former Ottawa newspaperman and director of the corporation station CBM here, will also take charge of CBF.

Steady progress is being made in establishing a chain of powerful broadcasting stations for the commission across the Dominion. The beginning was actually made last February when the new 10,000 watt station was opened at Vancouver. It is expected there will be two such stations for the Prairie Provinces and one for the Maritime Provinces will be built soon.

Up to date the corporation has been handicapped in providing an efficient service to the Canadian listeners because of lack of stations of sufficiently high power to compete with interference from certain stations in the United States and across the Mexican border. Another drawback has been

(*Continued on page 8*)

Additional Radio News on Page 8

General Move On Economies Is Discussed

Problem May Be Raised At Hays Meeting

Industry conferences on cooperative moves designed to bring current production and distribution costs into line with decreasing grosses are looked upon favorably by numerous ranking industry executives, it has been learned by MOTION PICTURE DAILY, and are looked upon by some of these as essential at this time.

Rising costs and decreasing income are an industry-wide problem, peculiar to no one company, influential officials are agreed. Cooperative action to cope with it is necessary, they state, as individual company action can serve at best as a stop-gap which could not survive a continuing business recession.

Current executive sentiment appears to favor action on the problem, or, at least, generous discussion of it, within the M.P.P.D.A. member ranks. Indications are that the subject may be brought to the fore at the quarterly

(*Continued on page 6*)

Look for 300-350 At Fabian Dinner

From 300 to 350 friends of Si Fabian are expected to attend the testimonial dinner to be given him tonight at the De Witt Clinton, Albany, Phil Fox, chairman of the dinner committee, told MOTION PICTURE DAILY Saturday. More than 225 have already paid for their tickets and about 100 more have declared their intention of being on hand.

A. W. Smith, Jr., will be toastmaster. Scheduled to flank the dais are Mayor Thacher of Albany, Adjutant General Johnson, representing

(*Continued on page 2*)

Chicago Men Asked To Accept 1% Tax

CHICAGO, Dec. 12.—The City Council has asked theatremen to agree on a blanket charge of one per cent of their gross receipts in place of the present sliding scale for license fees which is being charged according to the number of seats in theatres.

City officials state this assessment is not unfair and will do much to increase the revenue from theatres to meet a $3,000,000 budget deficiency. Theatre men will report Monday regarding their attitude.

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Legion Passes All OF 8 New Pictures

The National Legion of Decency, in its list of new pictures for the week, has approved all seven reviewed, six for general patronage and one for adults. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Hitting a New High," "Million Dollar Racket," "Quick Money," "The Shadow," "Thank You, Mr. Moto," "You're Only Young Once." Class A-2, Unobjectionable for Adults—"She Married an Artist."

Renew Decency Pledges

Catholics throughout the country yesterday renewed their pledges, as members of the Legion of Decency, to remain away from morally offensive pictures.

Duke Clark, Jr., Gains

COLUMBUS, Dec. 12.—Duke Clark, Jr., son of the local Paramount manager of the same name, has just returned from Mt. Carmel Hospital here after having undergone an appendicitis operation. Young Clark is a medical student at the Ohio State University.

Look for 300-350 At Fabian Dinner

(*Continued from page* 1)

the governor, Nate J. Blumberg, C. Frank Reavis, Sam Rosen, Fabian, Fox, Meyer Schine, Abe Montague, Joseph Bernhard and others.

William F. Rodgers, general sales manager of M-G-M, is planning to fly from Chicago, where he will wind up a three-day mid-winter district managers' meeting this afternoon, to attend. According to Fox, there will be more film men and important people in Albany tonight than at any other time.

The entertainment program, which will run for more than an hour and a half, includes Henry Youngman and his orchestra, performers at the Kenmore Hotel, Albany; the stage show from Proctor's, Troy, and acts from all Albany theatres. The dinner will start at 8 P.M. sharp. The affair will be broadcast from 10 to 10:30 P.M. from WABY.

Will Receive Gift

Fabian will be given a set of diamond studs as a token of esteem from his friends. He also will be given a scroll.

Fox has lined up a 50-piece band to greet the Fabian Special arriving from New York tonight. Four full cars have been reserved by New Yorkers.

Among those scheduled to attend are: George J. Schaefer, Joe McConville, William Sussman, Harry Buxbaum, Jack Bloom, Max Cohn, Sam D. Cocalis, Morris Epstein, H. Fendrick, Herman Gluckman, Joe Hornstein, Joe Lee, Arthur Greenblatt, Harry Kalmine, Tom Bailey, Sig Wittman, Nate Sauber, Charles Hayman, Al Herman, Walter Reade, Sr. and Jr., Louis Notarius, I. B. Persa, Al G. Reid, Charles Rosenzweig, Moe Streimer, Charles Stern, Al Rogers, Edward Schnitzer, Moe Sanders, Bob Wolff, W. W. Howard, Budd Rogers, M. E. Kornbluth, Joe Felder, Sol Edwards, Saul Krugman.

Yates to Attend

Herbert J. Yates, Clarence A. Hill, Louis Frisch, Sam Rinzler, Leo Abrams, Nat Beier, Jack Bellman, Charles L. O'Reilly, Sam Hart, M. Kaiserstein, Edward Bell, Jack Bowen, William A. Scully, Herb Richek.

Jack and Nat Cohn, Charles Bryan, Byron F. Moore, R. Ettelson, Frank Freeman, Nat Fellman, John J. O'Connor, Max Fellerman, Fred Meyers, Leo Justin, Robert Fannon, M. Jacobs, Sam Lefkowitz, Nat Levy, Jules Levy, Harry Michaelson, Eddie McEvoy, Leo Netter, Norman H. Moray, Irving Rose, H. A. Ross, A. Vigard, Jack Dietz, Louis Nizer, Edward A. Golden, John Benas, Leon Rosenblatt, Walter Vincent, J. McGuirk, A. Sabolski, Jack Shapiro, Louis F. Blumenthal, John Turtletaub, Harry Mersay, Harold Carlock, C. Haring, Edward Goldstein, B. Sholtz, Harry Shiffman, Frank Miske, Charles Casanave and A. Reoch.

Ban "Spanish Earth"

PROVIDENCE, Dec. 12.—The Bureau of Police and Fire has banned "Spanish Earth" on the ground that it is "propaganda."

United Artists to Have 13-Week Drive

United Artists, under George J. Schaefer's direction, will conduct a 13-week sales drive from Jan. 2 to April 2 with effort concentrated on a group of 11 pictures scheduled for release during that period. It will be called "The United Artists Better-Business drive."

A. W. Smith, Jr., sales manager, says this will be the first sales campaign in which every employe of the exchanges in the U. A. sales organization will share in the awards. Quotas will be set and awards made to the leading district manager, branch managers and leading salesmen in the eastern and western divisions. Six prizes of two weeks' salary each will be given to the booker in the leading branch in each of the six districts, and every employe of every branch which reaches its quota will receive a week's extra salary.

The pictures figuring in the drive will be: "The Hurricane," "Action for Slander," "The Adventures of Marco Polo," "The Adventures of Tom Sawyer," "I Met My Love Again," "The Divorce of Lady X," "Storm in a Teacup," "The Goldwyn Follies," "The Gaiety Girls," "The Return of the Scarlet Pimpernel" and "Nothing Sacred."

Blondell to Columbia

HOLLYWOOD, Dec. 12.—Joan Blondell has been loaned by Warners to Columbia for "There's Always a Woman," forcing her to drop her role in "Men Are Such Fools," Warner film, in which Priscilla Lane will replace her. Dick Powell's next for Warners will be "Howdy Stranger," from the stage play, to go into work Jan. 3.

Showmen's Club to Start

PHILADELPHIA, Dec. 12.—The newly formed Showmen's Club will make its bow here on Dec. 14 at the Sylvania Hotel. Elections will be held and those eligible for membership have been invited to attend.

Universal 3-Month Campaign to Start

Universal district managers will hold a three-month sales clean-up drive starting Jan. 8 with the advent of the incoming executives, Nate J. Blumberg, president; William A. Scully, general sales manager, and Matthew Fox, assistant to Blumberg.

The district managers will hold meetings in their own territories in a concerted move to clean up all unsold situations and liquidate unplayed time. The drive will close April 16.

Frank J. A. McCarthy, acting general sales manager, will make a trip to the territory on behalf of the drive.

Harry Graham, southern district manager, has decided to name his drive the "Southern Challenge." His offices include Atlanta, his headquarters; Memphis, Charlotte, New Orleans, Dallas and Oklahoma City.

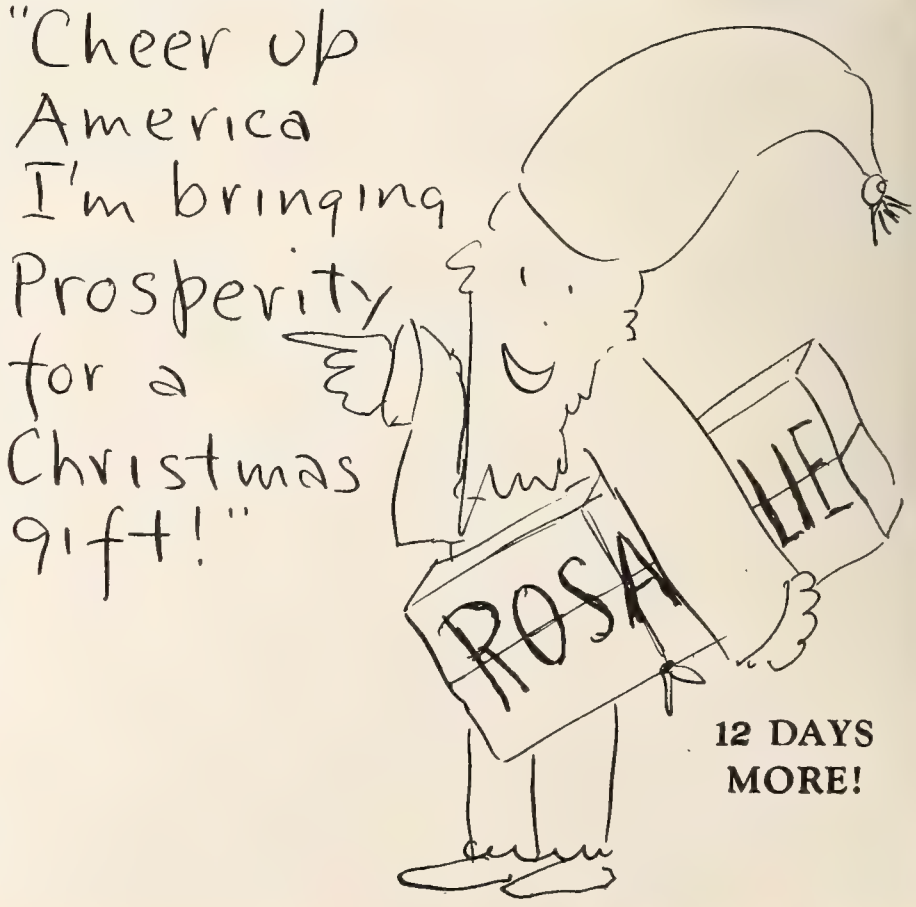
William Heineman, coast head, with offices at the Los Angeles exchange, has called his drive the "Western Leadership Drive." His branches include Los Angeles, San Francisco, Portland, Seattle, Salt Lake City and Denver.

A. J. Herman, with headquarters at Albany, has his men at Boston, Buffalo and New Haven working on a name. E. T. (Peck) Gomersal, midwest district chief, with offices at Chicago, has started work on his drive with the Des Moines, Detroit, Indianapolis, Kansas City, St. Louis, Omaha, Minneapolis and Omaha branches cooperating.

Sig Wittman, whose headquarters are at the local exchange, will conduct meetings at the New York, Pittsburgh, Philadelphia and Washington exchanges.

"Souls" Opens in India

"Souls at Sea" opened simultaneously in three cities in India: Calcutta, Bombay and Lahore, according to a cable from Charles Ballance, India manager, to John W. Hicks, Jr., vice-president in charge of foreign sales.



how much do you know about the picture business?

QUIZ

1 . . . WHO is the blonde star who has consistently topped her Hollywood girl friends in "she" appeal and song-allure—and now flashes forth as the Dancing Honey of the industry?

2 . . . WHO is the young man who can step out on anything from a parquet floor to the edge of a roof and step-up enthusiasm pandemonium-high with his electrical footwork?

3 . . . WHAT radio comedian and stooge take WHAT picture and double-stitch it with laughter for the masses—the *paying* masses?

4 . . . WHAT old rapscallion (also bristling fuss-budget) is the premier character star in the business—and does a gold-plated job in this new opus?

5 . . . WHAT bulky dullard, now featured in America's No. 1 radio program, has a voice like a grasshopper playing an arpeggio—but a box-office voice just the same?

6 . . . HOW would you make the subjects of wing-flapping and whistling into a number that's pure ear-ecstasy and eye-eye-thrill?

7 . . . WHAT does this picture do to the public's toast that's even better than "letting 'em eat cake"?

8 . . . WHAT finale number wraps the screen around every customer in the house, and then beats tom-toms of rhythmic pleasure into every worshiping heart?

9 . . . WHAT IS THE NAME OF THE PICTURE THAT HAS ALL THIS—AND HAS CAUSED HAVOC IN THE HOME OFFICE BECAUSE THE WHOLE STAFF SITS COCK-EYED THROUGH SCREENING AFTER SCREENING?

[Hurry up and turn to next right-hand page for the answers!]

"Damsel" Dual Gets $9,000; Denver Lead

DENVER, Dec. 12.—"A Damsel in Distress," on a dual with "The Women Men Marry," led the new pictures for the week with a take of $9,000 at the Orpheum. This topped normal by $2,000.

"The Awful Truth" was still in the money with $4,000 at the Broadway after staying a week each at the Denver and Aladdin. This was $1,500 over a first week average. "Nothing Sacred" went $1,000 over the line on a take of $9,500 at the Denver.

Total first run business was $36,500. Average is $33,500.

Estimated takings for the week ending Dec. 7:

"SECOND HONEYMOON" (20th-Fox)
ALADDIN—(1,500), 25c-40c, 7 days, after a week at the Denver. **Gross:** $3,500. (Average, $3,500)

"THE AWFUL TRUTH" (Col.)
BROADWAY—(1,500), 25c-40c, 7 days, after a week each at the Denver and Aladdin. **Gross:** $4,000. (Average, $2,500)

"EBB TIDE" (Para.)
(2nd week)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,500)

"NOTHING SACRED" (U.A.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $9,500. (Average, $8,500)

"A DAMSEL IN DISTRESS" (RKO)
"THE WOMEN MEN MARRY" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"DANGER, LOVE AT WORK" (20th-Fox)
"TRAPPED BY G-MEN" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"ALI BABA GOES TO TOWN" (20th-Fox)
"MURDER IN GREENWICH VILLAGE" (Col.)
RIALTO—(900), 25c-40c, 7 days. "Ali Baba" had played a week each at the Denver, Aladdin and Broadway. **Gross:** $2,000. (Average, $1,500)

Smith Closes 3 Deals

Cresson E. Smith, western and southern sales manager for RKO, has closed product deals with the Gibraltar Circuit, the Black Hills Amusement Co. and the Atlas Theatre Corp. in the course of a 10-day field trip from which he has just returned.



MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"She's Got Everything"

(RKO)

HOLLYWOOD, Dec. 12.—Save for a quintet of names with marquee significance, "She's Got Everything" gives showmen little to work with or talk about. The five who wear them—Gene Raymond, Ann Sothern, Victor Moore, Helen Broderick and Parkyakarkus—add nothing to their lustre in this aimless retracing of well worn comedy grooves, and it remains for Solly Ward, listed far down in the cast, to reward the payees with their single substantial return on the ticket investment, a hypnotism sequence that is genuinely funny. Unhappily, the picture is stopped in its tracks immediately thereafter to accommodate an extraordinarily dull night club passage, and it never gets going again.

Raymond is again the rich young man, a coffee king, and Miss Sothern is an impoverished socialite whose creditors finance her through a romantic campaign by which she attracts his interest while working as his secretary. She's without guile in it, but he doesn't know it, and the usual estrangement is ultimately patched up in the incredible fashion incredibly favored by producers, directors, writers (or somebody) this season. (Even more incredible is somebody's belief that there's comedy in the spectacle of a girl repeatedly drinking herself into nausea.)

Fabricators of this singularly regrettable venture are Albert Lewis, producer; Joseph Santley, director; Harry Segall and Maxwell Shane, screen playwrights; all of whom, no doubt, would be pleased to forget the whole affair. The song, "Sleepy Time in Hawaii," by Leon and Otis Rene, may be all right—no tune would have a chance in this setting.

Running time, 65 minutes. "G."

Looking 'Em Over

"You're a Sweetheart"

(Universal)

Thoroughly lively and entertaining musical fare has been made of "You're a Sweetheart," with George Murphy and Alice Faye emerging as a first-rate song and dance combination which combines youth, appearance and ability. Miss Faye's singing offers a good voice and top personality, while Murphy turns off a few dancing tricks which impart additional pep to the film.

The film is a trifle long, but has been produced with attention to detail, considerable elaboration and high grade production values. It is fast-stepping from the start and David Butler, director, and Buddy De Sylva, producer, have seen to it that the pace is maintained throughout. The support cast is strong, featuring Ken Murray, Oswald, Andy Devine, William Gargan, Charles Winninger and Donald Meek. Monte Brice and Charles Grayson, who did the screenplay, have written a speedy show, from the novel original by Maxwell Shane and Bill Thomas, while the music, by Harold Adamson and Jimmy McHugh, should keep feet tapping and send audiences out humming.

It is a picture the showmen should have no problem in selling, and which, he may be assured, will please his audience. The gay high spots include a dance routine by Murphy and Miss Faye, the comedy of Devine and Winninger, and an entertaining mock courtroom scene in which Miss Faye is charged, via song and dance, with the murder of "Maggie"—by imparting swing to the old folk song.

Murphy, writer, gives Producer Murray a publicity idea for putting over his musical show, which includes buying out the house for a week, posing as an oil man from Oklahoma—since the show's title is "Oh, Oh, Oklahoma," and pretending to fall in love with the star, Miss Faye. But the love idea really works, and along with that arise the usual financial problems in production. The ruse is discovered, everything almost collapses, but the success of the show saves the day for the producer and the romance for Miss Faye and Murphy.

A lively, tuneful picture, it looks like good box-office.

Running time, 96 minutes. "G."

See End of Blue Law

BELLOWS FALLS, Vt., Dec. 12.—As the result of the acquittal here by a jury of Raymond A. Kiniry on a charge of violation of a 160-year-old blue law, it is believed the ancient Sunday statute will be forgotten.

Kay Francis Is Cast

HOLLYWOOD, Dec. 12.—Despite the suit on file to invalidate her Warner contract, Kay Francis has been named to head the cast of the new David Lewis production, tentatively titled "All Rights Reserved."

Variety Club

Buffalo

BUFFALO, Dec. 12.—Jacob Lavene has been elected to his third term as chief barker of the local Variety Club tent. Robert T. Murphy has been named to his third term as first assistant chief, and W. E. J. Martin to his fourth as secretary and third as treasurer.

Sidney Lehman is the new second assistant chief barker. Carl W. Kempke, Stanley Kozanowski and Ralph W. Maw have been reelected canvasmen. New board members are: Albert Becker, Jack Berkowitz, George W. Ferguson and John M. Sitterly.

Installation ceremonies will be held Jan. 10.

A dinner is to be held for former Chief Barker Edward K. O'Shea and Ralph W. Maw. O'Shea will leave for New York soon to take a new job with M-G-M and Maw will take his place here in charge of the Great Lakes District.

Kansas City

KANSAS CITY, Dec. 12. — R. R. BIECHELE has been elected president of Variety Club to succeed ELMER C. RHODEN. FINTON JONES was named first vice-president; GEORGE HARTTMANN, second vice-president, and SAM ABEND, treasurer.

DOUGLAS DESCH was named secretary, succeeding HOMER BLACKWELL.

These officers are directors of the tent. Carryover directors are RHODEN, FRANK HENSLER and GEORGE BAKER. New members elected are EARL JAMESON, ARTHUR COLE and NORRIS CRESSWELL.

On Dec. 18 and 19 Variety Club and the Kansas City *Star* will sponsor their fourth annual bowling tournament for the city school board's milk fund for underprivileged school children. Over 1,200 bowled last year and received over 600 prizes.

FRANK HENSLER of Variety and ERNIE MEHL of the *Star* have started working on the prizes.

Phila. Variety Dines

PHILADELPHIA, Dec. 12.—The local Variety Club, Tent 13, tonight held its third annual banquet at the Bellevue-Stratford with many out-of-town members, including New York and Pittsburgh, in attendance.

Wall Street

Stocks in Decline

	Open	High	Low	Close	Net Change
Cons.	1⅝	1⅝	1⅝	1⅝	+ ⅛
Cons., pfd...	6¾	6¾	6¾	6¾	.....
E. K.....	162	163	162	163	—2
G. T. E.....	14	14	14	14	.....
Loew	48½	49	48½	49	+ ⅜
Loew, pfd...	104½	104½	104½	104½	— ½
Para.	11⅝	11¾	11½	11¾	.....
Para. 2.....	10¾	10⅞	10¾	10⅞	+ ⅛
Pathe	6	6	6	6	.....
R. K. O.....	4⅝	4⅝	4⅝	4⅝	+ ⅛
20th Fox....	21¼	21¼	21	21¼	.....
20th pfd.....	27¼	27¼	27¼	27¼	— ⅛
W. B.....	7⅜	7⅜	7¼	7⅜	— ⅛
W. B., pfd..	39½	39½	39½	39½	—2½

Little Curb Action

	Open	High	Low	Close	Net Change
G. N.....	1	1	1	1	.....

Warner Bonds Off

	High	Low	Close	Net Change
W. B. 6s '39.....	73	72	72	—2⅞

(Quotations at close of Dec. 11.)

THE ANSWERS!

1 . . . ALICE FAYE

2 . . . GEORGE MURPHY

3 . . . KEN MURRAY and OSWALD

4 . . . CHARLES WINNINGER

5 . . . ANDY DEVINE

6 . . . Stage a "MY FINE FEATHERED FRIEND" number

7 . . . Does "SCRAPIN' THE TOAST"!

8 . . . The "WHO KILLED MAGGIE?" murder trial

[And for the ANSWER to No. 9 see next right-hand page]

MOTION PICTURE DAILY

Competition For Holidays Will Be Keen

(*Continued from page* 1)

the musical will be held for at least two weeks.

Grace Moore will open Thursday at the Music Hall in "I'll Take Romance." This will be held for Christmas week and on Dec. 30 will be supplanted by "Tovarich."

"You're a Sweetheart" is slated to be the Christmas attraction at the Roxy and "Love and Hisses" will be the New Year's film fare.

The Paramount on Wednesday will open with "True Confession," which will continue until Dec. 29 when "Wells Fargo" embarks on an indefinite engagement. Headline band names will flank the picture billing.

At the Strand, "First Lady" is down to start Dec. 22 with "Submarine D-1" tentatively slated to begin New Year's Day.

"Hitting a New High," Lily Pons' latest, is set to be the Rivoli's Christmas Day opening attraction. It's down for a holdover.

Harry Charnas at the Criterion has penciled in "Daughter of Shanghai" for Christmas Week and "Manhattan Merry-Go-Round" the following week.

Companies Discuss Move on Economics

(*Continued from page* 1)

meeting of the M.P.P.D.A. late this week or early next.

Virtually every major company head has considered the cost problem in relation to his own company in Hollywood during recent weeks. That these sessions have failed to satisfy financial mentors within the industry is evident in their own words and in the increasing executive sentiment here for a cooperative effort to tackle what is now looked upon as an industry, rather than a company, problem.

Para. Board to Talk Dividends Tomorrow

(*Continued from page* 1)

from Hollywood of Barney Balaban, president, and Stanton Griffis, chairman of the executive committee. Balaban arrived in New York on Saturday, and Griffis during the early part of last week.

Buy Seven Drummond Stories

HOLLYWOOD, Dec. 12.—Paramount has purchased seven "Bulldog Drummond" stories by H. C. ("Sapper") McNeile, planning production with the present cast of John Barrymore, John Howard and Louise Campbell. The stories are: "The Oriental Mind," "Tiny Cartaret," "Temple Tower," "13 Lead Soldiers," "Wheels Within Wheels," "Lonely Jim" and "Mysterious Tour."

Photographers to Dance

The Press Photographers Ass'n of New York will hold its ninth annual entertainment and dance Dec. 18 at the Commodore Hotel.

Actors Tentatively Agree on Time Pact

The Screen Actors' Guild reached a tentative agreement with the March of Time on Saturday, following prolonged negotiations between the two on whether the reel should become a signatory to the guild "closed shop" contract.

A statement by Aubrey Blair, secretary-treasurer of the junior guild, related that "two or three points" are still in dispute and will be submitted to the guild's board of directors in Hollywood for settlement, but added that the guild "looked forward to the same harmonious relationship with March of Time" which has been achieved with other eastern producers. The reel is the last eastern producer of consequence to reach an agreement with the guild.

It is understood that the guild's agreement exempts work of a newsreel nature from the contract, but includes all other types of March of Time production work.

The eastern branch of the guild will hold its first membership meeting at the Hotel Astor today, and will have organizational plans detailed to it by Blair, who plans to return to Hollywood tomorrow.

Will Query Players On Agent Relations

HOLLYWOOD, Dec. 12.—The Screen Actors' Guild is undertaking a survey to determine from its members their relations with agents and other managerial representatives.

Ken Thomson, executive secretary, is drawing up a questionnaire to be submitted to the players in an effort to find out what conditions of player-agent contact are objectionable, with the view of attempting to adjust them through a set of rules under which terms of managerial contracts and the like might be standardized.

Listed among the questions to be asked will be, for instance, the amount of commission charged, what other fees are paid, and what assistance in obtaining roles is given the player by the agent.

Seattle Lavonia Strike

Following a four-hour strike at the Lavonia in Brooklyn the demands of its employes, who are members of Local 54 of Service Employes in Amusement and Cultural Buildings, were met by the management. The theatre workers struck for 33⅓ per cent wage increase, a 42-hour week, time and a half for overtime, a week's vacation with pay and a six-day week.

Action Sought Upon Racine's Games Ban

RACINE, Wis., Dec. 12.—Alderman Kenneth Kersten has requested the Common Council to file his proposed ordinance banning Bank Nights, which already has had two readings. Indications are that the pigeon-holed measure is slated for defeat. Kersten declared that his original measure had been aimed solely at Bank Night, but that it had since been amended to include Bingo and other chance games.

Kenosha's proposed ordinance drafted along the same lines as the local measure has also been voted down by the Common Council on the opinion that it would not stand a court test.

G.B. Lines Up Seven For Monthly Release

Seven pictures for release at the rate of one a month, starting in January, have been set by G. B., according to Arthur Lee, vice-president. In addition, two other pictures, "Nonstop New York" and "Look Out for Love," are being dated for this month.

Included in the seven features are two Jessie Matthews and two Nova Pilbeam starring vehicles. The two Matthews films are "Sailing Along" and "Asking for Trouble." The latter is near completion and work on the third has already been started. The two Pilbeams, "The Girl Was Young" and "False Witness," are being prepared by Alfred Hitchcock.

Cameras have begun to turn on "Bank Holiday," tentatively titled. "The Show Goes On" is the second Anna Neagle production from Herbert Wilcox. "I Was a Spy" is to be reissued.

Chicago Parties Are Set in 300 Theatres

CHICAGO, Dec. 12.—This city's outstanding charity event, the Christmas Movie Basket Parties, will be held in Chicago neighborhood and suburban theatres, Dec. 23 at 11 A.M. For the third year theatres, exchanges and film organizations have banded together to stage the parties.

Aaron Saperstein and Morris Leonard are in charge with Louis L. Abramson and Mrytle Collins assisting. The Better Films Council of Chicago, under the guidance of Mrs. Richard M. McClure, will assist in the distribution of foodstuffs collected.

Single feature programs will be supplied the theatres free of charge for the show. Exhibitors are interested in order to see what interest the public will have in singles as compared to dual bills which they are now showing.

Hoppes Will Rejoin Erpi on January 1

W. L. Hoppes, who obtained a leave of absence from Erpi for one year to serve as station relations manager for the World Broadcasting System, is returning to Erpi the first of the year.

At Erpi, Hoppes will serve as assistant to D. C. Collins, vice-president. He will concern himself primarily with recording license activities in the radio, picture and other fields.

Hub, First Run, to Loew

BOSTON, Dec. 12.—Loew's, Inc., has taken a long-term lease on the Hub, downtown first run house. The theatre will be renovated and reopened Dec. 24 with "The Last Gangster" as the feature picture. The house was formerly the Park and had been operated during the past few months principally as a Grand National first run.

Boston first runs now include three Loew's, three M. & P. and two RKO.

KGBM Approves Title

HOLLYWOOD, Dec. 12.—Screen credits for "Hawaii Calls," Sol Lesser's forthcoming Bobby Breen starring vehicle, will include the line, "Title Inspired by Radio KGBM." Permission for use of the title was obtained from the Honolulu radio station which uses the expression as its signature.

Warners Plan To Take Over Muzak Corp.

(*Continued from page* 1)

a nationwide scale, including the use of educational programs.

The wired radio music has been used for some time by New York hotels and restaurants, and there has been some home installation of the receivers. It is claimed that recent experiments have made it possible to supply the receivers at a nominal price. Muzak is a trade name for Wired Radio. Under the plan the subscriber would pay for Muzak service on a monthly subscription basis.

Warner Preferred Holders to Elect

(*Continued from page* 1)

tend due to ill health. Robert W. Perkins, Stanleigh P. Friedman and Harold S. Bareford will arrive from New York tomorrow, while Stewart McDonald, who is making a tour of key cities, will also be on hand. Culbertson is affiliated with the local legal film representing the Warners.

The six directors who will be renamed are Harry M., Jack L. and Albert Warner, Perkins, Joseph Bernhard and Waddill Catchings. Election of officers is slated to be held in New York Tuesday with no change in the executive setup contemplated.

None of the Warner brothers will be here for the meeting, it was learned. Harry M., president, and Jack L., vice-president in charge of production, are on the coast, while Albert is being detained in New York on other business.

Over the weekend, clerks were counting signed proxies at the offices of the Corporation Trust Co., where the session will be held tomorrow. Stockholders as of Nov. 3 will be eligible to vote.

The six directors who will be up for reelection constitute the majority of the board.

Take Warner Product

LOS ANGELES, Dec. 12.—Warners has closed a season product deal with the California Amusement Co., operating five second and subsequent runs in Pasadena and the vicinity.

Allied Will Fight Chicago Dual Bills

CHICAGO, Dec. 12.—Aaron Saperstein, head of the local Allied unit, met with the City Council yesterday and, after the meeting, said that Allied plans to take action against B. & K. in an effort to halt dual features.

Saperstein did not say when the action would be started or what form it would take.

Chicago Cashier Shot

CHICAGO, Dec. 12.—Jean Riley, cashier at the Windsor, was shot by a holdup man when he robbed the theatre of $56. Miss Riley is in a critical condition. The bandit escaped.

No. 9!

The NEW UNIVERSAL'S

*YOU'RE A SWEETHEART

Directed by DAVID BUTLER

Screen Play by Monte Brice and Charles Grayson

Produced by

B. G. De SYLVA

CHARLES R. ROGERS

Executive Vice-President—In Charge of Production

* And the above title is also the answer to "What Song Hit Is Going To Be A World-Wide Rage?"

Composed and written by Jimmy McHugh and Harold Adamson

Radio Personals

LILY PONS has arrived in New York from Hollywood, and will make a guest appearance on the Andre Kostelanetz show Dec. 22. . . Hal Gordon, tenor on the "Tim and Irene" show, celebrated his first anniversary in radio yesterday. . . Grace Moore will make her first appearance of the season in a dramatic role Jan. 10 when she appears in the Lux "Radio Theatre" presentation of "Madame Bovary." . . Dave Rubinoff, who was introduced to radio by Rudy Vallee, will make a guest appearance on the latter's program Thursday. Rubinoff is interrupting a concert tour to make the appearance, coming to New York from Cleveland. After the broadcast he will fly to Denver.

✚

New Haven Town Pump

NEW HAVEN, Dec. 12.—WICC anticipates revenues for 1937 will show a large increase over 1936. . . . New England grocers will air a new program 2:45 P.M. Tuesdays on the Yankee network, with guest speakers and Harold F. Woodward as m.c. . . . WELI is feeding several programs to WMCA-Intercity: Don Eaphael's poetry and an organ Wednesdays at noon, Kenny Lamont at the Dreamland Theatre organ Sundays, Eugene Jelesnik's Hotel Taft dinner music twice weekly and Worthy Hills' orchestra from the Pavilion Royale thrice weekly. . . . Ralph Dellaselva, formerlv with WELI, is now on the WBRY lists, presenting his city officials and other notables weekly.

WOSU to Move Transmitter

COLUMBUS, Dec. 12.—The F.C.C. has granted WOSU, Ohio State University station, authority to move its transmitter and erect a new vertical antenna, which will be a self-supporting structure, 330 feet high, topped by a 1,000-watt beacon, located on the site of the new university golf course, approximately three miles from the present transmitter on the campus.

Alkine Takes WNEW Spots

Alkine Laboratories will sponsor six 15-minute "Make Believe Ballroom" programs a week on WNEW for 52 weeks beginning today. Nostane Products, also beginning today and continuing indefinitely six times a week, will sponsor Allen Courtney's "Joymakers" on WNEW. Both contracts are through the Schillin Adv. Corp.

To Air "Man in Street" Series

SAN FRANCISCO, Dec. 12.—Dean Maddox has been signed for a 39-week "man in the street" series for Holsum Bread. Starting Jan. 3, the show will be aired three afternoons a week over KSFO, local CBS outlet. Half-hour programs, they will originate in 39 separate shopping districts throughout the city.

NBC Renews Schallert

HOLLYWOOD, Dec. 12.—NBC has extended the contract of Elza Schallert, screen commentator, for another year. Her broadcasts will continue on the Blue network.

KNX Holds Lead In Coast Section

LOS ANGELES, Dec. 12.—KNX, CBS station here, continued to lead all local stations in audience popularity, according to findings of the W. R. Penney Market Research Corp. The November survey marks the eleventh consecutive month KNX has been voted the most popular station in the Los Angeles market area.

Here are the relative standings, January through November:

KNX, 2,050; KFI, 1,233; KHJ, 266; KECA, 132; KFAC, 56; KFWB, 48; KEHE, 11; KMTR, 3; KMPC, 2; KRDK, 2.

The figures above represent the number of quarter-hour periods in which the respective stations were shown to have the greatest audience via the Penney survey.

NBC to Sponsor Air Contest in Schools

NBC will sponsor jointly with *Scholastic,* high school weekly, a contest for the best 15-minute broadcast planned and produced entirely by high school students. The contest will start immediately.

The programs may include music, drama, talks or variety entertainment of any kind. Scripts must be original and written only by students or by instructors or coaches regularly employed by schools, or by both students and instructors. Only students may take part in the broadcasts, however. Beginning with local eliminations, the winning school will be selected from each of the four time zones, Eastern, Central, Mountain and Pacific, to participate in the finals which will be broadcast in May, 1938. Prizes will be offered.

H. M. Dancer Joins Blackett Ad Agency

CHICAGO, Dec. 12.—H. M. Dancer, former first vice-president of Henri, Hurst & McDonald here, has become associated with the Blackett-Sample-Hummert agency.

Another agency change of importance here is R. L. Hurst's acquisition of a partnership in the Charles Daniel Frey Co. Hurst for the past two years has been with Lord & Thomas, and previous to that with Batten, Barton, Durstine & Osborn.

Theatre in Air Tieup

ST. PETERSBURG, Fla., Dec. 12.—The Florida Theatre, in a tieup with an auto agency and the local broadcasting station, WSUN, the NBC outlet, is putting on a Prof. Quiz style of program each Saturday evening under the title "I. Q. Program." The program is presented on the theatre stage and goes on the air a half-hour ahead of the Prof. Quiz program, which is aired from station WDAE, Tampa, the CBS outlet for this section.

Calvert Signs Peck Contract

Calvert Distiller Corp. has signed an advertising contract for transmission of its ads over the Peck Television Corp. television receiver, the first of which is now in operation in Jack Dempsey's Restaurant. The Calvert copy is interspersed with televised news three times daily.

Would "Save" Hymn

Cincinnati, Dec. 12.—Paul Kennedy, radio editor of the *Cincinnati Post,* has instituted a campaign to save the Christmas hymn, "Silent Night," from extinction through too many performances via radio. Explaining in his column that "very soon radio will reduce this grandest of Christmas songs to the state of 'Music Goes Round'," Kennedy is offering a $5 prize to the listener submitting the longest list of times the number has been performed by midnight, Dec. 26. The result of the contest will be brought to the attention of radio producers.

Seeks New Station In North Carolina

WASHINGTON, Dec. 12.—Application for a construction permit for a new broadcasting station, to operate daytime only on 1,500 kilocycles with 100 watts power, has been filed with the F. C. C. by Jonas Weiland, Goldsboro, N. C.

Applications also have been filed by KYW, Philadelphia, for increase of power from 10,000 to 50,000 watts, and WOC, Davenport, Ia., for change of frequency from 1,370 to 1,390 kilocycles and increase of night power from 100 to 250 watts.

The commission also made known its hearings for the current week. On December 16 an examiner's hearing would be held on the application of WLAK, Lakeland, Fla., for increase of day power from 100 to 250 watts, and on the same date the commission would hear arguments on the applications of the Press-Union Publishing Co. for a 1,200-kilocycle station at Atlantic City, 100 watts power night, 250 watts day; Ann Arbor Broadcasting Co. for a 1,550-kilocycle, 1,000-watt station at Ann Arbor; Summit Radio Corp. for a 1,530-kilocycle, 1,000-watt station at Akron, and George W. Taylor Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Williamson, W. Va.

K. C. Air Business Ahead of Last Year

KANSAS CITY, Dec. 12.—The six broadcasting stations here will finish 1937 satisfactorily ahead of 1936. A preliminary survey discloses that in only one case will sales volume fall below last year, and in this instance, that of one of the non-chain stations, the figure will be only slightly off. Other stations report increases ranging from eight to 20 per cent. Stations with chain connections report that there is little difference in the gains shown by national and local advertising: both show approximately the same increase.

One tendency noted during the year is purchase of time by local branches and distributors (usually spot announcements) to tie in with a chain program advertising the same product.

Canada Dry on WHKC

COLUMBUS, Dec. 12.—WHKC has signed Canada Dry to a 13-week contract for five-minute newscasts, daily at 9:45 A. M. Chas. V. Lutz, staff announcer, will be at the mike.

CBF, New Canada Station, Is Started

(*Continued from page* 1)

limited financial resources. The corporation is obliged to rely solely upon the revenue derived from the license fees. The plan to provide the country with a few high powered stations has, however, already found vindication in the effect it is reported to have had on some of the conferees at the Havana parley.

General Foods Will Air Pirates' Games

PITTSBURGH, Dec. 12.—The exclusive rights to broadcast wire accounts of all the Pittsburgh Pirates' baseball games away from home next summer have been sold to General Foods and they will use a WJAS outlet, with Rosey Rowswell at the mike. This is the first year that one concern has been given that privilege. In the past, WWSW also detailed the play-by-play descriptions; in fact, the station was the first to originate the idea. WWSW already had the Atlantic Refining Co. lined up again as a sponsor when informed that bidding would be opened for the exclusive. General Foods won out on the prices submitted.

Financiers Subject Of Mutual Program

"Famous Fortunes," a new dramatic series tracing the lives of American financial barons, will be presented each Tuesday from 7:45 to 8 P. M. beginning Feb. 8 over the Mutual network. The General Shoe Corp., Nashville, will sponsor.

The following stations will carry the series: CKLW, KSO, WSM, WLW, KWK, WMT, KTAT, WGN, KTOK, KFEL, WCAE and WOR, with the series originating in the studios of WOR. The scripts are by Margaret de Mott, and the narrator will be Mark Hawley. The agency controlling the account is Badger, Browning and Hershey.

Urges New Stations Along Mexico Border

WASHINGTON, Dec. 12.—Establishment of broadcasting stations in communities along the Mexican border which now are largely dependent upon Mexican stations, a number of which are operated by interests barred from the United States, has been recommended to the F. C. C. by Examiner Melvin H. Dalberg in a favorable report on the application of Mervel M. Valentine for a construction permit at Laredo, Texas.

"In view of the fact that such stations as supply radio broadcasting service of a primary nature to the City of Laredo are located in the Republic of Mexico and that the nature of these broadcasts is not satisfactory or appropriate to meet the demands of the population sought to be served by this applicant," the examiner held, "there appears to be a need for the local facilities sought herein."

Investigation of the application showed that Laredo is at a considerable distance from other American stations but that, across the border and in the immediate vicinity there are three powerful Mexican stations.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 140 NEW YORK, TUESDAY, DECEMBER 14, 1937 TEN CENTS

See Majority Signing AFM Air Contract

Tomorrow Is Deadline; Most Stations In

With the A. F. of M. deadline tomorrow, optimism prevailed at Federation headquarters and at the office of Emile Gough, Hearst Radio, Inc., official and secretary of the I. R. N. A. yesterday, indicating that a majority of the 293 network affiliates have already signed and forwarded their copies of the plan of settlement and Schedule A.

Joseph Weber, Federation president, said yesterday that he could not yet estimate accurately how many stations have already forwarded the settlement document, due to the fact that Ernst & Ernst, I. R. N. A. accountants, and the A. F. of M. had not yet made a final tally, but he hazarded a guess that a "great many more" than half of the 293 expected contracts have already been received.

Gough said yesterday that a complete tally would be made at a meeting in his office tomorrow or possibly

(*Continued on page* 10)

Additional developments in radio yesterday, pages 10-11

Norman Alley's Fate In China Is Unknown

The fate of Norman Alley, Universal Newsreel's "ace" cameraman in China, who was aboard the U. S. gunboat *Panay* when it was bombed and sunk by the Japanese near Nanking on Sunday, remained in doubt yesterday. Charles Ford, newsreel editor, had received no official report up to a late hour that Alley was among the few survivors.

Although he joined the Universal reel only a year ago in charge of its California staff, with offices in Hollywood, Alley had been associated with

(*Continued on page* 11)

Odlum Mentioned as Russian Ambassador

WASHINGTON, Dec. 13.—Floyd B. Odlum, head of Atlas Corp., is being mentioned in official quarters here as a possible appointee as American Ambassador to the Soviet.

Odlum, who is in Washington at the present time, has been a large contributor to Democratic campaign

(*Continued on page* 6)

Radio Begs Trouble

By MARTIN QUIGLEY

RADIO in certain of its principal manifestations seems intent upon buying itself a headache. National Broadcasting Company's presentation on Sunday evening of Mae West for Chase and Sanborn is an example. The coffee merchants, counselled by persons experienced in writing trick advertising lines who have suddenly been metamorphosed into Belascos and Ziegfelds, might not be expected to know better, but somewhere within the confines of the genius of the great broadcasting system there certainly should have been someone capable of preventing this blunder.

Failure to have accomplished this will leave spokesmen for radio looking decidedly ridiculous when called upon to face the bar of critical public opinion, an eventuality which is certain to arrive if there is persistence in policies which permit the broadcast of a typical Mae West performance into the homes of millions of persons throughout the nation, and on a Sunday evening at that.

▼

These spokesmen will hardly be able to profess ignorance of the police court attentions which have been accorded to past professional activities by Chase and Sanborn's Sunday evening star, which activities

(*Continued on page* 10)

To Test News Sending Over Air Telephony

A demonstration to determine whether the transmission of news by radio telephony is practical will be undertaken tomorrow by Continental Radio Press, Inc., supplementary news service, and Press Wireless, Inc.

The news will be transmitted for two 15-minute periods daily, Mondays through Fridays, from 9 to 9:15 A. M. and from 5 to 5:15 P. M., E.S. T., over a frequency of 8.655 megacycles

(*Continued on page* 10)

O'Shea Named as Scully Successor

CHICAGO, Dec. 13.—William F. Rodgers, general sales manager of M-G-M, today officially appointed Edward K. O'Shea as eastern district manager for M-G-M, succeeding William A. Scully, who has resigned to become general sales manager for Universal.

Ralph W. Maw, M-G-M salesman in Buffalo for 12 years, has been named to succeed O'Shea as Buffalo

(*Continued on page* 11)

Big Gathering At Albany for Fabian Dinner

ALBANY, Dec. 13.—It was S.R.O. at the DeWitt Clinton Hotel here tonight, when more than 350 executives from this area, New York and points hereabouts thronged the banquet hall to do honor to Si Fabian, celebrating his 20th year in the picture business.

The New Yorkers arrived in force about 7 P. M., on a special train, to be greeted by the LaSalle band, 40 strong, and the reception committee

(*Continued on page* 6)

Warner Directors All Are Reelected

WILMINGTON, Dec. 13.—Six members of the board of directors of Warner Bros. Pictures, Inc., constituting a majority of the board, were reelected for two-year terms at the annual stockholders' meeting in offices of the Corporation Trust Co. here today. They are Harry M. Warner, Albert Warner, Jack L. Warner, Robert W. Perkins, Waddill Catchings and Joseph Bernhard. They will meet with five

(*Continued on page* 11)

Report U. A. Share May Go To Selznick

Will Make Firm Effort To Hold Producer

HOLLYWOOD, Dec. 13.—The possibility that provision may be made for David O. Selznick to acquire an owner-membership in United Artists in the event that a new releasing contract is reached with the producer was widely reported here today, although lacking confirmation.

That United Artists will make a determined bid for the retention of Selznick in the company's producer ranks, as reported exclusively by MOTION PICTURE DAILY on Saturday, was confirmed here today by an official spokesman for the company. Although declining to discuss the basis of the current negotiations with Selznick, and whether they involved his becoming an owner-member, this official admitted that the negotiations with Selznick have been resumed and were a subject of discussion during the continuing meetings of the United Artists board of directors on Friday and Saturday.

An unconfirmed report that Selznick's negotiation for a releasing deal with M-G-M has been broken off followed a formal press statement issued by Nicholas M. Schenck, president of

(*Continued on page* 11)

Mayer, Katz, Thau, Mannix Deals Closed

HOLLYWOOD, Dec. 13.—Nicholas M. Schenck, head of Loew's, Inc., yesterday revealed that deals have been consummated at M-G-M with Louis B. Mayer, Edward J. Mannix, Sam Katz and Benjamin Thau, under which they will sign new contracts.

Schenck made known the conclusion of the deals just prior to his departure for New York by train. The statement supplemented his disclosure last week that the contracts had been agreed upon.

"U's" Europe Sales Put in 2 Divisions

Universal's European sales organization has been divided into two divisions for greater centralization of sales and distribution activities, Gus Schaeffer, export manager, stated yesterday on his return to the home office after five months abroad.

Jean Berkhahn has been made su-

(*Continued on page* 11)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Plan Film Bank as Mexican Stimulant

MEXICO CITY, Dec. 11.—Further stimulation of the national film industry is planned with the establishment of a bank to finance the industry by the Government and film interests.

The bank is to have a capital of 500,000 pesos (approximately $140,000) and will have headquarters here. The capital is to be supplied on a 50-50 basis by the Government and the industry. The bank is expected to begin functioning early next year.

MPTO Board to Meet

NEW HAVEN, Dec. 13.—The Connecticut M.P.T.O. board of directors will meet tomorrow at the Hof Brau Haus, with Irving C. Jacocks, Jr., presiding.

BEFORE SIGNING A LEASE SEE THE OFFICES OR FLOOR AVAILABLE AT REDUCED RENTALS
723 SEVENTH AVENUE
Inquire Superintendent
or Telephone BRyant 9-6069

Taylor and Joan Crawford Get M-G-M Men All Awhirl

It was a busy day for the M-G-M publicity department yesterday. Howard Strickling, Milton Weiss and Mel Heyman got the brunt of it. In fact, Strickling got more than the brunt. He got intestinal flu and departed for the coast on the Century pretty well broken up.

The cause of it all was the return from England on the *Queen Mary* of Robert Taylor and Lionel Barrymore, who appeared in "A Yank at Oxford," and Jack Conway, who directed the picture.

On the other hand, Joan Crawford arrived from the coast and was besieged by newspaper men, as was Taylor. The actress's husband, Franchot Tone, is due next week and both M-G-M stars will spend a few weeks here before returning to Hollywood to resume work at the studio.

Strickling arrived from the coast Sunday and caught cold on the train. At 5:30 A. M. yesterday he was at the pier with Weiss and Heyman to meet the *Queen Mary,* which docked a half hour later. Taylor was mobbed by cameramen and newsmen and the M-G-M crowd had all it could do to shake off autograph hunters.

Barrymore Gets Interference

The day was spent behind closed doors at the Sherry-Netherlands until about 5 P. M. Then Taylor and Strickling dodged autograph hunters at the Grand Central by using a back entrance and elevator. Barrymore came through the train gates the regular way, but was surrounded by friends so that the autograph seekers couldn't get to him.

On the same train with Taylor, Barrymore and Strickling were Don Milo, stand-in for Taylor, and John Woolfenden, who handled publicity on the picture in England. He was sent over from the studio especially on the assignment.

Conway left earlier in the day for Baltimore, where he will spend two days and then depart for the coast. He had been gone three months.

Harry Ham, English representative for Selznick-International, who arrived yesterday on the *Queen Mary,* also left on the same train.

Taylor is expected to return to England in March for another film. Conway said he may go back next summer after he sees a script for the next picture he may direct there.

"Tovarich" Book Out

The Warner publicity department has turned out a 20-page 17-in. x 11-in. pressbook on "Tovarich," with text picture inserts which provide a variety of selling angles. There are merchandising tieups, radio hints, newspaper serialization of the story and other angles.

Nat Rosenfeld of the Iowa, Waterloo, Ia., has contributed small town ballyhoo ideas. There are also layouts for banners, novelties, posters and other accessories, and an eight-page advertising section.

A Correction

The Press Photographers' Ass'n will hold its annual dance and entertainment on Feb. 18 instead of Dec. 18, as reported in yesterday's MOTION PICTURE DAILY.

Films for Navy

London, Dec. 13. — The British Admiralty today officially announced the formation of the Royal Naval Film Corp., with the Duke of Kent as sponsor. The organization will have as its object a constant supply of films for the entertainment of the British fleet.

The announcement confirms the report of the film supply plan published exclusively in *Motion Picture Daily* Saturday.

Supreme Court Hears Erpi Patents Action

By BERTRAM F. LINZ

WASHINGTON, Dec. 13.—The U. S. Supreme Court today heard arguments in the patent infringement suits brought by Western Electric, Erpi, et al, against General Talking Pictures Corp., involving the use in talking film equipment of amplifiers carrying license notices restricting their use to radio amateur experimental and broadcasting reception.

The lower courts held that General Talking Pictures had infringed patents carried in the so-called patent pool of the radio industry.

In its argument before the Supreme Court the company contended that the owner of a patent cannot restrict the use of a device made under the patent after the device has passed into the hands of a purchaser in the ordinary channels of trade and has been fully paid for. It was further contended that a license notice cannot place an enforceable restriction upon a purchaser.

Dallas Hearing on Appeal Set Dec. 20

DALLAS, Dec. 13.—Federal Judge W. H. Atwell today set Dec. 20 as the date for the hearing on the defendants' notice of appeal from the Government's Dallas anti-trust suit.

B. W. Henderson, special prosecutor, will arrive here from Washington later in the week to prepare arguments attacking the substance and form of the narrative statement of appeal.

Flash Previews

"Man Proof." . . . Myrna Loy and Rosalind Russell are rivals for the affections of fortune-hunting Walter Pidgeon . . . tastefully presented . . . a woman's show.

"Prescription for Romance." . . . Light, frothy entertainment . . . a detective is sent to Budapest to bring back an absconder. . . . It is neither the greatest nor least of the season's ventures.

"Daughter of Shanghai." . . . A throwback to the old 10, 20 and 30-cent melodrama . . . experiences breaking up an alien smuggling ring . . . for second class neighborhood houses.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Purely Personal

LEON BRITTON, who is Far Eastern sales manager for RKO, who was returning to his post at Shanghai following New York and Hollywood visits, when the *President Hoover,* on which he was a passenger, was grounded near Formosa, was uninjured in the mishap and is continuing his journey to China, according to word received at the RKO home office.

•

PAT C. FLICK is in the east again after a spell in Hollywood. He was m.c. at the third annual Variety Club dinner in Philadelphia Sunday night.

•

ALBERT E. SINDLINGER, JOHN R. WOOD, JR., and WESTBROOK VAN VOORHIS, JR., all of March of Time, spent the weekend in Philadelphia.

•

LEO BERGER, sales manager for M-G-M in Czechoslavakia, will leave for Chicago and the Grand Canyon either Wednesday or Thursday.

•

MARCEL HELLMAN, producer for Criterion Films, has returned from the coast and plans to sail tomorrow on the *Queen Mary.*

•

C. C. MOSKOWITZ returned from Hollywood yesterday after conferring with NICHOLAS M. SCHENCK on "personal business."

•

S. ROSENSTOOL, managing director of European Film. Dist., Ltd., will sail for London tomorrow on the *Queen Mary.*

•

A. M. WATTENBERG, attorney for Music Publishers, Inc., will add another candle to his birthday cake Dec. 19.

•

LESSER SAMUELS, G. B. scenarist, will sail on Thursday for a five-week holiday in Britain.

•

W. RAY JOHNSTON returned yesterday from the coast and several stopovers en route.

•

JOHN NOLAN, film buyer for the Comerford circuit, was in town yesterday.

•

RUBE JACKTER celebrated another birthday over the weekend.

•

NICHOLAS M. SCHENCK will arrive from the coast Wednesday.

•

HARRY THOMAS is back from a tour of the country.

MITCHELL MAY, Jr. CO., INC.
•
INSURANCE
Specialists to The Motion Picture Industry
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

FILL THOSE EMPTY SEATS

FROM THE PROJECTION ROOM



The heart of your business is the projection room. You deliver from there what the patrons pay for, the thing you are selling, the picture on the screen.

Audiences today are much more critical. They get around. In 5000 theaters high intensity projection is giving movie goers a new standard of picture quality which they will expect to see in your theater.

If you want to build steady patronage, to fill your house regularly, here is the quickest, surest way to do it.

With SIMPLIFIED HIGH INTENSITY projection you can have two to three times as much light on the screen as you get from low intensity — yet at a price you can easily afford. This greatly improved lighting and projection can be covered by only one more admission per show.

This is the way to fill the empty seats. Write for the new, free, illustrated book—"The Eternal Triangle In Picture Projection."

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ECONOMICAL AND MODERN

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Unit of Union Carbide and Carbon Corporation

CARBON SALES DIVISION, CLEVELAND, OHIO

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Never got so many request

Seems that they're al

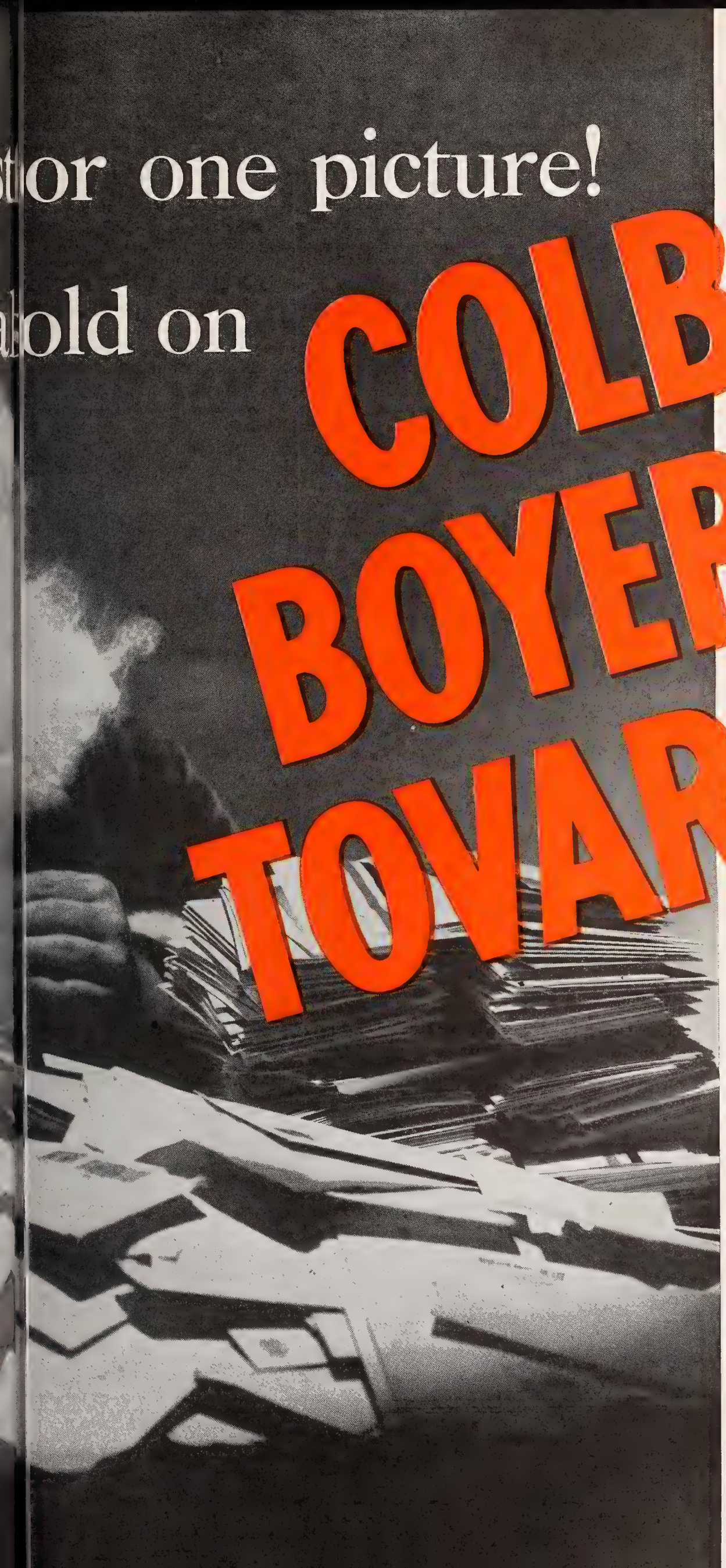


tor one picture!

old on

COLBERT
BOYER
TOVARICH

in Warners'



OPENING
RADIO CITY
MUSIC HALL
DEC. 30TH

Claudette COLBERT
and Charles BOYER
in "TOVARICH"
with
BASIL RATHBONE
ANITA LOUISE
MELVILLE COOPER • ISABEL JEANS
Morris Carnovsky • Victor Kilian
An Anatole Litvak Production
Screen Play by Casey Robinson • Adapted from the Play
by Jacques Deval • English Version by Robert E. Sherwood
Music by Max Steiner

Big Gathering At Albany for Fabian Dinner

(Continued from page 1)

headed by Arthur Newman of Grand National. Phil Fox was general chairman of the affair, and A. W. Smith, general sales manager of United Artists, was in fine fettle as the banquet's toastmaster. The proceedings were broadcast.

The guest of honor was presented with diamond and platinum cuff links and studs. Following this ceremony Adjutant General Walter G. Robinson, representing Governor Herbert H. Lehman, paid tribute to Fabian's service to the community.

Mayor Among Speakers

The speakers included: Mayor John Boyd Thacher of Albany, Nate J. Blumberg, Joseph Bernhard, Sam Dembow, Jr., F. J. A. McCarthy, Jules Levy, Herman Robbins, C. Frank Raevis, George J. Schaefer, William Sussman, Meyer Schine, Joseph Unger, Abe Montague, H. J. Yates, J. A. McConville, T. J. Connors, Jack Alicoate, Y. Frank Freeman, Louis Nizer, Sam Rosen, Peter T. Dana and Fox.

The entertainment roster was gleaned from the cream of local hotel and night club shows, with three bands, including those from the De-Witt Clinton and Kenmore Hotels. and they all did their part to make the affair something to live long in Fabian's memory.

Nizer, Carter, Nice Are Variety Talkers

PHILADELPHIA, Dec. 13.—Louis Nizer, Boake Carter and Gov. Harry Nice of Maryland were the principal speakers at the Variety Club last night at the Bellevue-Stratford at the third annual dinner. About 800 persons attended.

The affair was a success from all angles with Ted Schlanger and Leonard Schlesinger of the local Warner office in charge.

Haris and Ub Iwerks Start Cartoon Firm

HOLLYWOOD, Dec. 13.—Backed by British capital represented by Lawson Haris and having release contracts in Great Britain already signed with the newly formed British Independent Exhibitors' Ass'n, Cartoon Films, Ltd., a new corporate setup for Ub Iwerks, this week started production of 24 color cartoons depicting Lawson Wood's famous *Collier's Magazine* cover ape, "Gran'pop."

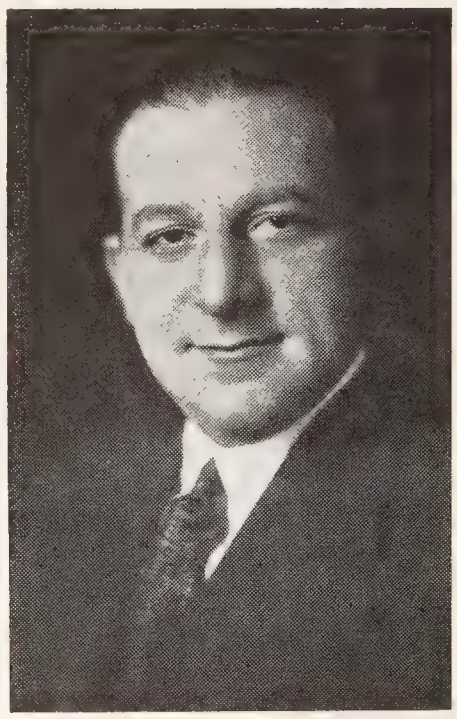
The Beverly Hills studios of the company increased its capacity and is using RCA sound. Haris is president.

"Gran'pop's Busy Day" will be the title of the first picture.

Fox Leaves Skouras

Matthew Fox, film buyer and booker for Skouras Theatres, yesterday withdrew from the post to take over his new duties as executive aide to Nate J. Blumberg, president of Universal. Jack Harris, former Long Island district manager for Skouras, succeeds Fox.

Honor Guest



Si Fabian

Odlum Mentioned as Russian Ambassador

(Continued from page 1)

funds. Washington reports linked his name with the chairmanship of the Securities and Exchange Commission a year ago, when a vacancy in that post was indicated. The appointment did not materialize, however.

Odlum's investment company is heavily interested in Paramount and RKO.

"Hurricane" Men Out

United Artists sent 17 exploitation men into the field yesterday in connection with the Christmas opening of "The Hurricane." The men and the cities to which they have gone are: Leo Pillott, Worcester; Harold Marshall, Hartford; James McFarland, New Haven; Henry Spiegal, Scranton; Louis Ramm, Atlanta; Ed Bellew, Rochester; Harry Rice, Akron; Bob Wood, New Orleans; Edgar Wallach, Harrisburg; George Ettinger, Reading; Maury Davis, St. Louis; Ed Gallner, Baltimore; E. M. Milburn, Norfolk; Steve Edwards, Springfield; M. J. Kavanagh, Bridgeport; Charles Perry, Philadelphia, and Charles Baron, Detroit.

Juniors Pick 10 Best

The Junior Reviewers of the National Board of Review have selected the following 10 films as the best of the year in the order named: "The Good Earth," "Dead End," "Captains Courageous," "Lost Horizon," "The Life of Emile Zola," "The Prisoner of Zenda," "A Star Is Born," "Stage Door," "The Plainsman" and "Stella Dallas."

Negro Film to G. N.

LOS ANGELES, Dec. 13.—Grand National today acquired distribution rights to "The Spirit of Youth," film with an all-negro cast starring Joe Louis and featuring Clarence Muse. Harry Fraser directed from a screenplay by Arthur Hoerle.

Ohio Operators Must Certify Tax Returns

COLUMBUS, Dec. 13.—Under a new requirement of the recent consolidation of the Ohio sales tax and admission tax departments, exhibitors hereafter will be required to notarize their monthly statements, which must show the opening and closing numbers of tickets in all cases. Sales tax inspectors who blanket the state will check the theatres at various intervals.

The admission tax yield for 1937 is estimated at $1,600,000, of which exhibitors are paying 65 per cent, with purveyors of other types of amusements contributing the remaining 35 per cent.

State officials report a number of evasions in filing monthly statements of the three per cent tax on admissions, but the penalty of 10 per cent, plus one per cent per month will be rigidly enforced in the future, with a revocation of the theatre license as the extreme penalty in the more serious violations.

Capital Film Group Has $135,000 Grant

WASHINGTON, Dec. 13.—A grant of $135,000 from the General Education Board for the three-year support of the activities of the Committee on Motion Pictures in Education was announced here today by George F. Zook, president of the American Council on Education. With this grant a clearing house of information and activity on visual problems, as they relate to general education, will be established under the direction of Charles F. Hoban, Jr.

The American Council on Education, with the financial support of the Payne Fund and the General Education Board, has carried on a number of activities in this area during the past several years. As part of its new clearing house function the Committee on Motion Pictures in Education plans to coordinate the work of other centers interested in films.

Fabian, Copia File RKO Plan Objection

Fabian Operating Corp. and Copia Realty Corp., who have filed claims against RKO based upon two guaranteed leases made with RKO Proctor Corp. in 1930, filed objections in the U. S. District Court here yesterday to the report of Special Master George W. Alger which approved the proposed RKO plan of reorganization.

The claimants contended that the plan discriminates unfairly in favor of general creditors whose claims have already accrued. They asserted that the number of consents from the class of creditors whose claims have not yet matured is below the required percentage of 66-2/3. They also raised the point that Section 77-B would violate the Fifth Amendment of the U. S. Constitution if their contention were not upheld.

Form Radio Scriptions

DOVER, Del., Dec. 13.—Radio Scriptions, Inc., has been formed here to produce and sell electrical transcriptions, phonograph records, slide films, etc., listing a capital of $10,000. The incorporators are Bevan Sharpless and Ethel C. Sharpless of Chevy Chase, Md., and Marie Fairbairn, Arlington, Va.

Blair Tells Actors Of Guild's Progress

The Screen Actors' Guild "gained more" in its negotiations with producers than any other theatrical union in a comparable amount of time, Aubrey Blair, secretary-treasurer of the junior guild, told the first eastern membership meeting yesterday. The session, held at the Astor, was attended by about 200.

Frank Gillmore, president of the Associated Actors & Artistes of America, parent A. F of L. entertainers' union, also addressed the meeting. Other speakers included representatives from the American Guild of Musical Artists, the Burlesque Actors' Ass'n and the American Federation of Actors.

The bulk of the meeting was occupied by an open forum for questions concerning guild scales and organization rules. Blair will leave New York today for Hollywood.

Wilmington Union Elects

WILMINGTON, Dec. 13.—New officers of Local 284 here, affiliated with the I.A.T.S.E., include: James A. Berry, president; Albert Wilson, vice-president; Howard Oster, treasurer; George A. Joseph, corresponding secretary; Joseph E. Cole, recording secretary; Harry Chapman, sergeant-at-arms; Frank Pappa, business manager. John Kelleher, James Mackin and William Orr and John Behringer are executive board members, and George Doto and Herman Schechinger are trustees.

Union Denies Charges

HARTFORD, Dec. 13.—Local 486 of the operators' union here, and individuals, have filed a general denial of charges in the $5,000 damage suit brought in Superior Court here by E. M. Loew Enterprises, Inc., involving picketing of one of the circuit's houses.

To Sign Exchange Pact

NEW HAVEN, Dec. 13.—Katherine Fitzgerald, president, and Robert Hoffman, delegate to Washington, will represent Local B-A1 of the exchange employes at the contract signing in New York this week.

Wall Street

Board Generally Declines

	Open	High	Low	Close	Net Change
Col.	14	14	13½	13½	—1¾
Cons.	1½	1½	1½	1½	— ⅜
E. K.	160	160	160	160	—3
G. T. E.	13⅞	13⅞	13⅞	13⅞	+ ⅜
Loew	48¾	49¼	47½	48	—1
Para.	11½	11¾	11⅜	11⅜	— ⅜
Para. 1.	90	90	90	90	—2½
Para. 2.	10⅞	10⅞	10⅜	10⅜	— ½
Pathe	6	6¼	6	6¼	+ ¼
RKO	4⅝	4⅝	4⅜	4⅜	— ¼
20th Fox	21¼	21¼	20¾	21	— ¼
20th, pfd.	26½	26½	26½	26½	— ¾
Univ., pfd.	33½	33½	33	33	—1
W. B.	7⅛	7¼	7	7	— ⅜

Light Curb Activity

	Open	High	Low	Close	Net Change
G. N.	1⅛	1⅛	1	1	.....
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	18	18	17¾	18	— ⅝
Trans-Lux	5¼	5½	5¼	5½	.....
Univ. Corp.	2	2	2	2	.....
Univ. Pict.	3½	3½	3½	3½	.....

Bonds Hold Levels

	High	Low	Close	Net Change
Loew 3½s '46	98¼	98¼	98¼	.....
W. B. 6s '39	74	74	74	.....

(Quotations at close of Dec. 13)

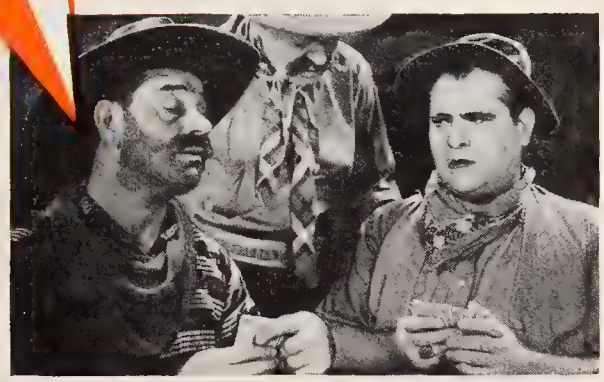
NO WONDER THE OLD FELLOW'S SO HAPPY...LIKE EVERYBODY ELSE, HE LOVES TO LAUGH, AND HE'S JUST HAD A PRIVATE SCREENING OF THREE OF THE FUNNIEST TWO-REEL COMEDIES SINCE HIS LAST VISIT.



IMOGENE COCA
in
"DIME A DANCE"
with
DANNY KAYE
JUNE ALLYSON • HANK HENRY
PRODUCED BY
AL CHRISTIE



JEFFERSON MACHAMER
and his "Gags and Gals"
in
"KOO-KOO KORRESPONDENCE SKOOL"
Produced by Al Christie



CHARLES KEMPER
in
"THE BASHFUL BUCKAROO"
Directed by William Watson

Presented by
E. W HAMMONS

Educational Pictures
THE SPICE OF THE PROGRAM

REG. U.S. PAT. OFF.
DISTRIBUTED IN U. S. A. BY
20TH CENTURY-FOX FILM CORPORATION

"HERE IS A PRODUCTION YOU
"CARRIES A PUNCH ALL THE

"Highly acceptable for all audiences . . ." —Box Office

"Interesting and timely picture . . ." —Parents' Magazine

JACK COOP

"Gives the Most Natural Boy Ever Seen on the Screen."

"Well worth seeing . . . Plenty of melodrama for your money . . ." Literary Digest

"A swell picture on any screen . . ." —Showmen's Trade Review



AWARDED THE PARENTS' MAGAZINE MEDAL FOR THE BEST MOVIE OF THE MONTH

"BOY STR

"Will have distinct appeal to audiences everywhere . . ." —Film Curb

"An excellent piece of entertainment . . ." —Daily Variety

"Monogram's most ambitious effort . . . will do biz . . ." —Variety

"Will please any type of audience . . ." —Film Daily

CAN SHOUT ABOUT."—*Film Daily*

WAY...TOP FARE."—*Hollywood Reporter*

IE

ER

y Performance

—*Film Daily*

OF THE

EETS"



WITH

MAUREEN O'CONNOR

KATHLEEN BURKE • ROBERT EMMETT O'CONNOR
MARJORIE MAIN • MATTY FAIN

A **MONOGRAM** PICTURE

DIRECTED by WILLIAM NIGH
ADAPTATION and DIALOGUE by GILSON BROWN and SCOTT DARLING
ORIGINAL STORY by ROWLAND BROWN
RECORDED by WESTERN ELECTRIC MIRROPHONIC SOUND

"Sympathetic, realistic drama . . . Jackie Cooper convincing . . ." —News Week

"Enjoyable picture will hold family audience . . ." —Screen Book

"Can be relied on for satisfactory returns . . ." —Box Office

"A production of which Monogram can well be proud . . ." —Jay Emanuel Publications

See Majority Signing AFM Air Contract

(Continued from page 1)

the next day of several members of the I. R. N. A. negotiating committee. Those who definitely will attend, he said, are Samuel Rosenbaum of Philadelphia and John Shepard, 3rd, of the Yankee and Colonial networks of New England.

Concerning the license to be issued to transcription and recording companies, Weber said that the license will not be issued or its contents made public until the next meeting of the Federation's International Council, scheduled for January. He indicated, however, that a special meeting of the board might be called before that time.

Weber said also that he expected to receive the signed agreements for the network key stations today. The key stations are WEAF, WJZ, WABC, and WOR in New York; WMAQ, WENR, WBBM and WGN in Chicago; KNX, KHJ and another NBC outlet, at present KFI, used by NBC in Los Angeles.

It is expected that the Federation will declare the plan of settlement operative a week or so after tomorrow's dead line.

Order Service Fees On Pickup of Bands

CHICAGO, Dec. 13.—NBC, CBS and Mutual today served notice that after Jan. 15 music from hotel and night club orchestras could only be picked up on sustaining programs on payment of a service charge of $100 per week.

The network officials stated that they had been giving away valuable time free and felt it only fair that expenses should be covered. Hotel men said the action is unwarranted, citing the recent order from the musicians' union allowing orchestras to play but six nights a week. The hotel owners said the orchestra leaders would have to assume the service charge.

Charge Not New in New York

Bands broadcasting from hotels and night clubs in New York have been paying a weekly service charge to the stations for the past three years. The situation was brought about when Nat Abramson organized the WOR artists' service and went into competition with NBC and CBS which maintained band departments, selling the units to the local hotels and night clubs and charging stiff prices for lines to the point of origin. When Abramson's competition, which offered bands at a lower line rate, proved too much, NBC and CBS formed an agreement with WOR and all three now charge a flat rate of $100 upward, depending on the location.

Local bands also must pay a price of $3 per man per broadcast, the benefits of which go to Musician's Union Emergency Fund for the relief of unemployed musicians.

Renew Robinson's "Big Town"

HOLLYWOOD, Dec. 13.—Edward G. Robinson's CBS program, "Big Town," today was renewed for 26 weeks.

Radio Begs Trouble

(Continued from page 1)

initially created the characterization which the coffee merchants invited the housewives and their families to listen to on Sunday evening. Nor the avalanche of articulate criticism which has descended upon the motion picture industry as the result of Miss West's single-idea monologue.

These spokesmen might be informed now, so as to escape the shock of having the information conveyed to them under more formal circumstances, that some of the material palmed off by Miss West on Sunday evening is by no means new to the members of the various motion picture censorship boards because they have been cutting it out for years. The broadcast was a nice salvaging operation for Miss West because it gave her an opportunity to use certain other material for which in Hollywood there is no longer a market for reasons which it has been assumed were quite well known to all persons with a trace of knowledge of recent developments in the amusement business.

▼

The motion picture industry would probably welcome radio to a share in the headaches created by the Mae West characterization if it were not for the fact that headaches are not cured by sharing with others. If they were, radio would no longer need to aver its blessings to motion pictures. The contribution would be proven abundantly.

The West presentation was a bad taste travesty on the Adam and Eve story from the Book of Genesis, a grand idea to start with in a broadcast for a nation with perhaps sixty or seventy million enrolled church members. With this as its springboard it dove deeply into a morass of the familiar double-entendre patter with here and there that bovine emphasis which Miss West labors so industriously to convey. Chase and Sanborn, devoted to dating their coffee, should have had a look at the teeth of some of this material.

▼

Radio lives and must live if it is to continue a great institution of American life under the blessing of free speech. It just happens that among the chief media of expression radio has at best only a tenuous hold on its freedom of expression by virtue of the fact that its use of the air is already policed by a Federal commission.

This Federal commission necessarily stands subject to the influence of any and all pressure groups that may wish to make it their business to put radio in a straightjacket.

Persistence in a policy which admits of material of the character of Miss West's presentation on Sunday evening is not merely exposing radio to the jeopardy of a straightjacket; it is asking for it.

New Shows on the Air

"The Voice of Firestone"

Without the benefit of the fanfare accorded many less worthy musical programs, "The Voice of Firestone" continues to please with 30 minutes of choice orchestral and vocal entertainment. The symphonic orchestra is under the direction of Alfred Wallenstein, one of the few first rate symphonic conductors who can reconcile classical and popular music, dexterously offering them side by side without cheapening the quality of the former and, of course, always enhancing the latter.

Last night's guest artists were Vera Brodsky, Charles Kullmann and The Charioteers. Miss Brodsky, whose keyboard artistry is rapidly bringing her to the forefront among concert pianists, pleased with a few moments of "The Carioca."

Kullmann offered "The Road to Mandalay" and "The Prize Song" from "Die Meistersinger." The Charioteers swung "Bob White" and rendered a spiritual. The orchestra, in addition to contributing support to the vocalists, offered a very interesting Jerome Kern medley and closed with "Vieni, Vieni."

BANNER

Close John Hix Contract

SAN FRANCISCO, Dec. 13.—NBC has closed a contract to broadcast John Hix's "Strange as It Seems" series for 52 weeks on KGO, San Francisco; KOMO, Seattle, and KOA, Denver. The transcription show is sponsored by Union Pacific Railroad and will start Jan. 2. Other new KGO accounts include "Musical Cocktails," sponsored by Crystal Mfg. Co., for 52 weeks.

To Test News Sending Over Air Telephony

(Continued from page 1)

from the Press Wireless transmitter at Hicksville, L. I.

The transmission will be purely for test purposes at the beginning, and will be staged under the Press Wireless experimental license. If successful, a permanent license will be sought from the F. C. C. in order to provide a new and cheaper method of transmitting news. Up to the present time all news services save one have been sending their messages over land lines. The one exception is Peck Television.

Continental has invited radio stations throughout the country to listen in on the transmission periods and transcribe the news during the experiment. Stations have been asked to notify Continental as to the strength of the signal and fidelity of reception.

News to be used in the test will be typical of the service Continental is now offering to out-of-town stations on a commercial basis, consisting primarily of local angle news breaking in New York. The new supplementary coverage is being offered at a monthly retainer fee with exclusive rights to any one station in any one city. The value of this new method of news transmission over that telegraphic code transmission, it is claimed, is that it does not require a trained operator at the receiving end, is approximately three times as fast and is much cheaper.

WLTH Is Ordered to Paint, Light Tower

WASHINGTON, Dec. 13.—The F.C.C. today made public orders requiring the licenses of WLTH, Brooklyn, to paint and light its antenna tower in conformity with regulations recently adopted by the commission.

The tower was found by the commission to be a possible menace to air navigation as now painted and illuminated, and the station was given 10 days in which to paint it with alternate bands of international orange and white and install two 100 watt lamps for night marking.

KGFF Seven Years Old

SHAWNEE, Okla., Dec. 13.—Plans are under way for a celebration of the seventh anniversary of KGFF Wednesday. Programs during the entire week beginning Wednesday will be dedicated to the occasion, with special features on that day. KGFF is linked to the Mutual network.

Container Ass'n on Air

The Glass Container Ass'n of America will start a half-hour network program on the NBC-Blue Jan. 9 in behalf of bottled milk. The show will be of the dramatic script variety, and it will be heard Sundays from 1:30 to 9 P. M. The U. S. Advertising Corp., Toledo, is the agency.

Meloney Joins Kated, Inc.

Bill Meloney, formerly of the publicity department of WOR, has resigned to handle publicity for Kated, Inc., the Kate Smith-Ted Collins office. Meloney assumes his new duties immediately.

Radio Personals

HERBERT I. ROSENTHAL, head of the CBS artists' bureau, returned to network headquarters yesterday after a stay in Hollywood. . . . James C. Shattuck of Columbia's program service division returned to work yesterday from an 18-day cruise to Central America, Panama and the West Indies. . . . Fred Feibel, CBS organist, has been booked to make a series of recordings for Associated Music Publishers. . . . Phil Lord, producer of the "We, the People" series, will return to his program Dec. 16 to make a guest appearance. . . . NBC was mum about yesterday's arrival of Arturo Toscanini under orders from the maestro himself, who cabled he wanted no publicity. Thereupon the maestro contrived to hide from the headlines by charging upon several newspaper photographers who snapped his picture. . . . Wayne Randal, NBC publicity chief, has given up his office to Clay Morgan and is now back with the boys and girls in his department, taking over Vance Babb's office in the press department proper. Morgan's office in turn has been taken over by William Hedges, new NBC vice-president.

"First Lady" Dropped Pending Court Trial

A motion for a temporary injunction brought by Vaughn DeLeath to restrain Kate Smith, Ted Collins, her manager, and CBS from using the title "First Lady of the Air" was withdrawn in the N. Y. County Supreme Court yesterday when Miss Smith agreed not to use the title pending trial. Justice Philip J. McCook, who heard arugment on the motion before the agreement was reached, stated that he would set the case down for an early trial.

Reuben Caidin, attorney for Miss DeLeath, told the court that his client was the first woman vocalist to be heard over the radio. She has been using the title since 1932.

Myron Engelman, Miss Smith's attorney, contended that she had been awarded the title by numerous popularity contests. Miss Smith adopted the title on Nov. 4 this year. Justice McCook indicated that one of the questions to be determined at the trial would be whether the title went to the star who appeared first or the one who was first in popularity.

Bernie Signs Lehr, Other on Tire Show

Herman Bernie yesterday signed Lew Lehr, the Nicholas Bros., Buddy Clark and Jane Pickens to 13-week contracts, with options, for the new series of programs starting Jan. 12 over CBS for the U. S. Tire Co., which will star Ben Bernie.

Miss Thompson to Add Program

Dorothy Thompson, who has been broadcasting her talks on "People in New York" each Friday over the NBC-Red, will double her schedule starting Jan. 4, when she will add a Tuesday, 7:30 P. M. program on the Blue network. Pall Mall cigarettes sponsor, through the Compton Advertising Co.

Warner Directors All Are Reelected

(*Continued from page* 1)

holdover members: Samuel Carlisle, Stanleigh P. Friedman, Sam E. Morris, Morris Wolf and Charles S. Guggenheimer for organization in New York on Dec. 21. Ivan Culbertson, Wilmington counsel for the company, presided in the absence of Harry Warner, who was reported on the West Coast working on production problems.

Culbertson announced that for the quarter ending Nov. 28, consolidated net earnings of the company and its subsidiaries were estimated to be in excess of $1,600,000 after provision for normal Federal income taxes but before provision for any surtax on undistributed profits, as compared with a profit for the corresponding quarter ended Nov. 28, 1936, of $2,047,936.28.

Holders of preferred stock cast 78,463 votes for directors nominated by Emanuel Souder of New York. Common stock was represented by 2,109,293 shares. Abel Klaw and Jack E. Krauss of Wilmington were tellers.

O'Shea Named as Scully Successor

(*Continued from page* 1)

branch manager. Rodgers disclosed the O'Shea appointment today at the meeting which ended the three-day sales conference here.

All the men present signed a scroll which will be presented to Scully. It wishes him well in his new post with Universal. Rodgers, suffering from a cold and laryngitis, employed William R. Ferguson, director of exploitation, as his spokesman, to outline coming product.

Norman Alley's Fate In China Is Unknown

(*Continued from page* 1)

newsreels for the past 20 years. He was assigned to cover the attack on Shanghai and arrived in that city early in October. Following the capture of Shanghai, he covered the 71 miles to Nanking on foot and carrying his equipment in nine days. He was reported to be the last passenger to board the *Panay,* which was engaged in removing Americans from the beleagured Chinese capital. He was carrying film representing the result of two weeks of "shooting" along the road from Shanghai and in Nanking.

Another newsreel man reported aboard the *Panay* is Eric Mayell, of Fox Movietone.

To Trade Show "Fargo"

Paramount will hold a trade showing of "Wells Fargo" at 10:30 A. M. Thursday at the Astor. Milton S. Kusell, New York state district manager, has invited 1,200 local exhibitors, circuit buyers and industry executives. The picture will open at the Paramount Dec. 29.

O'Toole in Hospital

BOSTON, Dec. 13. — Timothy O'Toole, Columbia exchange manager here, has been taken to the Newton Hospital for observation of a stomach disorder.

To Pay $250,000

Hollywood, Dec. 13.—United Artists' earnings for 1937 were estimated here today at $1,100,000. The company's board of directors authorized the payment of a dividend of $250,000 out of earnings for the year.

Report U. A. Share Going to Selznick

(*Continued from page* 1)

Loew's and M-G-M, on Sunday. The statement included the assertion that, "In leaving California after this happy visit I am proud in the knowledge that the M-G-M studio is the most strongly fortified organization in the industry, built upon a solid structure that depends upon no one man."

Schenck and other M-G-M officials declined to amplify this statement, with the result that its probable significance was the subject of much local speculation. A Selznick aide, in refusing to comment, gave as his reason the fact that Selznick himself has never publicly admitted that negotiations for a deal with M-G-M were in progress.

Arrested in Game Case

BIRMINGHAM, Dec. 13.—Managers of two suburban theatres have been placed under $100 bond by police for conducting Jack Pot following a ruling by city officials that the game is a violation of the city and state lottery laws.

"U's" Europe Sales Put in Two Divisions

(*Continued from page* 1)

pervisor of the eastern and central European division, and Ernest Koenig supervisor of the western European division. Both will work under the supervision of George L. Canty, general European manager for Universal. European headquarters have been moved to Paris from London in the revised setup.

The company is establishing new offices in Norway and Denmark, both of which are scheduled to open Jan. 1. A. H. Haslund will be in charge of the office of Oslo and Tage Neilsen of the Copenhagen office.

Schaeffer reported that the Scandinavian countries are showing marked business improvement. The company is still operating in Spain although new films are not being shipped into that country. Universal has withdrawn from Germany and has no plans for resuming operations there.

Discuss Chicago 1% Tax with Officials

CHICAGO, Dec. 13.—Theatre operators conferred today with city officials regarding the city's proposal that a one per cent tax on gross receipts replace the present sliding scale of license fees levied according to the number of seats.

It is estimated that the new tax plan would increase the city's revenue from the theatre source from $130,000 to $600,000. City officials claim such a tax would not be unfair.



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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 141 NEW YORK, WEDNESDAY, DECEMBER 15, 1937 TEN CENTS

CBS Deal Is Closed With Technicians

Contract Affects Men at Station WABC

An agreement between CBS and the American Guild of Radio Announcers and Producers, affecting all sound effects technicians at WABC, has been concluded, it was learned yesterday. A.G.R.A.P. also closed a contract covering the announcers employed at WBNX, local independent station.

The WABC contract, effective retroactively to last Oct. 1, expires in May, 1939. In addition to a 40-hour, five-day week, the contract sets $50 a week as the minimum wage for sound effects technicians at WABC and provides for additional blanket

(*Continued on page 6*)

Additional developments in radio yesterday, pages 6-7

AFM Reports 150 Station Pacts Set

The A. F. of M. yesterday reported that 150 signed contracts have been received to date from IRNA stations, and upon the union's own estimate, 50 more are expected in today's mail, when the deadline for compliance will have been reached. The total number of stations to be heard from is 293.

As an indication of the progress being made in the drive to add union musicians to the payrolls of radio stations, Federation President Joseph

(*Continued on page 6*)

Exchange Union Pact Conference Started

Preliminary discussions were held yesterday at the Warner home office between major distributor representatives and I.A.T.S.E. executives on a master contract covering "back room" exchange employes. The session was adjourned until today.

Frank Phelps, Warner labor contact, who has acted as intermediary between the two groups, was not in attendance yesterday. He was home with a cold he contracted while making a tour over the weekend. Phelps is due back today and will sit in on the second conference.

Major distributor representatives

(*Continued on page 2*)

English Plan For Separate Quota Killed

Producers Lose in Fight For Approval

By AUBREY FLANAGAN

LONDON, Dec. 14.—The proposal for separate quotas as part of the new Films Bill was killed finally today by the House of Commons Films Act Committee by a vote of 34 to 14.

The producers last night made a vigorous effort to carry the proposal, declaring that there was complete unity among all members of the Film Group of the F.B.I. The sponsors of a reciprocity plan and the advocates of separate quotas made conciliatory gestures toward each other. Despite this move to bury the hatchet, Oliver Stanley, president of the Board of Trade, offered no agreement, and the committee voted down the amendment.

Stanley offered a new amendment

(*Continued on page 4*)

Say Grand National Financing Arranged

HOLLYWOOD, Dec. 14.—An official of Grand National stated today that financing had been arranged for forthcoming product. No details were given pending a formal statement to be made this week after the actual signing of the agreement.

Under the proposed agreement, it was stated, no changes will be made in the production program or the executive setup. The amount of money was not indicated, but it was said that it will be sufficient to carry the studio production costs.

Three pictures, including the James Cagney vehicle, are on the January schedule, but it is possible more will be started.

Announcement »

Martin Quigley, editor-in-chief of* Motion Picture Daily, *announces the appointment of A-Mike Vogel as editor, succeeding Maurice Kann, resigned.

The editor-in-chief and staff wish to express to Mr. Kann appreciation for his services to this newspaper and to offer best wishes for his future success.

Mr. Vogel, who will assume immediately his new duties under the continuing chief editorship of Mr. Quigley, has been a member of the staff of Quigley Publications for six years. He is an experienced showman and journalist, with a wide acquaintance throughout the industry and an intimate knowledge of the industry and its problems gained in first-hand contact.

Paramount Talking Two-Reel Newsreel

Production of a two-reel newsreel is under discussion at Paramount and, if approved, would be launched early in the new year, it was learned yesterday.

The advisability of doubling the standard newsreel footage, in the opinion of Paramount officials, is demonstrated by the popularity of numerous occasional and seasonal

(*Continued from page 8*)

Sino-Japanese "Incident" Reel Men's Toughest Spot

The newsreel cameramen have been in tough spots before, and they will attest that the Ethiopian war was no minor assignment, but it appears that by all odds the Chinese-Japanese "incident" is the most difficult and most dangerous job they have yet tackled.

At the moment there are three men unaccounted for somewhere in the vicinity of Nanking, the Chinese capital, which has fallen to the Japanese. At a late hour last night there was no definite and official word in New York's newsreel offices of the fate of Norman Alley, Universal's ace, or Eric Mayell, Fox Movietone camera-

(*Continued from page 8*)

Writ Won by Paramount in Phila. Appeal

Lower Court Overruled In Boycott Case

PHILADELPHIA, Dec. 14.—Paramount today won its injunction action against independents' boycott methods in a ruling handed down in the U. S. Circuit Court of Appeals. The ruling, written by Judge Joseph Buffington and concurred in by Judges J. Warren Davis and John Biggs, Jr., overrules U. S. District Judge Oliver B. Dickinson, who earlier dismissed Paramount's suit.

The strike and the boycott which led to the court action has been settled. Paramount has been pressing the case for a precedent ruling and the concensus of opinion is that the company and other majors have scored a signal victory.

In the original suit Judge Dickinson held that the business of Paramount in sending films over state lines did not come under the Sherman Anti-Trust Act interpretation of "interstate commerce." The circuit

(*Continued on page 4*)

Bagnall Is Named V-P by Paramount

George Bagnall, Paramount studio comptroller, was elected a vice-president of the company at a meeting of the Paramount board of directors here yesterday. Bagnall succeeds Henry Herzbrun, whose resignation, submitted 10 days ago, was accepted by the board at yesterday's meeting.

The board also declared the regular quarterly dividend of $1.50 per share

(*Continued on page 4*)

MPTOA Will Gather at Chicago in 1938

Chicago has been agreed upon as the 1938 convention city for the M.P.T.O.A., Walter Vincent, treasurer of the organization, stated yesterday. The date of the meeting has not been set yet but it is customarily held in the early spring.

The midwestern city was chosen due to the fact that the south or Pacific Coast have captured the M.P.-T.O.A. conventions for the past four or five years without variation. Northern and midwestern affiliates of the M.P.T.O.A. urged the choice of a convention site of greater convenience to their memberships.

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J. M. JERAULD, *Managing Editor*

JAMES A. CRON, *Advertising Manager*

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Warners' Reelection Scheduled for Dec. 21

Harry M. Warner, president, and Jack L. and Albert Warner, vice-presidents, will be reelected in addition to other officers at the board of directors meeting slated for Dec. 21 at the company's home office. Six directors, including the three Warners, were renamed at the annual stockholders' meeting at Wilmington Monday.

Son to the Nathans

John B. Nathan, Paramount managing director in Argentine, Uruguay and Paraguay, is the father of a son born to Mrs. Nathan Dec. 11, according to advices received at the Paramount home office.

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Korda-Selznick Talks Continuing

Alexander Korda has delayed his departure from the coast until the latter part of the week to confer further with David O. Selznick on the possibility of continuing with U. A. beyond two pictures for which the producer has already committted himself.

At the time Korda and Samuel Goldwyn were negotiating for the purchase of the U. A. stock held by Charles Chaplin, Douglas Fairbanks and Mary Pickford for $6,000,000, Selznick stated he would not remain with the company if the deal eventuated. When the deal collapsed negotiations were resumed.

Reports from the coast yesterday were that Louis B. Mayer and Al Lichtman, who recently returned from England, are endeavoring to have Selznick rejoin M-G-M next year. Lichtman worked on the original deal with Selznick a year ago and might better the terms to have the producer switch over.

Meanwhile, writers at Selznick International are now preparing scripts for "Merry, Merry Maidens" and "Freedom of the Press," the final two on the U. A. schedule. Selznick is not rushing the pictures, since no release dates have to be met.

Departures Deferred

Marcel Hellman, producer for Criterion Films, has canceled reservations to sail for home today on the *Queen Mary*. Korda also was to have sailed and indications are that bookings will be made to return home on the *Normandie*, which will leave here the latter part of next week.

Maurice Silverstone, head of U. A. activities in England and the United Kingdom, will probably return from Hollywood with Korda and accompany the London Films' head to England.

Home office executives at U. A. are confident Selznick will continue with the company and that a new producing and releasing arrangement will be signed in 10 days.

George J. Schaefer, vice-president and general manager, is on the coast for the reported purpose of sitting in on the Selznick talks.

"Sacred" Finishes Run

"Nothing Sacred" tonight finishes a third week at the Music Hall. William Wellman, who directed "A Star Is Born," likewise handled the megaphone on "Nothing Sacred." Earlier in the year, "A Star Is Born" ran 21 days and it was only because of prior bookings that U. A. withdrew the picture.

Coast Trip Pleased Schenck

CHICAGO, Dec. 14.—Nicholas M. Schenck, en route to New York, was too ill to leave his private car here tonight. He declared he was pleased with his coast trip and said he had no comment to make at this time regarding the plans of David O. Selznick, but that an announcement would be made soon.

Morris, Lane Engaged

HOLLYWOOD, Dec. 14.—Wayne Morris and Priscilla Lane have announced their engagement.

Court Approves New Madison Bond Plan

MILWAUKEE, Dec. 14.—With the approval here by Federal Judge F. A. Geiger of the reorganization plan for the Capitol Investment Co., owner of the Capitol theatre and store building at Madison, Wis., the company will issue new bonds totalling $717,000 in lieu of the present first and second mortgage bonds.

Of the new bond issue, $417,000 will be first mortgage bonds and $300,000 second mortgage bonds.

The court also signed an order to show cause why a master should not be appointed to take up consideration of a change in the lease covering the location of the theatre entrance and two stores in the building.

Shuberts File Reply

Lee and Jacob Shubert yesterday filed in the U. S. District Court here their answer to the $4,000 suit brought against them by the Keith Massachusetts Corp. on two alleged promissory notes. The answer set forth that $1,666 was tendered in full payment on Nov. 1, but that the plaintiff refused to accept it.

Exchange Union Pact Conference Started

(*Continued from page* 1)

yesterday stated there is no particular hurry in pushing the master contract as all exchange service employes are now working under union conditions, each territory individually negotiated.

One of the main points the international is understood to be seeking is a closed shop for all situations. The demands follow enforcement of a closed shop at the studios and theatres.

Fox Guest at Dinner

Friends and former associates of Matthew Fox last night tendered him a farewell party at the St. Moritz. Fox on Monday withdrew as film buyer and booker of the Skouras circuit to take over his new duties as executive aide to Nate J. Blumberg, new president of Universal.

Deny Dismissal for Condor Court Move

LOS ANGELES, Dec. 14.—Federal Judge George Cosgrave today denied a motion to dismiss the involuntary bankruptcy petition filed by Ben Pivar, Frank Gay and Albert Wenzel against Condor Pictures, Inc., and set Dec. 27 for a hearing.

Clinton E. Miller has been named receiver.

Dec. 20 was set as the date for a hearing on the petition of the company officers and other creditors for a reorganization of the company under Section 77-B of the Bankruptcy Act.

Resume M. & R. Hearing

The taking of depositions here in the anti-trust suit brought by Morse & Rothenberg, Boston independents, against major distributors, the Maine & New Hampshire and M. A. Shea circuits will be resumed in January after an adjournment to be taken on Friday. Neil F. Agnew, Paramount vice-president in charge of distribution, was queried in the proceedings yesterday. His testimony related for the most part to national and local sales practices.

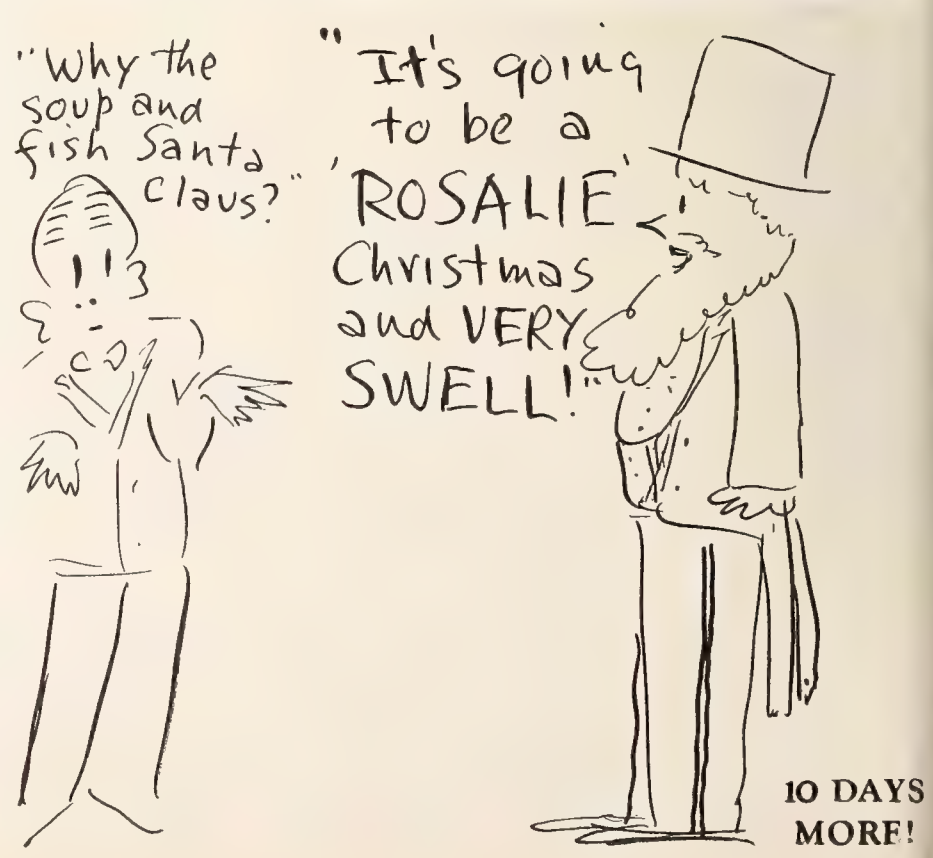
Cue Editor Will Be At Ampa Tomorrow

Suzanne Kaaren, film actress, and Fillmore Hyde, editor of *Cue*, have been definitely set as guests for the Ampa luncheon at the International Casino tomorrow. Efforts are being made to line up George Bancroft and Maureen O'Sullivan.

The committee in charge of the annual Christmas affair will begin distributing books tomorrow for the raffle schedules for Dec. 23.

W. E. Declares Dividend

Western Electric yesterday voted a dividend of 90 cents a share on its common stock, virtually all of which is owned by A. T. & T. The dividend compares with previous payments this year of 60 cents a share in March and 75 cents a share in June and September.





Queen Myrna!

(What a send off for her "Man-Proof"!)





King Clark!

(And they're both coming in "Test Pilot"!)

M-G-M AND A CROWN!

People who pay your rent and ours have elected the No. 1 Stars of the screen, Myrna Loy and Clark Gable.

The Star Power of M-G-M has accounted for Seven out of the First Ten Favorites!

20 million readers of the 55 key city newspapers of the N. Y. News—Chicago Tribune Syndicate have spoken. Your box-office understands!

Elected! *Clark Gable, Myrna Loy, Robert Taylor, Jeanette MacDonald, William Powell, Spencer Tracy, Nelson Eddy, Joan Crawford.*

Writ Won by Paramount in Phila. Appeal

(*Continued from page* 1)

judges disagreed with this finding and held that the independents, with their plans for picketing, and patroling the streets with sound trucks, urging the public not to attend Paramount films, constituted a conspiracy in violation of the Sherman law.

In directing Judge Dickinson to reinstate the suit and grant Paramount's injunction, Judge Buffington's lengthy ruling said in part:

"Evidence in the case at bar conclusively shows that the defendants violated the Sherman Anti-Trust Act by disseminating prejudicial, threatening and coercive literature and by appealing to the public for help in their fight. The plaintiff is entitled to injunctive relief."

Former Attorney General William A. Schnader represented Paramount and Former Congressman Benjamin M. Golder represented the independent group.

Bagnall Is Named V-P by Paramount

(*Continued from page* 1)

on the outstanding first preferred stock and 15 cents per share on the outstanding second preferred stock. The dividend is payable Dec. 28 to holders of record on Dec. 21.

Adolph Zukor's contract as studio head is to be extended at the next meeting of the board which will be held before the end of the year, although no date for the session has been set yet. The contract, which expires Jan. 1, contains options for renewal which the board will exercise.

FitzPatrick Talking Deal

James A. Fitzpatrick is negotiating with Syd Chaplin for one of a series of quota pictures the producer is expected to make in England for Paramount. Chaplin will sail today on the *Conte de Savoia*. He has been here a month.

FitzPatrick will leave for the coast next Tuesday by train. He plans to sail Jan. 2 on the *Rex* for Egypt with a Technicolor unit to film the coronation of the Egyptian king.

Denver Frolic Delayed

DENVER, Dec. 14.—The Cotton Bowl football game on New Year's day between Colorado University and Rice Institute will take so many theatre and film men from Denver that it has been decided to postpone the annual film frolic which was to have been held the latter part of the month. Sponsored by the Rocky Mountain Screen Club, the affair will be held some time in February.

'Journey's End' to MGM

HOLLYWOOD, Dec. 14.—Film rights to "Journey's End," internationally known war drama by R. C. Sherriff, have been acquired by M-G-M. No cast names have been set.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Man Proof"

(M-G-M)

HOLLYWOOD, Dec. 14.—"Man Proof" is directly pointed to engage the attention of feminine audiences. Tastefully presented, its story told with restrained dignity, it adapts the triangle romance drama premise. Too sophisticated to arouse the attention of the masses, the film is a class offering done in the style which is characteristic of M-G-M in treating such a theme.

Myrna Loy and Rosalind Russell are rivals for the affections of fortune hunting Walter Pidgeon; Miss Loy does not give up the contest when he chooses to marry wealthy Rosalind Russell. Although her mother, Nana Bryant, seeks to throw Miss Loy into association with Franchot Tone and to have her occupy herself so that she will forget Pidgeon, the woman who lost is still determined to triumph over the woman who won. In various ways she contrives to enjoy the company of willing Pidgeon who is not loath to deceive his wife. Eventually Miss Russell finds them together and the concrete evidence sustains the suspicion that has long bothered her and impels her to denounce Pidgeon. Her actions, plus Pidgeon's confession that his attachment for Miss Loy was but a passing fancy, convinces her that she has been fighting a losing struggle. She turns to Tone as a solace for her disillusionment.

Dialogue is the interpretative medium. Yet in speaking their lines and acting Miss Loy, Miss Russell and Pidgeon are convincing in rather difficult roles. Comedy contrast to the triangle drama is capably handled by Tone and Nana Bryant. Rita Johnson, Ruth Hussey, Leonard Penn, John Miljan, William Stack and Oscar O'Shea are acceptable in supporting roles. Based on a story by Fanny Heaslip Lea which Vincent Lawrence, Waldemar Young and George Oppenheimer transcribed, "Man Proof" was intelligently directed by Richard Thorpe.

A woman's show, exploitation should be pointed to attract the attention of that portion of audiences.

Running time, 78 minutes. "A."

"Daughter of Shanghai"

(Paramount)

HOLLYWOOD, Dec. 14.—Highly sensational in character, "Daughter of Shanghai" is a throwback to the old 10, 20 and 30-cent melodrama, the kind that used to have the gallery gods cheering the heroes and hissing the villains. Returning Anna May Wong to the screen, it features her with Philip Ahn as the only heroic characters in the company of a platoon of heavies.

The plot has to do with the experiences encountered by the pair in breaking up an alien smuggling ring. Their adventures take them from San Francisco to a tropical island. In the swank dens of the smugglers, in a ribald honky tonk, in taxicabs, airplanes and aboard ship, the perils they face are seemingly insurmountable, yet they triumph over all.

Based on a story by Garnett Weston, which he and Gladys Unger adapted, theme content is highly theatrical. So is Robert Florey's direction. The players, too, perform in highly theatrical style. Though cast as an avenging angel, Miss Wong is given several opportunities to display her physical charm. Philip Ahn works hard trying to make his role of Chinese undercover government investigator look plausible. Charles Bickford, Larry Crabbe, J. Carrol Naish, Evelyn Brent, Fred Kohler are as realistic menances as anyone could want and Cecil Cunningham is a surprise one.

The picture stands little chance of making anything but the second class neighborhood houses.

Running time, 60 minutes. "A."

Plan Xmas Benefits

OKLAHOMA CITY, Dec. 14. — Numerous Oklahoma theatres are holding benefit shows, food shows and other types of entertainment in cooperation with local civic organizations, in which old shoes, broken toys, canned foods and other items are taken in lieu of the admission price.

Dieterle Recovering

HOLLYWOOD, Dec. 14.—William Dieterle, director, is making a quick recovery from injuries received in an automobile accident last week.

Reisenfeld to Principal

HOLLYWOOD, Dec. 14.—Dr. Hugo Reisenfeld has been signed by Principal Productions to write the musical scores for "Tarzan's Revenge" and "Hawaiian Buckaroo," working under the supervision of Abe Meyer.

G. B. Films to Skouras

Arthur Greenblatt, G. B. eastern division manager, has closed with Skouras Metropolitan circuit for the showing of "Dr. Syn" and "Non-Stop New York" in all of its houses in Greater New York.

English Plan For Separate Quota Killed

(*Continued from page* 1)

whereby films not registered for the distributors' quota would be available for double credit under the exhibitors' quota. He said the aim of the amendment is to prevent underselling by American distributors. The effect of the proposal is seen as an extra inducement to counteract the possibility of underselling.

Sir Adrian Baillie, sponsoring the separate quotas, declared his belief that the Stanley suggestion would not prevent underselling.

The Stanley proposal is seen as important to American interests, since its effect would be that British producers would seek release through British distributors, who would not need to acquire the distributors' quota and would be able to offer films as double quota value.

Emanuel Files Plans

HARRISBURG, Dec. 14.—Final plans for a new first run house to be erected by Jay Emanuel as the eighth in his circuit have been filed with Building Inspector J. B. O'Brien. They call for a larger house than originally contemplated. Emanuel has taken a long-time lease on the Russ Estate Bldg. and will spend $100,000.

Advance "Swiss Miss"

HOLLYWOOD, Dec. 14.—Hal Roach has advanced the date of starting "Swiss Miss," Laurel and Hardy vehicle, to Dec. 20. Cast in the picture are Della Lind, Walter Woolf King, Adia Kuznetzoff and Patsy Kelly. Negotiations are under way to obtain Lyda Roberti.

Wall Street

Gains Sprinkle Board

	Open	High	Low	Close	Net Change
Col.	13½	13⅝	13½	13⅝	+ ⅛
Col., pfd.	28½	28½	28½	28½	+ ¾
Cons.	1½	1½	1½	1½	.....
Cons., pfd.	6½	6½	6⅜	6⅜	— ⅜
E. K.	158½	159¾	159¼	159¾	— ¾
G. T. E.	13	13	12¾	13	— ⅞
Loew	47½	48¼	47⅜	47⅜	— ⅝
Para.	11⅛	11⅜	11⅛	11⅜	.....
Para. 1	92	92	92	92	+2
Para. 2	10⅜	10½	10⅛	10⅜	.....
Pathe	6¼	6⅝	6¼	6⅝	+ ⅜
RKO	4⅜	4⅜	4⅜	4⅜	.....
20th Fox	20½	21¼	20½	21¼	+ ¼
20th, pfd.	26⅜	26½	26⅜	26½	.....
Univ., pfd.	33	33	33	33	.....
W. B.	7	7¼	7	7¼	+ ¼

Technicolor Lone Curb Rise

	Open	High	Low	Close	Net Change
G. N.	1	1	1	1	.....
Monogram	1½	1⅝	1½	1⅝	— ⅛
Sentry	¼	¼	¼	¼	.....
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	18⅛	18⅛	17⅝	18	+ ⅜
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....

Bonds Decline

	High	Low	Close	Net Change
Para. B'way 3s '55	59	59	59	—1
Para. Pict. 6s '55	89	89	89	—1
Para. Pict. '47	73	72½	72½	— ½
W. B. 6s '39	73	72	72	—2

(Quotations at close of Dec. 14)

Purely Personal

PHILLIPS HOLMES will sail for New York from England on Saturday on the *Normandie*, after completing work in an English film. He will appear on the New York stage.

•

HARRY KLEIN of the Cocalis Circuit is the father of a four and a half pound boy. MRS. KLEIN and the baby are doing nicely at Beth Israel Hospital, Newark.

•

P. L. Palmerton, Erpi foreign manager, has returned to the home office following a four-month business trip to the Far East, Australia and New Zealand.

•

FRANK LLOYD has returned to the Paramount studio where he will report on the now completed preview tour of "Wells Fargo."

•

SIDNEY R. KENT plans to leave the end of the month for Florida for a vacation with rod and hook in west coast waters.

•

CHARLES E. KESSNICK, southern district manager for M-G-M, is planning to leave for his Atlanta headquarters today or tomorrow.

•

VERNON H. ADAMS, southern public relations representative for RKO, has been transferred to the sales staff at the Dallas exchange.

•

DERRICK DE MARNEY, English actor, will sail today on the *Queen Mary*. He was scheduled to have sailed last week.

•

NORTON RITCHEY head of Monogram's foreign department, has returned from an extensive trip abroad.

•

PHIL LEWIS, manager of the Valley, Spring Valley, is recuperating at his home after an appendectomy.

•

LOU IRWIN plans to leave for Hollywood Sunday.

•

ARTHUR W. KELLY, JR., son of the U. A. foreign sales executive, will arrive from London Dec. 21 aboard the *Aquitania*.

•

WILLIAM GERMAN returned yesterday after spending three weeks on the coast. Vacation stuff, he says.

•

ARCHIE MAYERS, general manager of World Pictures, has left on a sales tour of several midwestern cities.

•

JOHN D. CLARK, general sales manager of 20th Century-Fox, is back from a vacation at Miami.

•

ELENA QUIRICI, 10-year-old European dancing star, left yesterday by train for the M-G-M studio.

•

WILLARD MCKAY, general counsel for Universal, left for Hollywood last night via American Airlines.

•

CHARLOTTE LYONS, Warner player, has arrived from London and is staying at the Warwick.

•

JOE LIGHTSTONE of the Orpheum, Montreal, is visiting with his wife for a few days.

•

S. CHARLES EINFELD is due back from the coast about Jan. 10.

•

MARION DAVIES is planning to sail for Honolulu Dec. 24.

•

CHRIS DUNPHY is due from the coast in three weeks.

•

LEO JUSTIN is home with a bad cold.

•

MILT KUSELL is dieting.

Theatres Try Quiz

Lincoln, Neb., Dec. 14.—Several Nebraska theatres have borrowed from Professor Quiz, of radio, for a substitute gag to draw business. The stunt replaces the outlawed Bank Night.

Stunts are worked with patrons asked to enter the "question contest" as they come in the door, and those who consent are called to the stage for queries. They can win from $1 to $15 in prizes. The idea is doing very well.

Zasu Pitts Assessed

WASHINGTON, Dec. 14.—The Bureau of Internal Revenue today asked the Board of Tax Appeals to affirm income tax deficiency assessments of $15,396 against Zasu Pitts, for 1932 and 1933.

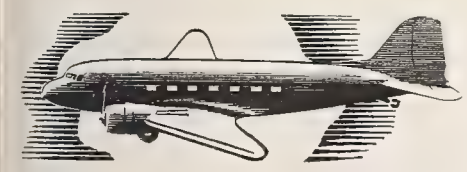
Wallace Beery has petitioned the board for redetermination of an $11,241 tax deficiency assessed against him by the bureau on his 1934 income.

Buy Gerguson Story

HOLLYWOOD, Dec. 14. — Twentieth Century-Fox has purchased Mike Romanoff's story, "Ellis Island." Romanoff has been known as Prince Mike. His name is Henry Gerguson. Annabella will be featured.

Henry McNamara Dead

TROY, Dec. 14.—Henry McNamara, an exhibitor with theatres in Alexandria Bay and Valatie, N. Y., died in Troy Hospital after an emergency appendicitis operation.



United . . . an unmatched record of 20,000 flights COAST-TO-COAST!

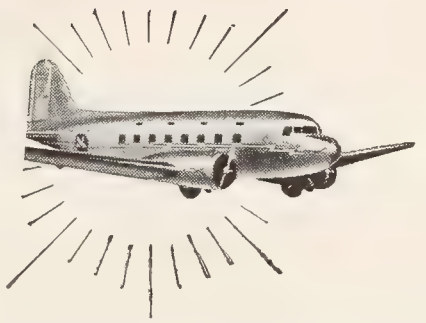
★ A total of 120 million miles and 20,000 New York-California flights in a decade of operations! No other airline in the world can match United's record!

★ De luxe overnight Mainliner sleeper service to Chicago, New York and other eastern cities. Low round-trip rates.

TICKETS: United Offices, Hotels, Travel Bureaus, Telegraph Offices.

UNITED AIR LINES

Take this NATURE-FAVORED AIRWAY to California!



The Greater-Comfort, Southern Sunshine Route . . . and only American uses it!

AMERICAN'S lower-level airway turns south out of New York . . . touches Washington . . . arrives quickly in Tennessee's friendly temperature . . . continues south to Texas . . . follows the sunny plains and deserts of the Southwest to California . . . OVERNIGHT!

Call it the sunshine route . . . call it the low-level route . . . or the greater-comfort route . . . the fact is that this nature-favored route is the best airway to the Pacific Coast any week in the year.

This better route and American's great Flagship Skysleepers help to explain why American carries more passengers than any other air line in the world. During the first 10 months of 1937 more than a quarter-million people—virtually one-third of all the air travelers in this country—chose American Airlines!

THE ONLY COMPLETE SLEEPER PLANES THROUGH TO LOS ANGELES

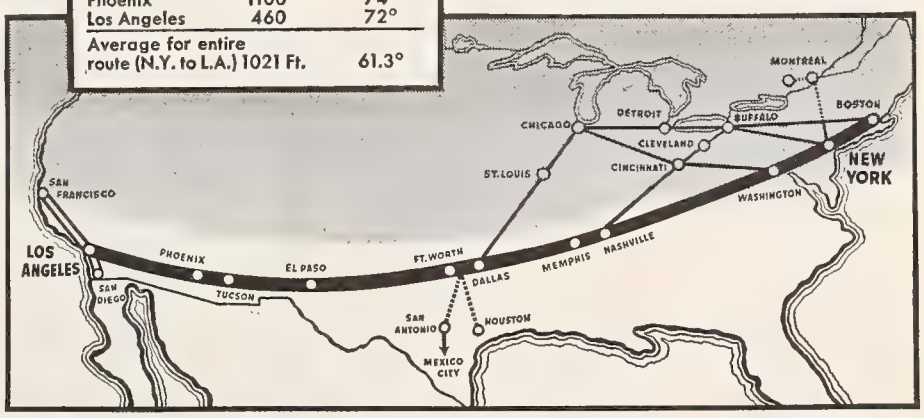
The American MERCURY leaves Newark Airport 5:10 pm, arrives Los Angeles 8:30 am; The SOUTHERNER leaves 9:00 pm, arrives 12:59 pm. No change of plane. Limited stops. Berths as large as twin beds for every passenger. Hot meals served without charge.

FOR RESERVATIONS CALL YOUR TRAVEL AGENT OR VANDERBILT 3-2580

Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th Street

Quick Facts About American's Southern Sunshine Route

	Altitude Above Sea Level (Ft.)	Av. Winter Temper. (Daytime)
Nashville	560	52°
Memphis	258	64°
Ft. Worth-Dallas	650	72°
Tucson	2500	74°
Phoenix	1100	74°
Los Angeles	460	72°
Average for entire route (N.Y. to L.A.) 1021 Ft.		61.3°



AMERICAN AIRLINES Inc.

CBS Deal Is Closed With Technicians

(*Continued from page* 1)

increases to the staff during the life of the contract.

The guild shop is also a featured concession obtained by A.G.R.A.P. as a result of prolonged bargaining with CBS representatives Mefford R. Runyon, Doug Coulter and Lawrence Lowman.

Sound effects men will receive three weeks' vacation under the agreement, as well as sick leave pay, preferential reemployment in event of discharge and similar privileges of the standard Guild agreement.

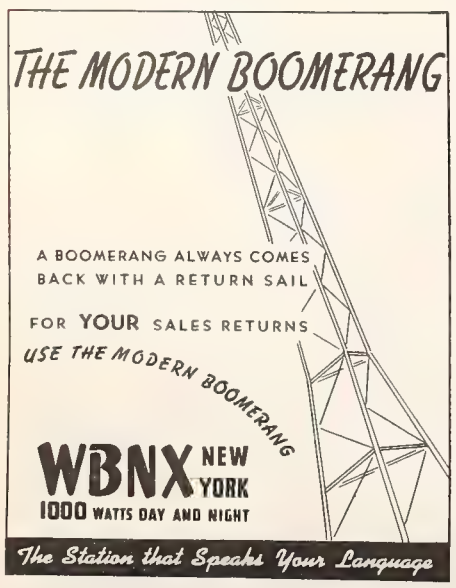
The announcers and production men at WABC were awarded contracts some time ago, also through A.G.R.A.P.

The contract with WBNX covers announcers. It provides a minimum wage scale for announcers of $35 per week, a 16 2/3 per cent increase this year to announcers presently employed, and a 14 per cent increase next year. It also provides for a 40-hour week, arbitration of discharge, closed shop privilege, 15 minutes to be allowed before and after each assignment, this time to be included in computing the assigned time; 8½-hour day; two weeks' vacation with pay, one additional week with pay for holidays, a total of three weeks' vacation each year, and time and one-half for overtime.

A.G.R.A.P.'s scheduled meeting of national representatives has been postponed until Jan. 7, according to Roy S. Langham, its president.

WMCA Will Salute New Station Dec. 19

WLAW, new station in Lawrence, Mass., will be saluted by WMCA in a special dedicatory broadcast Dec. 19, upon the occasion of its inclusion in the Inter-City System. The salute broadcast, to be held from 1 to 1:30 P.M., will feature Nat Brusiloff and his orchestra with a group of top-ranking artists selected for the special program. The addition of WLAW to the Inter-City System marks the 11th outlet in the group of affiliated stations.



Licenses Granted To Three Stations

WASHINGTON, Dec. 14.—Operating licenses to new broadcasting stations have been issued by the F.C.C. as follows:

P. K. Ewing, Granada, Miss., call WGRM, 1,210 kilocycles, 100 watts; O. Lee Stone, Florence, S. C., call WOLS, 1.200 kilocycles, 100 watts, daytime only; Central Broadcasting Corp., Centralia, Wash., call KELA, 1,440 kilocycles, 500 watts.

The commission also granted a license to WRNL, covering its removal from Petersburg to Richmond, and to KIT, Yakima, Wash., changing its frequency from 1,310 to 1,250 kilocycles and increasing power from 100 watts night, 250 watts day, to 250 watts night, 500 watts day.

An application for change of frequency from 1,370 to 1,420 kilocycles and increase of power from 50 watts to 100 watts night, 250 watts day, has been filed with the commission by KRKO, Everett, Wash., while WLVA, Lynchburg, Va., amended its recently filed application for a construction permit to change frequency from 1,200 to 1,390 kilocycles, asking also for authority to increase power from 100 watts night, 250 watts day, to 1,000 watts.

Williams Sponsors New Mutual Program

"True or False," a new audience participation program, will make its bow over Mutual, Monday, Jan. 3, from 10 to 10:30 P.M., and Mondays thereafter. J. B. Williams Co., will sponsor. The stations are WLW, Cincinnati; WGN, Chicago, and WOR, New York, with the point of origin the studios of the latter. J. Walter Thompson set the deal.

Ferrin to Chicago Agency as Air Head

CHICAGO, Dec. 14.—Frank Ferrin, for the past five years vice-president of Mid-West Recordings, Inc., has joined Henri, Hurst & McDonald, Inc., advertising agency, as radio director.

WHB to Offer Aid

Kansas City, Dec. 14.—WHB has asked 300 preachers and priests of Greater Kansas City to select one family from their congregations that will not receive Christmas aid from any other agency. The station this week initiated its novel "Xmas Cupboard" plan to collect canned food in order to give such families a supply of staple edibles. Admission to any studio program from now until Xmas is by canned goods.

AFM Reports 150 Station Pacts Set

(*Continued from page* 1)

N. Weber told of sending 93 wires to locals throughout the country yesterday, with the answers showing union locals in 91 of the 93 instances currently negotiating with stations in their respective territories.

Weber said that he would consider those stations now conducting negotiations with the locals within the boundaries of the deadline, even though their signed agreements are not yet in his hands.

The contract for the key stations have not yet been delivered to him, but were expected momentarily, he said.

The IRNA negotiating committee will meet today in the office of Emile Gough, Hearst Radio official and secretary of the IRNA committee.

Pond's to Have New Program

A new dramatic series, titled "Those We Love," will replace "Husbands and Wives" Tuesdays from 8 to 8:30 P.M., over the NBC-Blue, on Jan. 4. Pond's will continue to sponsor, through J. Walter Thompson.

Sharpe Quits Getchell

Frank Sharpe, head of the radio department of the J. Stirling Getchell agency, has resigned to become managing editor of a new magazine, *Picture*, the first issue of which will appear shortly after Christmas.

Court Fight Starts On WIBM Exclusive

OMAHA, Dec. 14.—"We are only beginning to fight to establish the principle that it is not only a station's right, but a station's duty to broadcast public, non-profit events of general interest," says John J. Gillin, Jr., manager of WOW.

Gillin referred specifically to a national cornhusking contest held Nov. 4 at Marshall, Mo.

WOW's news editor, Foster May, and two engineers, Paul McDonald and Joe Herold, were each fined $10 and costs in a justice of the peace court at Miami, Mo., Dec. 8, on trespassing charges which developed during the contest. The cases have been appealed to the District Court and a hearing will be held early in January at Marshall.

The trespassing charges were originally preferred by WIBM, Topeka, which maintained that station had sole broadcast rights at the contest. The WOW men drove their mobile unit onto a concession ground near the scene the night before to test equipment.

Next day May broadcast the contest from a neighboring field, covering it with field glasses.

New Station Group Is Planned by NBC

A new supplementary station group, to be known as the South Mountain group, will be established by NBC Jan. 3. It will consist of KTSM, the only station in El Paso, which joins NBC on that date; KOB, Albuquerque, N. M., now a part of the NBC supplementary Pacific group; and KGHF, Pueblo, Col., now supplementary to the Blue Mountain group.

The new unit will be available to advertisers on either the Red or Blue network, at a rate of $360 per evening hour for the group, or $120 per evening hour per station if the stations are used individually.

The new South Mountain group will be fed from Denver, KOB in Albuquerque, therefore, will no longer be available as a unit of the supplementary Pacific group.

Lucy Monroe Signed To Head Xmas Show

Lucy Monroe will headline the cast of guest talent on the "Hammerstein Music Hall of the Air" Dec. 24 in a special Christmas Eve broadcast. The other guests will include the Vienna Choir Boys, John Griffin, tenor soloist of St. Patrick's Cathedral, and Art Gentry. Miss Monroe will be heard in Adam's "Cantique de Noel."

Weber on Key City Tour

Fred Weber, Mutual executive, will leave on the 20th Century for Chicago today. After spending a few days there he will proceed to Los Angeles, San Francisco, Seattle and Portland to inspect the new Mutual stations in those cities.

Dietrich, Fairbanks, Jr., on Lux

Marlene Dietrich and Douglas Fairbanks, Jr., will star in "The Song of Songs" in the Lux "Radio Theatre" presentation over CBS, Dec. 20.

Hollywood Town Pump

HOLLYWOOD, Dec. 14.—KEHE, having received hundreds of contestants in the first of the Saturday "scavenger hunts," will continue with the idea. Al Poska, announcer, will read a list of 10 articles to be gathered, and give the listeners an hour to bring them to the station. Prizes are awarded.

Edward Klauber, vice-president of CBS, is in town for about a week looking over new developments, including the $2,000,000 building under construction . . . Basil Rathbone will be a Kraft guest Dec. 23 . . . Lionel Barrymore will be heard in Dickens' "Christmas Carol" on Hollywood Hotel Christmas Eve.

Columbia's Pacific Network has inaugurated a new coast program, "Hollywood Matinee," planning to have a different announcer as master of ceremonies each Wednesday program, in order to discover who is the best master of ceremonies. Music will be furnished by Lud Gluskin and his orchestra. Clark Ross, baritone, Judge and her Jesters, and Chiquito, are scheduled on the show, a half hour in length.

Lal Chand Mehra, Hindu lecturer and film technical adviser, has started a series of Wednesday night programs on KECA presenting "The Story of India". . . Eve Stanley Harry H. Comer and John C. Jensen have joined KFI-KECA's commercial department . . . KFWB is experimenting with "The Stars Return," Monday night program presenting old time film favorites in dramas . . . KHJ is cooperating with the Police Dep't and City Traffic Bureau in a drive to reduce traffic fatalities. A program, to be conducted by Sergeant James B. Heath, is spotted Thursday afternoons.

Radio Personals

BETTY ALLEN, recently vocalist with the Henry deLange orchestra, has been signed to appear with Ray Ventura's orchestra on the continent. She sails for Paris today aboard the *Queen Mary* . . . Edward Everett Horton will be on the Feg Murray program Monday . . . Joy Hodges will be the subject of Radie Harris's quiz over Mutual tonight . . . Lowell Thomas, John B. Kennedy, Boake Carter, Gabriel Heatter, Johannes Steel and Upton Close will be the speakers at the Advertising Club's "Commentators' Day" luncheon tomorrow. Walter Winchell may appear also.

✚

Pittsburgh Town Pump

PITTSBURGH, Dec. 14.—Lillian Malone of WCAE was in another automobile accident last week, her second in a year, but received only slight injuries this time. . . . Carl Dozer and Bob McKee are handling the Cremo Treasure Hunt over WCAE every Saturday night from the Duquesne Garden. . . . Page boys have supplanted all of the women reception clerks at KDKA. . . . Brian McDonald has bought a dummy and is taking lessons in ventriloquism for his Wilkens Amateur Hour on WJAS. . . . J. Herb Angell, announcer at KQV, has organized his own dance orchestra. . . . Joe Stabile has presented Paula Kelly a wire-haired terrier for Christmas. . . . Walt Framer is doing a new 15-minute question-answer film program over WWSW in front of the Penn daily. . . . Jessie Wheatley, vocalist, has been added to Old Shay Ale's "Night at the Inn" show on WCAE.

WHN to Advertise In Cars and Trains

In an advertising campaign to direct the attention of listeners to programs featured on WHN, the station has begun advertising in the B.M.T. surface and subway cars, placed through Street Railways Advertising Co., New York. The advertising, consisting of 1,600 car cards, will be changed monthly.

Criterion Closes Deal

Criterion Radio Prod., Inc., the sales outlet for Atlas Radio Distributing Corp., in the east, has closed another Morris Plan sponsorship of "Ports of Call," over WJAR, Providence, starting in February. Kasper-Gordon, exclusive Criterion representative in Boston, handled the deal.

Joins Staff of WJSV

WASHINGTON, Dec. 14.—Elinor Lee, director of home economics for the Westinghouse Mfg. Co., has joined the staff of WJSV, where she will conduct the daily home economics course of the Potomac Electric Power Co.

Quits NBC for Photoplay

BOSTON, Dec. 14. — Jay Slocum, formerly of the Boston office of NBC, has joined the New England staff of *Photoplay Magazine*.

Cooperation

Oklahoma City, Dec. 14.—Exhibitors and radio stations in many Oklahoma cities are cooperating for their mutual benefit.

Standard Theatres and WKY here have cooperated in promotion stunts and have shared important acts. Standard also cooperates with ticket deals for contests, receiving air mention of their films.

Central States Is Dickering for WAAW

LINCOLN Neb., Dec. 14.—Negotiations are under way for the sale of WAAW, Omaha, to Central States Broadcasting Co., it is admitted by Joe W. Seacrest, an executive of Central States.

If the deal is closed the station will be operated with KFAB, Lincoln, and KOIL, Omaha. F. C. C. approval has not been obtained as yet.

Central States is 50 per cent owned by the *Lincoln Star* and *Journal*.

Colgate Takes Two Station WLW Spots

CINCINNATI, Dec. 14. — Colgate Palmolive-Peet, through Benton & Bowles, has contracted for two 15-minute strips over WLW, Monday through Friday, for a period of one year, beginning Jan. 10. They are transcriptions of "Myrt and Marge" and "Hilltop House."

Renewal for 13 weeks of the Refrigeration & Air Conditioning Institute's program over WLW will carry the series to March 20, 1938.

Shift Personnel at WLW

CINCINNATI, Dec. 14.—James D. Shouse, recently named vice-president of WLW, has brought Bob Dunville to the station from KMOX, St. Louis, in an executive capacity. Other changes include E. C. Krautters from continuity editor to assistant sales manager, with Lee House of the production staff switched to continuity editor, a post which he held several years ago. Eldon A. Park, program coordinator, has been named assistant program director, and is succeeded by his assistant, Robert Franken.

Johnson Has New Program

"Terry Regan, Attorney-at-Law," is the title of a new dramatic script series to be sponsored by the S. C. Johnson Floor Wax Co. over the NBC-Blue network beginning Jan. 3, Mondays through Fridays from 10:30 to 10:45 A. M. The contract is for 26 weeks, and the order is for 15 stations. Needham, Louis & Brorby, Chicago, is the agency. Johnson Floor Wax also sponsors the "Fibber McGee and Molly" series.

Remington-Rand on WLW

CINCINNATI, Dec. 14.—Remington-Rand has launched its second current program over WLW, with Paul Sullivan, WLW's ace news commentator, handling the show. The series is to run through January, 1938, when the spot will be occupied by North American Insurance Co. The contract was placed by the Franklin Bruck Advertising Corp.

"Conquest" Is High Grosser On the Loop

CHICAGO, Dec. 14.—"Conquest" was the top attraction in the Loop last week and gave the United Artists a $17,300, which was $2,300 over average.

The State-Lake, with "Back in Circulation," was the only other theatre to go over par. The gross there was $14,300.

Only two films, "Conquest" and "Stand-In," opened in the Loop last week. The other films had either played in other Loop theatres or were holdovers. Most impressive of these attractions were "Ebb Tide" at the Apollo and "The Awful Truth" at the Chicago.

The weather was very bad all week. Rain and sleet followed by extreme cold hurt business no end. The start of the Christmas slump also had its effect.

Total first run business was $107,000. Average is $118,000.

Estimated takings:

Week Ending Dec. 9:

"THE AWFUL TRUTH" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: "Cabaret Russe" Revue. **Gross:** $26,500. (Average, $33,000)

"SECOND HONEYMOON" (20th-Fox)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $5,600. (Average $6,500)

"STAND-IN" (U. A.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $16,000. (Average, $18,000)

"DAMSEL IN DISTRESS" (W. B.)
PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: Buster Shaver and Revue. **Gross:** $11,000. (Average, $19,000)

"BACK IN CIRCULATION" (W. B.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Vaudeville Revue. **Gross:** $14,300. (Average, $13,000)

Week Ending Dec. 10:

"EBB TIDE" (Para.)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,300. (Average, $6,500)

"NOTHING SACRED" (U. A.)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 3rd week. **Gross:** $9,200. (Average, $11,000)

"CONQUEST" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $17,300. Average, $15,000)

Operate on Branch Head

BOSTON, Dec. 14.—Timothy O'Toole, Columbia branch manager, underwent an operation at Newton Hospital today for a kidney ailment. He is expected back shortly after the first of the year. He was taken ill last Saturday.

William M. James Ill

COLUMBUS, Dec. 14.—William M. James, exhibitor, who retired from business here a few years ago, and was eight years president of the erstwhile M.P.T.O. of Ohio, is ill at his home here. He now is president of a local building and loan company.

Rob Republic in Hub

BOSTON, Dec. 14.—Two Griswold splicing machines valued at $45 were stolen from Republic Pictures here over the weekend. The robbery is the latest of a number of thefts which have occurred in the film district recently. Among the victims are Wholesome Film Service, Inc., New England Film Library, B. G. Film Co. and Capitol Theatre Supply Co.

M-G-M Men Return From Chicago Meet

William F. Rodgers, general sales manager of M-G-M; Tom Connors, eastern division sales manager; E. K. O'Shea, eastern district manager, and William R. Ferguson, exploitation head, returned from Chicago yesterday after holding a three-day mid-winter sales session at the Palmer House.

Rodgers, who was bothered by laryngitis, proceeded to his home and did not return to his office. He is due back at his desk today. E. M. Saunders, western division sales manager, stopped at Chicago to visit his father, who is ill.

Spyros Skouras Returns

Spyros Skouras, accompanied by A. S. Gambee, Edward Zabel and John Healy, returned yesterday after holding one-day meetings with National Theatres' divisional operating heads in Los Angeles, Seattle, Denver, Milwaukee and Kansas City.

Milton Hossfeld, who met the party at Denver while making a booking checkup at several cities, attended the Colorado, Wisconsin and Kansas sessions. He returned by plane from Chicago yesterday with Skouras and Zabel. Gambee and Healy came in by train.

Aubrey Schenck to Wed

Aubrey Schenck, nephew of Joseph M. and Nicholas M. Schenck, will marry Florence Kirk, his secretary at National Theatres, within the next two weeks. The date will be definitely set next week. The couple will spend their honeymoon on the coast.

Nicholas M. Schenck, president of Loew's, will return from Hollywood today. He will attend the wedding ceremonies. Joseph Schenck is on the coast and has no plans to come east.

Feist Estate $390,795

The gross estate left by the late Felix A. Feist amounted to $390,795, but after funeral and administration expenses and debts the sum left was $347,284. Half of the estate has been bequeathed his son, Felix E., and the other half to his daughter, Majorie M. Nast. In the latter instance the money has been placed in trust until Nov. 5, 1938, when Mrs. Nast becomes 25 years of age.

"Buccaneer" to Tour

HOLLYWOOD, Dec. 14.—Cecil B. De Mille has planned a national preview tour for "The Buccaneer," the itinerary to include a world premiere in New Orleans on Jan. 7 and subsequent screenings in Atlanta, Washington, New York, Boston, Chicago and Kansas City.

Open Reade House Friday

MORRISTOWN, N. J., Dec. 14.—The new Community here, unit of Walter Reade's American Community Theatres Corp., will open Friday evening, with a reception and buffet as part of the ceremonies. This is the third house of Reade's new company.

Friedman at New Casino

Zac Friedman is managing the New Casino, Brooklyn, which reopened over the weekend with modified burlesque.

War In China Is Reel Men's Toughest Job

(Continued from page 1)

man, who was aboard the U. S. gunboat *Panay* when she was bombed and sunk by Japanese fliers.

An unconfirmed report from International News Service last night said that Alley was believed to have been sighted on the shore of the Yangtse River, and other reports had it that the survivors of the sinking ship were boarding rescue boats. Both Movietone offices and Universal's headquarters here were wiring frantically via every possible route, in an attempt to ascertain the whereabouts—or the fate—of their cameramen, and the other reels, although they had no men on the *Panay,* are deeply concerned for the safety of the two men.

The third newsreel man unaccounted for late last night was Arthur Menken, Paramount cameraman, reported yesterday by the Associated Press in a dispatch from Shanghai to have been "detained" by the Japanese army at Nanking. According to the report, his camera and films of the battle of Nanking were seized by the Japanese military. Paramount had no confirmation of the report last night.

Indicative of the obstacles faced by the cameramen was the passage from a letter received recently by Menken's parents here, in which he revealed that it took 10 days to travel from Shanghai to Nanking "through back country," at night only, and that he lived almost entirely on sweet potatoes.

Incident But One of Many

These are only the most recent in a long series of incidents in which American newsreel cameramen have been involved. The men were all in constant danger during the fierce fighting which raged through a great part of Shanghai, but without exception they stuck to their cameras.

When bombs blasted into a horrible wreck the two department stores in Shanghai, several cameramen narrowly missed being among the victims. Japanese bombers tore down on a British car carrying diplomatic representatives, and several cameramen, in a car immediately behind, jumped from their car and ran for their lives across an open field.

The Sino-Japanese "incident" is being covered completely by the newsreel cameramen, but the danger is great, the "incidents" multiply, and the home offices of the reels are in a continuous state of fear for their men in the field in this latest "assignment."

Acquire U. A. Re-Issues

DENVER, Dec. 14. — The Capital Film Exchange here will handle United Artist re-issues, according to George Kerer, manager, who closed the deal with Al Aaronson of Artcinema Associates, Inc., N. Y., when he was in Denver.

Girl at Tony Sterns

PITTSBURGH, Dec. 14.—It's a girl at the Tony Sterns. He is assistant chief booker for Warners.

The Newsreel Parade

Movietone News
Vol. 20, No. 27
(20th Century-Fox)

This latest issue of the reel ranges from gruesome tragedy, diplomacy, weather phenomena and screwball comedy to a slam bang professional football game, all done in first rate manner. The comment by Lowell Thomas, Lew Lehr and Ed Thorgersen is also the usual lucid stuff.

The reel opens with the crash of an army plane at Langley Field in Virginia. Shots of King George VI receiving presents from residents of the Duchy of Cornwall follows. Buffalo digs out after a blizzard and the cavalry at Fort Ethan Allen in Vermont does its annual maneuvers in the snow.

Names in the News offers Gov. Alfred M. Landon stating he will not run in 1940, a glimpse of Joseph P. Kennedy, Lady Anne Cavendish who is rumored to be the next Queen of the Belgians, the Finnish Ambassador, Eero Jarnefelt, on his way to the White House to pay his country's annual installment on the war debt and General Pershing pinning medals on nine C.M.T.C. soldiers.

Lehr turns the full blast of his unique English on the products exhibited at an inventor's convention. Thorgersen describes last week's football game between the Washington Redskins and the Chicago Bears.

Running time, 9 mins. P.

News of the Day
Vol. 9, No. 225
(M-G-M)

The *Panay* sinking serves as the lead for this issue. Around scenes of the ship are inserted the current diplomatic apologies in convincing documentation. The Japanese Ambassador, Hirosi Saito, expresses his country's regrets and there are also shots of Cordell Hull, President Roosevelt and activities on the *Panay* as she once steamed up the Yangtze. The snowstorm in Buffalo is also offered aside from the departmental material.

News Snapshots offers a fire in a Washington store, an inventors' convention, Gov. Alfred M. Landon putting to flight 1940 presidential rumors and night dog racing in Florida.

The Woman's Page gives eye-opening glimpses of new modes in lingerie and corsets on attractive models.

The Chicago Bears - Washington Redskins pro football game concludes with many spectacular shots of the scoring plays.

It is well-balanced and diversified material.

Running time, 9 mins. P.

Paramount News
Issue No. 38
(Paramount)

Paramount News made a swift effort to gather available material on the incidents connected with the sinking of the U. S. Gunboat *Panay* both from the Chinese and Washington angles. In the clip Ambassador Saito makes "most profound apologies." Comment by Gabriel Heatter adds interest to the subject. It is easily the highlight of the reel.

Washington news, with comment by Gregory Abbott, includes Alfred M. Landon's statement that he will not run in 1940; views of a department store fire in which firemen had plenty of trouble, and General Pershing awarding C.M.T.C. medals to boys who have distinguished themselves.

King George VI is shown receiving an ovation from his subjects on a tour of the Duchy of Cornwall, but he is not the most exciting figure on the screen these days.

Dizzy Dean's impersonation of Santa Claus at Miami, with commentary by Mark Hawley, is timely as well as novel. The reel winds up with the Washington Redskins winning from the Chicago Bears.

Running time, 9 mins. J.

Pathe News
Vol. 9, No. 42
(RKO)

This release is lively and interesting. Although it runs about 100 feet less than the average number, it includes two outstanding examples of good camera news coverage. Its treatment of the consequences of the *Panay* sinking near Nanking by Japanese bombers is impartial in manner and free of hysteria. The reel's shots of the crash of an Army bomber at Langley Field, Va., during maneuvers are also exceptionally good camera reporting. Not only the crash of the burning plane has been caught but the reel also shows one of the occupants thrown clear of the ship and its motor hurtling several hundred feet ahead of the plane.

The balance of the material consists of blizzard scenes in Buffalo; winter artillery maneuvers at Fort Ethan Allen, Vt.; a small town business "boom" in New Jersey resulting from the discovery of a new mineral water; greyhound racing at Miami, and some good pictures of the scoring plays in the Washington Redskins - Chicago Bears pro grid game.

The editing and narration of this material is well handled and contributes its full share to a good release.

Running time, 8 mins. K.

Universal Newsreel
Vol. 9, No. 623
(Universal)

News pictures pertinent to the bombing and sinking of the U. S. gunboat *Panay* near Nanking naturally form the featured sequence of this issue of the reel, which is lively and interesting in a diversified fashion, including football, a blizzard, a five-alarm fire and a fatal plane crash.

The reel, whose Norman Alley is among the missing from the *Panay,* pulls no punches either in caption material or in accompanying dialogue. It becomes virtually an indictment of Japan, and uses the "expression of regret" in sarcastic vein. Shown are shots of Cordell Hull, Ambassador Saito and other Washington scenes.

There is a thrill in the spectacular shots of an army flier crashing to death at Langley Field, his plane bursting into flames, and in the five-alarm fire which gutted the Hahn store in Washington. Lively action is included in the army maneuvers in the snow at Burlington, Vt., and the Redskins' victory over the Bears in the pro-football windup on a frozen Chicago field. The full power of Buffalo's severe blizzard is well pictured. Gadget inventors display their wares in Los Angeles, Dizzy Dean acts as a sunny Santa Claus in Florida, and the new speed film catches night dog racing at Miami without aid of additional lighting.

Running time, 9½ mins. A.

Ban F. D. R. Speech

Shanghai, Dec. 14.—The censor board of the Shanghai Municipal Council has ordered President Roosevelt's recent Chicago speech against "aggressor nations" eliminated from local news reel showings.

The board contended that the presentation of the material would be "inadvisable in view of the local situation."

Paramount Talks Two-Reel Newsreel

(Continued from page 1)

news events carried by the reels. Audience interest in such material as that provided by the Japanese invasion of China, clashes on the labor front, football games and other events of widespread national interest indicates, time and time again, that the one-reel release fails to satisfy the public appetite for screen news, they state.

A. J. Richard, Paramount News editor, believes that the two-reel release is inevitable.

"I am convinced," he said, "that the American public wants its screen news in the fullest possible measure; that the newsreel industry soon will find its 10-minute screen limitation breaking down seems almost a certainty."

Aalberg in SMPE Post

HOLLYWOOD, Dec. 14.—John O. Aalberg, head of the RKO sound department, has been elected chairman of the Pacific Coast section of the Society of M. P. Engineers, succeeding Kenneth Morgan of Erpi, recently named executive vice-president of the group. Gordon Chambers has been reelected secretary-treasurer, C. W. Handley has been named to the board of managers.

Bexley House Opens

COLUMBUS, Dec. 14.—The new Main, a 1,500-seat de luxe house, built in Bexley, fashionable suburb, by the recently organized Main Theatre, Inc., was opened today. F. W. Rowlands, who operates a number of local houses, is president, and H. M. Bloss, secretary and treasurer.

Among other modern features, there are parking accommodations for 500 cars at the rear of the house.

"Dinner" Gross $25,000

"Dinner at the Ritz" tallied approximately $25,000 in the first week at the Roxy. The picture stars Annabella and was produced by 20th Century-Fox in England.

Only Four Deletions

COLUMBUS, Dec. 14.—The Ohio censor board ordered only four eliminations out of a total of 199 reels reviewed during the week ended Dec. 10.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 142 NEW YORK, THURSDAY, DECEMBER 16, 1937 TEN CENTS

P. D. Cochrane Resigns as Ad Head for "U"

John Joseph Expected to Be Named Successor

P. D. Cochrane, director of advertising, publicity and exploitation for Universal for 23 years, resigned that post yesterday effective tomorrow.

Simultaneously with Cochrane's resignation, it was reported in reliable quarters that John Joseph, advertising and publicity supervisor for RKO theatres in the middle west territory, would be named to succeed Cochrane. Joseph will arrive in New York today from Chicago, his headquarters, to confer with Nate Blumberg, who becomes president of Universal on Jan. 3, and with Universal officials. It is

(*Continued on page 7*)

Production Gains With 41 Shooting

HOLLYWOOD, Dec. 15.—Production climbed to 41 pictures before the cameras last week, as eight were started and five were finished. Nine are being prepared; 68 being edited.

Those starting are: "Lone Wolf No. 1" and "Land Rush," Columbia; "Nothing Down," Monogram; "Deputy Sheriff" and "Professor Beware,"

(*Continued on page 8*)

IRNA Group Talks With Weber on Pact

I. R. N. A. negotiating committee, comprising Samuel Rosenbaum of WFIL, Philadelphia; Emile Gough, Hearst Radio, Inc., and John Shep-

Additional developments in radio yesterday, pages 6-7

ard of the Yankee and Colonial networks, met with Joseph N. Weber of the A. F. of M. yesterday in an effort

(*Continued on page 6*)

Ban Winchell Song

The Mutual network has barred the playing of the song "I'd Rather Be in Winchell's Column" over the web at the request of several of its affiliated stations, which object on the ground that it publicizes an individual.

Philadelphia Decision Seen As Important

Is Likely to Have Effect On Trade Interference

The decision of the U. S. Circuit Court of Appeals at Philadelphia directing the issuance to Paramount of an injunction restraining exhibitors from projecting a "buyers' strike" against the company was interpreted by film attorneys here yesterday as being of widespread significance to the industry. The decision was handed down by the court on Tuesday, reversing a lower court decision.

Local attorneys studying the ruling declared that it established the principle that buyers may not band together to affect competition and interstate commerce any more than can sellers. They also asserted that the decision would be significant as a precedent in the event that Minneapolis exhibitors, who were enjoined by the U. S. District Court there from similar "strike" activities, carry their appeal from the decision to the U. S. Circuit Court of Appeals in their territory.

In addition, the ruling is regarded by film attorneys as probably having some effect on the course of action which the Federal Trade Commission will take on Allied State's complaint against Paramount. The complaint was based upon the trade practices

(*Continued on page 8*)

Vogel to Be Guest At Ampa's Luncheon

A-Mike Vogel, newly appointed editor of MOTION PICTURE DAILY, succeeding Maurice Kann, will be the guest of honor at Ampa today. The meeting will be virtually turned over to Vogel with many friends and associates attending. Paul Lazarus, Jr., will act as chairman in the absence of Ralph Rolan, who is on the coast.

In addition, Harriet Hoctor, actress; Fillmore Hyde, editor of *Cue;* and Suzanne Kaaren, screen actress, will flank the dais. It is possible that Lily Pons will attend, providing she returns in time from Silver Lake.

Sam Dembow Denies He Will Go to RKO

Sam Dembow yesterday denied reports he was joining RKO as theatre operating head, succeeding Nate J. Blumberg. He said: "There is no foundation to the rumor and I have not resigned from National Screen."

Odlum Going West For Studio Confab

Floyd B. Odlum, head of Atlas Corp., will leave for Hollywood early next week to confer with Leo Spitz and other RKO officials on the new RKO studio setup. Odlum will remain on the coast over the holidays.

Although it is reliably understood here that no definite arrangements have been completed it is understood that further efforts will be made to have Pandro S. Berman assume complete charge of the studio. This failing, Berman would continue in charge of "A" production and a new studio head would be designated from among a number who have conferred with Spitz during recent weeks.

It is regarded as likely here that a new RKO theatre head to succeed Nate J. Blumberg, whose resignation will be effective Jan. 1, will also be designated during the coast conferences. Ned E. Depinet, vice-president, is already on the coast and A. H. McCausland, trustee's representative in RKO, is expected to accompany Odlum west.

Cameramen Are Safe After Panay Sinking

Norman Alley, Universal Newsreel cameraman, and Eric Mayell, cameraman for Fox Movietone News, who were aboard the U. S. Gunboat *Panay* when it was bombed and sunk in the Yangtze River near Nanking, are both safe and unharmed, advices to the New York headquarters of the two reels established yesterday.

The two are aboard the U. S. Gun-

(*Continued on page 4*)

Nebraska to Receive Ascap Gross Figures

LINCOLN, Neb., Dec. 15.—Permission to file 138 interrogatories today was granted the Secretary of State and county law officers, defendants in the Ascap action aganst state officials to prevent enforcement of the anti-Ascap legislation enacted last spring. Ascap has obtained a temporary injunction. Gene Buck, Walter Fischer, Saul Bernstein and Gus Schiermer were ordered to file answering documents.

Among other things, Nebraska is asking an accounting of the gross receipts of Ascap since 1920.

Films Trade Board Reelects Officials

Leo Abrams, president; Harry Hummel, first vice-president; Edward Bell, second vice-president, and Jack Bowen, treasurer, were reelected last night at the annual election of the

(*Continued on page 7*)

Lichtman Is Given a New Loew Contract

Five-Year Pact Is Made By Nicholas Schenck

By BILL ORNSTEIN

Al Lichtman, vice-president and a director of Loew's and executive aide to Nicholas M. Schenck, president, has been signed to a five-year contract, Schenk told MOTION PICTURE DAILY yesterday in an exclusive interview on his arrival from the coast.



Al Lichtman

The pact was signed at the time Louis B. Mayer, E. J. Mannix, Sam Katz and Benjamin Thau, studio executives, were given new five-year agreements, Schenck said. Lichtman also is a director of the company, having been elected to the board in October.

The Loew president returned with a bad head cold he contracted while on the coast and immediately went to

(*Continued on page 7*)

Ban on Smoking in Theatres Planned

Smoking in theatres will be banned, with certain exceptions, if an ordinance ready for presentation to the new City Council after the first of the year is passed by that body. The exceptions, as the measure has been

(*Continued on page 7*)

He Demonstrated

Washington, Dec. 15.—Bernard Kreisler, Paramount representative here, still thinks an apple a day keeps the doctor away, but he's off the Big Apple.

He returned yesterday from a southern trip and tried to demonstrate a new Big Apple step to the newsreel staff. He fell and broke his left arm.

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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.
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Blumberg Is Guest At Farewell Dinner

Nate J. Blumberg, who will leave his RKO theatre post to become president of Universal the first of the year, was tendered an informal farewell dinner by RKO associates at the Warwick last night. The affair was a surprise attended by about 25 RKO officials. Blumberg was presented with a desk set as a parting gift from his associates.

British Fleet Films Set

LONDON, Dec. 15.—Satisfactory results from the dinner held last night with regard to a supply of films for the British fleet are reported by the Admiralty. The Duke of Kent was guest at the dinner. Film will be available for the fleet on generous terms and the equipping of the ships will proceed.

ATTORNEY, young, theatre and distribution experience with legal department of major company, desires position as assistant to executive.
Box 405, c/o Motion Picture Daily.

Purely Personal

GENE PICKER of Loew's won a double bet the other day, a hat from JAMES R. GRAINGER, retiring sales manager of Universal and another hat from WILLIAM A. SCULLY, incoming sales head. The chapeaux, PICKER says, were delivered a day apart.

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JAY C. FLIPPEN will be tendered a testimonial dinner Saturday at the Edison by the Nordacs Club. Chairman LEO WEISS has lined up numerous stage, screen and radio stars to appear.

•

Y. FRANK FREEMAN, vice-president and theatre head of Paramount, left for Atlanta yesterday to spend the holidays with his family.

•

EDWARD SHANBERG and MARTIN FINKELSTEIN, producers of "Spirit of Youth," will make their offices with G. N. in Radio City.

•

JACOB WILK, Warner story editor, recently lectured at Dartmouth in the course sponsored by WALTER WANGER.

•

ARTHUR LOEW will sail Dec. 26 on the *Normandie* for a five-month tour of foreign countries.

•

JACK WARNER, JR. is in town. He is at the Warwick.

•

. . . Pittsburgh

BILL BROWN, Tarentum exhibitor, finally bagged a deer last week after three times out.

HARRY KALMINE's nephew, HOWARD MINSKY, of the Warner office in Richmond, and SYLVIA SHEAR, a Pittsburgh girl, will be married here Sunday night.

JOCK SUTHERLAND, Pitt football coach, and CHESTER SMITH, *Press* sports editor, are sailing next week for New Orleans and the Sugar Bowl game.

POLLY ROWLES, who quit Hollywood after a year with Universal, has gone to New York in search of a play.

Thieves broke into HARVEY BELL's parked car last week and stole his wardrobe.

Gillham Issues "Snoop"

Bob Gillham's Paramount publicity and advertising department have created a magazine called *Snoop,* with apologies to *Look.* It's a 38-page affair resembling *Look* and is printed on coated stock.

W. C. Fields is pictured on the rainbow hued cover with the latest model in Leicas. When the cover is turned one gets an eyeful of the Paramount roster of stars, directors and producers, seen in forthcoming releases at their candid best. The possibilities of the camera have been used to complete advantage. Many famous names are caught unaware and in laugh-provoking situations which in a few cases are enhanced by the humor of Fields' comment. The book not only provides amusement but also a clever preview on paper of what Paramount has already in the cans and on the way. The edition runs to 15,000 and is being distributed from exchanges. P.

Sardou Objects to Alger's RKO Report

George Sardou, a minority RKO stockholder, yesterday filed six exceptions to the report of Special Master George W. Alger which approved the proposed RKO plan of reorganization. Sardou alleged that the allowance of 460,000 shares of common stock on the Rockefeller Center claim was "excessive and unconscionable." He asked that the report of Special Master Thomas D. Thacher, who originally held hearings on the claim, be filed and consummated by the court.

Sardou urged that a physical appraisal of current assets be made before the common stockholders equity is cut in half. Allowances of common stock to debenture holders and general creditors also were attacked. The proposed underwriting agreement between Atlas Corp. proponents of the plan, and RKO for additional capital should be made public and subjected to the court's scrutiny, Sardou said.

Federal Judge William Bondy is scheduled to hold a hearing of Special Master Alger's report Dec. 21.

John D. Clark Testifies

John D. Clark, 20th Century-Fox general sales manager, was queried yesterday in the preliminary proceedings here in connection with the anti-trust suit brought by Morse & Rothenberg, Boston independent circuit, against major distributors, the Maine & New Hampshire and M. A. Shea circuits. The plaintiff charges inability to obtain any run of product for seven of its theatres.

Abe Montague, general sales manager for Columbia, is scheduled to take the stand today. The proceedings involve the taking of depositions of officials of defendant companies.

Drops Para. Common

WASHINGTON, Dec. 15.—Disposition of 200 shares of Paramount common and acquisition of 400 shares of second preferred stock during October by Duncan G. Harris, New York director, were disclosed tonight by the S. E. C.. At the close of the month, Harris held no common stock and his total holdings of second preferred were the 400 shares reported.

Col. to Pay 25 Cents

The board of directors of Columbia Pictures Corp. has declared a quarterly cash dividend of 25 cents payable Jan. 3, 1938, to common stockholders and voting trust certificates holders of record Dec. 22.

To Show "Fargo" Today

"Wells Fargo" will be screened this morning at the Astor for the trade. Invitations have been sent out by Paramount to approximately 1,200 theatre owners and circuit buyers.

"Confessions" Strong

"True Confessions" opened yesterday at the Paramount and tallied $4,800 at 5 P. M., at which time 12,000 admissions were recorded.

"Pinocchio" Next Disney

HOLLYWOOD, Dec. 15.—"Pinocchio" will provide the basis for the next feature length Walt Disney production. It will be released by RKO.

Theatre Managers' Aid Asked in Drive

License Commissioner Paul Moss, Supreme Court Justice Alger Nova and Harry Brandt, president of the I.T.O.A., yesterday spoke to about 300 local managers, assistant managers and exhibitors at the Astor Theatre on behalf of the Motion Picture and Theatrical Divisions of the New York and Brooklyn Federation Charities. David Bernstein, vice-president and treasurer of Loew's, acted as chairman and introduced the speakers.

The speakers pointed out that the organization includes 116 Federated Charities, 91 in Manhattan and Bronx and 25 in Brooklyn. Theatre managers will enlist the aid of all employes in the drive.

Notes Surplus Among English Reel Houses

LONDON, Nov. 15.—The surplus in the British news theatre field was reflected in the annual shareholders' meeting of Capital and Provincial Theatres, when shareholders refused to pass the accounts and demanded an investigating committee.

The company has recorded a profit of $24,535, but has had to sublet two of its theatres in Portsmouth and Tooting. Chairman Norman Hulbert, pleaded for the resolution not to be adopted, but was threatened with the filing of an application for liquidation. Hulbert cited the competition they were facing, with seven newsreel houses within half a mile of Piccadilly Circus.

Hit Union Cinemas Value

LONDON, Dec. 15.—The new Associated British directors in Union Cinemas have indicated that they are unable to accept the value placed on the company's property in the annual report and intend to recommend that the financial report not be adopted at the annual meeting on Dec. 20. They will urge adjournment pending a new audit of the accounts. The properties will be revalued independently.

Saunders to Handle "Chicago" Roadshow

Claude Saunders, former vice-president of Ross Federal Service, yesterday was appointed by Charles E. McCarthy to handle out-of-town roadshows for "In Old Chicago" for 20th Century-Fox. He will make his headquarters at the distributor's home office. Several two-a-day bookings are now being lined up. There is a possibility the picture will go into the Astor following "The Hurricane."

To Elect M. A. Lightman

MEMPHIS, Dec. 15.—M. A. Lightman will be elected president of the Rex Club at the annual voting here Sunday. The nominating committee says he has no opposition for the post.

Daughter to Machamers

HOLLYWOOD, Dec. 15.—An eight-pound daughter was born today to Jefferson Machamer and his wife, Pauline Moore, a film player. It is their second child.



Opportunity!

Get in on the National RE-ENGAGEMENTS of

PAUL MUNI

in

"BORDERTOWN"

with

BETTE DAVIS

New posters, new ads, new accessories

NEW RELEASE BY

WARNER BROS.

STARTS JAN. 22nd



Cameramen Are Safe After Panay Sinking

(Continued from page 1)

boat *Oahu,* en route to Shanghai. Arthur Menken, Paramount cameraman, who was detained by the Japanese military in Nanking, has been released and yesterday was en route to Shanghai aboard a Japanese destroyer. It was not known whether or not he was permitted to retain his equipment and the films he took of the surrender of Nanking.

Charles Ford, editor of Universal's reel, has arranged for Alley to leave Shanghai on Dec. 21 on the China Clipper for San Francisco. He will bring with him film recording the surrender of Nanking as well as pictures of the bombing of the *Panay,* the reel's office said yesterday.

M-G-M Sales Ahead Of 1936—Rodgers

M-G-M is from 1,500 to 1,800 contracts ahead of last year, William F. Rodgers, general sales manager, stated yesterday. Business in dollars and cents also is ahead and the business per average week is better this year than during the same period last year, he said.

Rodgers returned to his desk yesterday after completing a three-week tour during which he visited Chicago, Los Angeles, San Francisco, Denver, Des Moines and back to Chicago.

Saunders in Pittsburgh

PITTSBURGH, Dec. 15.—E. M. Saunders, western division sales head for M-G-M, is here visiting his father who is ill. Saunders came here from Chicago after attending a three-day mid-winter sales meeting at the Palmer House.

Allied to Sail Today

About 25 members of Allied of New Jersey today will sail for Bermuda on an annual boat ride. Business and pleasure will be combined on the trip with mostly the latter.

Wall Street

Uneven Board Movement

	Open	High	Low	Close	Net Change
Col.	13⅝	13¾	13½	13¾	+ ⅛
Cons.	1½	1½	1½	1½	.....
Cons., pfd.	6⅝	7⅞	6⅝	7⅞	+1½
E. K.	160	161	160	161	+1¼
G. T. E.	13	13	13	13	.....
Loew	47¾	48⅝	47½	47¾	+ ⅜
Para.	11⅜	11¼	10¾	10⅞	— ½
Para. 1.	90	90	88	88	—4
Para. 2.	10⅜	10⅜	10¼	10¼	— ⅛
Pathe	6½	6⅝	6½	6½	— ⅛
RKO	4⅜	4⅜	4¼	4¼	— ⅛
20th Fox	21¾	21¾	20¾	20¾	— ½
20th, pfd.	26⅝	27¼	26⅝	26⅝	+ ⅛
W. B.	7⅜	7¼	7	7	— ¼
W. B., pfd.	34	34	34	34	—5½

Curb Issues Hold Levels

	Open	High	Low	Close	Net Change
G. N.	1	1	1	1	.....
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone	1⅞	1⅞	1⅞	1⅞	.....
Tech.	18	18⅛	17¾	17¾	.....
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....

Warner Bonds Gain

	High	Low	Close	Net Change
Para. B'way 3s '55	59	59	59	.....
Para. Pict. 6s '55	89	89	89	.....
Para. Pict. '47	72½	72½	72½	— ¼
W. B. 6s '39	73½	72⅞	73½	+1½

(Quotations at close of Dec. 15)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mannequin"

(M-G-M)

HOLLYWOOD, Dec. 15.—This Joseph L. Mankiewicz production of a modern story of Katharine Brush is a highly marketable product. The plot is refreshingly out of the prevalent pattern and well within the range of plausibility. Spencer Tracy and Allan Curtis give brilliant performances as the men in the case and Joan Crawford rises to their example, while Elizabeth Risdon, Oscar O'Shea and Leo Gorcey make miniature masterpieces of minor roles. The dialogue is notably speakable and interest holds continuously. The picture should draw well and satisfy thoroughly in almost any kind of theatre or community.

Tracy is a Hester St. product risen to riches, who finds himself attracted to Miss Crawford whom he meets on the night of her marriage to Curtis. When Curtis turns out to be no good Tracy befriends the couple. Curtis then urges Miss Crawford to divorce him and marry Tracy temporarily to obtain a portion of his fortune for him to share after divorcing Tracy and rejoining him. She rejects the proposal, but does divorce Curtis and marry Tracy. Curtis then attempts to force the consummation of the proposed plot and is on the point of succeeding when Tracy loses his money, whereupon Curtis loses interest and Miss Crawford is free to remain as Tracy's wife.

"Mannequin" gets its title from a brief sequence in which Miss Crawford is employed as a model. Other backgrounds are Hester St. tenements, swank penthouses, backstage, shipboard, various restaurants and foreign capitals. The screenplay by Lawrence Hazard is a finely fashioned document. Miss Crawford sings an appropriate song number by Edward Ward, Bob Wright and Chet Forest.

Running time, 92 minutes. "G."

"She's Got Everything"

(RKO)

HOLLYWOOD, Dec. 15.—What might be described as the wave of slightly insane comedy romance goes on apace, and this particular example cannot be accounted more than a fair-sized ripple in the wave. Certainly it is no breaker, however vigorously the cast pursues its art.

"She's Got Everything," which is a title open to reviewer punning with respect to the film, is a comedy romance, with all the accent on comedy and comedians who are better than their material. Gene Raymond and Ann Sothern are teamed in the leads, aided materially by Victor Moore and Helen Broderick, and immaterially by Parkyakarkus and Billy Gilbert. The Parkyakarkus cracks are too obviously built up and do not crackle.

There is a comic idea in the original story and screenplay, the work of Joseph Hoffman and Monroe Shaff and Harry Segall, respectively, but it somehow fails to jell on the screen. Miss Sothern, suddenly broke on the death of her father, gets a job as wealthy coffee-man Raymond's secretary, through Moore, "horse broker." Moore becomes self-appointed leader for a gang of Sothern creditors, including Parkyakarkus and Gilbert, and engineers a plan whereby Miss Sothern should marry Raymond to pay off the debts.

Everything goes swimmingly at a resort, until Moore is hounded by the creditors and sees the need for quick action. He calls for Raymond, but when the latter arrives he learns of the plan and breaks the engagement. The reconciliation is only effected after a hectic auto chase and a wedding on a swaying truck through city streets.

Running time, 73 minutes. "G."

Pneumonia Picture To Play Music Hall

A single-reel film, "A New Day," presented by the U. S. Public Health Service and the Metropolitan Life Insurance Co., sponsored by the New York City Dep't of Health, and produced by the Jam Handy Co., was previewed yesterday at the Music Hall, and will begin a week's run at the theatre today. It will be available for general booking on Dec. 22.

The film, through a dramatic story, serves to emphasize the vital importance of seeking medical advice as early as possible in illness which may lead to pneumonia, and stresses the value of the new serums now available in obtaining cures for the various types of pneumonia which are responsible for thousands of deaths in New York alone each year. The picture, which runs 12 minutes, has been happily cast with experienced film players and possesses a strong dramatic quality, which cannot fail to arouse the interest and response of audiences. Expert production has made it a worthwhile dramatic effort. Theatres may obtain the film by applying to the Motion Picture Bureau of Metropolitan Life at 1 Madison Ave. Part of the Health Dep't campaign to wipe out fatalities from pneumonia, the film merits the cooperation of every theatre owner, and affords an opportunity to make a substantial contribution to public welfare. A.

Variety Club

Cincinnati

CINCINNATI, Dec. 15.—The annual Christmas party for underprivileged children will be held in the Netherland Plaze Dec. 19. In addition to a huge Christmas tree and Santa Claus, several juvenile pictures will be screened, and JIMMY WARD will lead the tots in singing their favoriate Yuletide jingles. The Barkerettes will distribute fruit, candy and toys.

Tent No. 3 has donated $50 to the Red Cross drive in progress here.

Plans for a gala New Year's Eve party are under way. Arrangements have been made to use the large room adjoining the tent's present quarters for this and other affairs which will be given throughout the winter. RALPH KINSLER, dough guy, is receiving reservations for the New Year's Eve frolic.

DWIGHT JONES, operating the Markay at Jackson, O., has been accepted as a non-resident member.

Kansas City

KANSAS CITY, Dec. 15.—A picture on Film Row and a visit to the Variety Clubrooms, where they had ice cream, cookies and candy, was the program given a number of the young folks from the R. J. DeLano School for Crippled Children by Tent No. 8.

An imposing list of prizes already has been donated for the fourth annual bowling tournament, sponsored by Variety Club and the *Kansas City Star,* Dec. 18 and 19 at Pla-Mor. All proceeds will go to the school board's milk fund for underprivileged children.

Among those in the industry who have donated substantial awards are JOHN MCMANUS, STANLEY CHAMBERS, BILL ELSON, JERRY ZIGMOND, ROY CATO, HAROLD LUX, BEVERLY MILLER, WILLIAM WEINTRAUB, JIMMY LEWIS, WARD SCOTT, TOMMY THOMPSON, LEE JONES, CLAUDE MORRIS, GEORGE FULLER, LES DURLAND, RUSS BORG, DOUG DESCH, HOMER BLACKWELL, DUSTY RHOADES, CHARLEY KNICKERBOCKER, ROBERT CARNIE, ROY YOUNG, SAM SOSNA, CHARLEY GREGORY, ED ROLSKY, STANLEY SCHWARTZ, NAT HECHTMAN, A. J. SIMMONS, LARRY LARSEN, MAX BAREWIN, R. W. MCEWAN, EARL KERR, J. ERWIN DODSON, A. W. HEYL, BEN SHLYEN, EARL JAMESON, SAM ABEND, FRANK BOWEN, BOB WITHERS, CLARENCE SCHULTZ, FINTON JONES, JOHNNIE FLYNN.

Delay Sunday Action

SALISBURY, N. C., Dec. 15.—The City Council has deferred action on Sunday films here, following the appearance of a number of ministers who protested the continuance of Sunday pictures. Paul Phillips, local manager of North Carolina Theatres, Inc., which operates all local houses made a plea for tolerance.

Tim McCoy Incorporates

DOVER, Del., Dec. 15.—Colonel Tim McCoy and Associates, Inc., was formed here to deal in amusements of all kinds listing a capital of $400,000 and 12,000 shares, no par value. The incorporators are J. Skrivan, S. L. Mackey and H. Kennedy, Wilmington.

EXCEPTIONAL

ONE step removed from the original negative used to mean definite loss of quality. Eastman Fine-Grain Duplicating Films break this rule . . . break duplicating records. These exceptional films are capable of producing master positives and duplicate negatives that are actually equal to the originals in photographic quality. . . . Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Fine-Grain*

DUPLICATING FILMS

No Radio Ban Is Possible, Says Vincent

No industry-wide ban on the appearances of film stars on radio programs is possible or warranted, Walter Vincent, chairman of the M. P. T. O. A. radio committee, stated yesterday in disclosing that the theatre owners' committee does not plan to intervene in connection with the increasing number of Hollywood personalities and programs appearing on the air.

Vincent revealed, however, that he had conferred with M-G-M officials on that company's air program and was convinced that the company's aims were primarily concerned with the development of an arrangement under which it would have control over the radio appearances of its players and the material used in the broadcasts. He indicated that, while he had not conferred with Warners, he believed that company's aims were similar to M-G-M's.

Says Good Programs Help

Vincent said that while there was no question that inexpertly prepared radio programs and casts did a definite injury to players, films and, consequently, to theatres, there was equally no question that properly executed broadcasts could be of aid to all three. The development of Hollywood broadcasts capable of actually aiding theatre business will come, Vincent believes, from the experience of sponsoring producer-distributor companies with their air activities and the subsequent box-office performances of such pictures as the broadcasts have attempted to exploit.

He pointed out that with most pictures being played on percentage producer-distributors should be quick to learn from their actual receipts whether a picture has been aided or injured by radio exploitation and why.

"The use of film stars and film material on the air cannot be stopped completely," Vincent said. "For this committee to attempt to oppose it would be like Mrs. Partington's effort to sweep back the Atlantic Ocean with a broom. However, this industry's judicious and helpful use of radio must come from the experience with the medium which is now being gained."

Brennan Will Head CBS Frisco Studio

SAN FRANCISCO, Dec. 15.—First of a series of moves designed to materially increase CBS radio production in San Francisco will be the transfer from Hollywood Jan. 1 of Tom Breneman, veteran western network artist-producer, as production manager for the new CBS studios now being erected here.

By the time the new plant is ready for occupancy, on the roof of the Palace Hotel some time in February, the chain expects to have 10 new programs under production. Two already have been scheduled—a daily skit series and "Toast of the Town," Sunday night variety show sponsored by Roma Wine Co.

British Industry to Fight Broadcasting

LONDON, Dec. 15.—A concerted move has been started here by the film industry to prevent radio broadcasts from theatres, film houses and studios and similar places.

The Cinematograph Exhibitors' Ass'n will join other trade organizations and theatrical musical hall interests in a joint discussion of the competitive problem which has arisen. The exhibitors also plan a meeting with the Middlesex County Council to discuss saloon shows.

Brokers Start Suit Over Salt Broadcast

Ernest A. Arnold and Walter W. Frese, security brokers who do business as Arnold & Frese, filed suit in the N. Y. County Supreme Court yesterday against NBC; General Foods Corp. and Benton & Bowles, advertising agency, for alleged libelous reference to the plaintiff in the Diamond Crystal Salt Co. broadcast over WJZ on Nov. 7.

The plaintiffs will ask Justice William H. Black today for an examination of David Sarnoff, NBC president; Clarence Francis, president of General Foods, and A. Hobler, president of Benton & Bowles, for the purpose of assisting the plaintiffs in drawing their complaint.

In his petition for the examination, Frese alleged that there is no other firm of security dealers with a name similar to that of his firm and that during the broadcast the plaintiff was depicted as "being broke" and "obtaining money and absconding therewith."

Renew Oakie Show In Policy Reversal

Having announced that it was dropping the Jack Oakie portion of the Camel broadcast, R. J. Reynolds & Co. has changed its mind and has renewed the feature for 13 additional weeks, effective Jan. 4. William Esty is the agency.

"Dan Harding's Wife" to Start

"Dan Harding's Wife," dramatic script serial, will be heard over the NBC-Red network under the sponsorship of the National Biscuit Co. starting Jan. 3, Mondays through Fridays, at 9:45 A. M. The program has been sponsored over WMAQ in Chicago for the past year, and heard over the rest of the network as a sustaining feature. McCann-Erickson is the agency.

Confirm Tibbett Signing

Confirming a report long current and previously printed here, Liggett & Myers Tobacco Co. yesterday officially confirmed that Lawrence Tibbett has been signed for a 13-week cycle of broadcasts on the Chesterfield cigarette program. He will begin Dec. 29, supported by Andre Kostelanetz's orchestra.

Criterion Closes Deal

Criterion Radio Prod., Inc., the sales outlet for Atlas Radio Distributing Corp., production in the east, has closed another Morris Plan sponsorship of "Ports of Call," over WTAR, Norfolk, to go on the air Jan. 5.

Costly Errors

Columbus, Dec. 15.—Staff members of WHKC, Mutual affiliate, have adopted an idea designed to eliminate, or, at least, reduce many of the usual errors in production, continuity and announcing.

Beginning with an "Anti-Mistake Campaign," announcers, production, program and continuity men will pay one cent into the "kitty" for each mistake made. A total of 18 cents was deposited the first day. A double fine for "heckling" prevents staff members from attempting to spoil a perfect score.

Extension of Permit Is Asked by Crosley

WASHINGTON, Dec. 15.—Six months' extension of its present experimental authorization to operate with 500,000 watts power has been asked of the F.C.C. by the Crosley Radio Corp., operators of WLW, Cincinnati. The company's present permit expires Jan. 31.

The commission also received applications for new broadcasting stations from Orrin A. Senzel, seeking a 1,500-kilocycle station at Rochester, to operate with 100 watts power night, 250 watts day, and from the McComb Broadcasting Corp., for a 1,200-kilocycle, 100-watt, daytime station at McComb, Miss.

Increases in day power from 500 to 1,000 watts were asked by WBCM, Bay City, Mich., and WROK, Rockford, Ill., and an increase from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, was asked by WMBG, Richmond.

IRNA Group Talks With Weber on Pact

(*Continued from page* 1)

to clarify several points now in dispute in the plan of settlement. They will continue the meeting today.

All but 30 of the 293 I. R. N. A. stations involved in the I. R. N. A.-musicians union negotiations either have signed the plan of settlement or have entered negotiations with the local unions in their respective territories, it was said yesterday.

"Hit Parade" Gets 13-Week Extension

American Tobacco Co.'s "Hit Parade" series on CBS has been renewed for 13 weeks, effective Feb. 5. Lord & Thomas is the agency.

The "Hit Parade" previously has been heard on two networks, NBC and CBS, but the NBC series was cancelled recently and was replaced by the Warner Bros. program now current.

Larry Allen to Head NBC Agency Branch

SAN FRANCISCO, Dec. 15.—Larry Allen, former head of NBC Artists Service here, will become San Francisco manager of Consolidated Radio Artists, NBC band-booking agency, Jan. 1, according to Don E. Gilman, vice-president in charge of the chain's western division.

Music Firms' Trade Rules Made Public

By CLARENCE LINZ

WASHINGTON, Dec. 15.—New proposed trade practice rules for the popular music publishing industry, embodying the ban on song plugging which comprised the only provision of the code submitted by the Music Publishers' Protective Ass'n., on which hearings were held Oct. 4, last, but adding two additional rules, one banning the making of exclusive agreements and the other prohibiting rebates and other price differentials, were made public tonight by the Federal Trade Commission. A public hearing will be held Jan. 4.

The three proposed rules, it was stated, have been given tentative approval by the commission. The association's proposed rule applying to Robinson-Patman anti-price discrimination act to the industry, was rejected, apparently because it is a statute, compliance with which is mandatory, and needs no acceptance by any industry. The proposed price discrimination provisions cover matters involved in the Robinson-Patman Act, but are so worded as to apply directly to the music publishing industry.

Bans Hiring and Sale

The new code would make it an unfair trade practice for any member of the industry engaged in interstate commerce to give or offer to give anything to any orchestra or band leader, performer, dancer, singer or musician for using the publisher's works without the knowledge and consent of the employer of such person or where plugging would tend to restrict competition, as provided for in the original proposals of the association.

The first of the two new rules would make it an unfair practice for any member of the industry to lease or make a sale or contract for the sale of music for use or resale under any condition, agreement or understanding that the lessee or purchaser shall not use or deal in the product of competitors, where the effect may be to lessen competition or tend to create a monopoly.

The second new rule embodies the provisions of the Robinson-Patman Act by prohibiting the payment or acceptance of brokerage, commission, etc., except for services rendered; barring the payment of advertising or promotional allowances for the benefit of one customer unless similar allowances are made to all other customers; prohibiting discrimination in favor of one purchaser against another, and prohibiting discrimination in price contrary to Section Two of the Clayton Act as amended by the Robinson-Patman Act.

Lowell Lawrance on WHB

KANSAS CITY, Dec. 15. — Lowell Lawrance, film and dramatic critic of the Kansas City *Journal-Post,* is conducting a series of "Behind the Footlights" programs over WHB, beginning 4:45-5:00 P. M. He will review new plays, mike the latest Broadway gossip, interview stage stars, and discuss plays and playwrights and players. The program is sustaining.

Radio Personals

CHESTER RACKEY, NBC audio facility engineer, left for Cleveland yesterday on company business. . . . Leo Reisman has been signed for three "Hit Parade" shots beginning Dec. 25. . . . Jean Hersholt will broadcast his "Dr. Christian" program from New York Dec. 26 and Jan. 2. . . . Lauritz Melchior will be the guest soloist of the Philadelphia Orchestra on the bank-sponsored broadcast of Dec. 27, and Lucy Monroe will serve as the guest soloist Jan. 3. . . .

+

Morton Bowe has been signed for an additional 13 weeks on the H. J. Heinz show over CBS. . . Another renewal, for 26 weeks, is Russ Morgan's on the Philip Morris programs. . . Rena Craig of Peterson Radio Prod., has left for Denver to be presented in a guest appearance over KOA. . . Billy Swanson left the hospital yesterday after spending a week there following a nose operation. . . Jeanne Cohen, in charge of the New York offices of Artists Management Bureau, will leave tomorrow to join the Paul Whitemans in Hollywood. . . The "Kidoodlers" are handling the sound effects for a Betty Boop cartoon now in production, sold to Max Fleischer by Jack Von Tilzer of NBC artists service.

Radio Does Part in Flood in California

SAN FRANCISCO, Dec. 15.—Northern California radio stations were pressed into emergency service, broadcasting rescue bulletins for the Red Cross, during the height of the recent three-day gale.

Incidents rivaling radio's rescue efforts during the Ohio River Valley floods last January were numerous. The Geyserville Red Cross in the Russian River delta region, where more than 100 square miles were under water, stayed in constant telephone communication with the area's most powerful sender, San Francisco's 50,000 watter, KPO.

Rescue instructions were aired at frequent intervals to the homes of isolated residents, separated by more than a mile of water from rescuers. Although cut off from phone contact, many of the homes still had power for operation of radio sets.

Strouse on Chesterfield Drive

Irving Strouse yesterday returned from Chicago, where he was in charge of publicity for Paul Whiteman, to take charge of the Chesterfield campaign, which will emanate from New York. Arrangements have been made for Barney McDeavitt of the Rockwell-O'Keefe Hollywood office to represent Whiteman's press interests during his month on the coast.

Report CBS Transaction

WASHINGTON, Dec. 15.—Disposition in October of 310 shares of CBS Class A stock by Leon Levy, Philadelphia, Columbia director, was reported tonight by the S. E. C. At the close of the month, Levy held 38,131 shares of Class A and 44,924 shares of Class B stock.

Lichtman Is Given a New Loew Contract

(*Continued from page* 1)

his doctor. He did not appear at the office yesterday, but will be at his desk this morning. It was learned that his two children have been down with the grip for several days at their Great Neck home. Schenck was not advised of this until he reached home. He and his family will leave for Miami shortly after Christmas.

Asked about new five-year contracts for David Bernstein, vice-president and treasurer of Loew's, and J. Robert Rubin, general counsel, Schenck asserted that the contracts of these executives have some time to run and there was no immediate need of renewal, although this would be done in due time.

When he arrived at Grand Central and was met by this reporter, Schenck handed out a typewritten statement, the same one he gave out to the press at the time he left the coast. The Loew executive head explained that the statement was issued because "one of the trade papers on the coast carried a story that our organization depended on one man. This is the answer to it," he said.

Reticent on Selznick

Queried on the progress of negotiations with David O. Selznick, Schenck said: "I can't tell you anything about it yet. We are still working with him and for all I know the contract may never be signed."

Schenck then said he had been doing all the talking with Selznick, refuting reports that other M-G-M executives had been handling negotiations.

The Loew president expressed satisfaction with his coast visit and said he expected Lichtman to return in about 10 days.

Rubin, it was also learned yesterday, has been bothered with a cold and was absent from his office for a day and a half.

At the station to meet Schenck were C. C. Moskowitz, Marvin Schenck and Bert Nayfack.

Films Trade Board Reelects Officials

(*Continued from page* 1)

New York Film Board of Trade. Louis Nizer also continues as executive secretary.

Morris Epstein, formerly sergeant-at-arms, is now secretary, succeeding Harry Decker. Robert Fannon was named to replace Epstein as sergeant-at-arms. Installation will be held next month at a date to be set later.

Freed on Sunday Charge

BRATTLEBORO, Vt., Dec. 15.—Vermont's blue laws received a setback here today when Raymond Kiniry, Bellows Falls manager for the Stoneman and Ansin circuit, was acquitted in District Court when arraigned for staging two Sunday shows, part of the receipts of which went to charity.

A coincidental case found a news dealer freed for selling newspapers on Sunday. The case was part of an enforcement drive for all blue laws.

Atlas RKO Interest Is Cited in Report

Atlas Corporation's holdings in RKO are cited as one of two "principal special situations in which the investment company is interested at the present time" in the annual report of Floyd B. Odlum, president, to stockholders.

The company's RKO holdings include $2,222,597 face amount of debentures and 278,393 shares of common stock, representing a gain of $94,000 face amount of debentures and 14,900 shares of common since Jan. 31, last. The statement does not reflect the Atlas participation in an investment syndicate's option to acquire RCA's remaining holdings of RKO securities. The Atlas participation in the $6,000,000 option, which will be exercised in part prior to its expiration on Dec. 31, amounts to $2,610,000.

Odlum's report noted that Atlas had received no income from its RKO investment during the fiscal year, but that its share in the earnings of the company "will be given expression in the final reorganization...which, it is expected, will not be long delayed."

The report showed that the net asset value of Atlas common stock was approximately $13.36 a share on October 31, compared with $18.77 on the same date last year and $18.17 on July 31.

Burlesque Artists Win Four A Ruling

The council of the Associated Actors & Artistes of America, parent A. F. of L. entertainers' union, ruled yesterday that the American Federation of Actors had encroached on the jurisdiction of the Burlesque Artists Ass'n in extending its organizing moves into that field following the banning by License Commissioner Paul Moss of New York theatre use of the term "burlesque."

The council directed the A. F. A. to turn over all dues and records which have come into its possession since June 1 through its incursion on B. A. A. domain to a committee consisting of Frank Gillmore, Four A president; Paul Dullzell, executive secretary of Actors' Equity, and Gene Greenfield, Four A vice-president. A. F. A. officials were censured for statements made during the controversy and the union was directed to comply with the orders issued by the Four A council yesterday by Dec. 23. A report on the disposition of the case is scheduled to be made to the Four A council by its committee on Jan. 10.

The council will consider further A. F. A. jurisdictional claims in the night club field, affecting Chorus Equity, on Jan. 17.

Defer Branch Pact Talks

Distributor and union executives yesterday held a second preliminary conference at the Warner home office on a master contract governing "back room" employes at all exchange centers and adjourned for 30 days, it was learned following the meeting.

Lou Krouse, vice-president of the I. A. T. S. E. and executive assistant to George E. Browne, president, told MOTION PICTURE DAILY that "all employes are satisfied with conditions and there is no rush to sign the master agreement."

P. D. Cochrane Resigns as Ad Head for "U"

(*Continued from page* 1)

believed that the final decision will be made during the conferences here.

Cochrane joined Universal in 1914 after several years as a newspaper reporter in Toledo, O., and in the advertising agency business in Chicago, where he was associated with his brothers, R. H. and Witt K. Cochrane. He has held the post of advertising and publicity supervisor continuously since becoming associated with Universal and, in addition, has served as secretary of the company and was a member of its board of directors for many years. Cochrane plans to return to the advertising agency field with an established New York organization after the first of the year.

Joseph, who is reported to be Cochran's successor, was film editor of the *Chicago Herald and Examiner* for a number of years and was associated with Balaban & Katz in advertising and publicity posts thereafter. He became associated with RKO as supervisor of theatre advertising and publicity in the middle west about five years ago.

Ban on Smoking in Theatres Is Planned

(*Continued from page* 1)

drawn, are in houses with flame-proof floors which have receptacles for smoking in balconies, loges and boxes.

The measure is now in the hands of Major Henry H. Curran, who will be deputy mayor after Jan. 1 It is the result of study by a committee composed of Fire Commissioner John J. McElligott, Richard F. Warner, secretary to the Fire Dep't; Capt. George J. Foster, in charge of the Division of Public Assembly, and Nathan C. Horwitz, inspector of combustibles.

Radio Competition Stirs Up ITOA Men

Radio competition to theatres highlighted a meeting of the I. T. O. A. at Gottlieb's restaurant yesterday with independent exhibitors expressing the opinion that affiliated theatres were being hurt as much as unaffiliated houses. It was felt generally that now is the time for major circuit heads to act in eliminating air shows produced with film stars.

Harry Brandt, president, acted as chairman of the meeting. It is expected that another move on giveaways and games will develop in the next few weeks. A large attendance turned out.

Louis Philips Honored

NEW HAVEN, Dec. 15.—All exhibitors, film men and projectionists in the territory attended open house yesterday at the Meadow St. quarters of Modern Theatre Equipment Corp. The party was in honor of the new vice-president, Louis Philips, Connecticut manager.

Vicki Lester Signed

HOLLYWOOD, Dec. 15.—Vicki Lester recently under contract to Mervyn LeRoy, has been signed by RKO.

"Truth" Only Strong Draw On the Coast

Los Angeles, Dec. 15.—"The Awful Truth," in its third week at the Pantages with "40 Naughty Girls," turned in the only gross of the week that looked like good business. It was $8,400, over average by $400.

The only other attractions to get into the profit column in the face of the Christmas shopping were "Club des Femmes," which took $3,700 at the Esquire, and "Spanish Earth," with "China Strikes Back," at the Grand, where the take was $2,000.

Total first run business was $90,942. Average is $110,450.

Estimated takings for the week ending Dec. 15:

"THE HURRICANE" (U.A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 6th week. **Gross:** $8,750. (Average, $17,000)

"CONQUEST" (M-G-M)
"THOROUGHBREDS DON'T CRY" (M-G-M)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $11,395. (Average, $12,500)

"VICTORIA THE GREAT" (RKO)
4 STAR—(900), 40c-55c, 6 days, 4th week. **Gross:** $2,328. (Average, $3,250)

"SPANISH EARTH" (Prometheus)
"CHINA STRIKES BACK"
GRAND—(750), 35c-40c, 7 days. **Gross:** $2,000. (Average, $1,200)

"THE AWFUL TRUTH" (Col.)
"40 NAUGHTY GIRLS" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. 3rd week. **Gross:** $8,000. (Average, $8,000)

"CONQUEST" (M-G-M)
"THOROUGHBREDS DON'T CRY" (M-G-M)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $11,769. (Average, $14,000)

"THE AWFUL TRUTH" (Col.)
"40 NAUGHTY GIRLS" (RKO)
PANTAGES—(3,595), 30c-65c, 7 days, 3rd week. **Gross:** $8,400. (Average, $8,000)

"LIVE, LOVE AND LEARN" (M-G-M)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: The Big Apple, swing dance contest, F. & M. revue, Larry Kent and his orchestra. **Gross:** $14,300. (Average, $18,000)

"FIRST LADY" (W.B.)
"MANHATTAN MERRY-GO-ROUND" (Republic)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 5 days. **Gross:** $10,000. (Average, $14,000)

"FIRST LADY" (W.B.)
"MANHATTAN MERRY-GO-ROUND" (Republic)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 5 days. **Gross:** $10,300. (Average, $12,000)

"CLUB DES FEMMES" (Mayer-Burstyn)
ESQUIRE—(900), 40c-75c, 7 days. **Gross:** $3,700. (Average, $2,500)

F. & M. Hits Union Snag on Bands' Use

St. Louis, Dec. 15.—Despite the recent F. & M. poll favoring bands in addition to pictures in downtown theatres, the circuit has been unable to book name orchestras because of an impasse with the local musicians' union. Harry C. Arthur has lined up a long list of bands, but will not meet the demands of the union to install another band in the pit during each engagement.

Check St. Louis Licenses

St. Louis, Dec. 15.—Twenty-four city theatres have been notified by Edwin O. Harper, comptroller for St. Louis county, that they have been operating without county licenses. These cost $50 per year for houses seating less than 500 and $100 for houses with more than 500 seats.

"Firefly" Is Sole Indianapolis Win

Indianapolis, Dec. 15.—"The Firefly," paired with "All American Sweetheart," did $8,200 at Loew's, the only first-run to go over par. Severe cold weather pulled all grosses down.

Total first run business was $28,500. Average is $30,500.

Estimated takings for the week ending Dec. 10:

"A DAMSEL IN DISTRESS" (RKO)
"BORROWING TROUBLE" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days, 2d week. **Gross:** $2,000. (Average, $4,000)

"BIG TOWN GIRL" (20th-Fox)
CIRCLE—(2,800), 25c-40c, 7 days. Stage: Don Redman Orchestra, the Berry Brothers, Orlando Robeson, Two Zephyrs, Ella Mae Waters, Louise McCarroll, Taps Miller. **Gross:** $4,500. (Average, $4,500)

"STAGE DOOR" (RKO)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $6,000. (Average, $7,000)

"THE FIREFLY" (M-G-M)
"ALL AMERICAN SWEETHEART" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,000)

"SUBMARINE D-1" (F. N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: The Northerners, Hilton & Fox and others. **Gross:** $7,800. (Average, $8,000)

"Sacred" 2nd Week Leader, Philadelphia

Philadelphia, Dec. 15.—The pre-Christmas lull is beginning to make itself felt, but "Nothing Sacred" keeps rolling at the Aldine, garnering $13,000 for its second week.

The stage and screen combination at the Earle took in $19,000, a little off from recent weeks, but still good. "Big Town Girl" was the film and the Hudson DeLange band and Red Skelton headed the stage bill.

"Navy Blue and Gold" also topped average with $15,500 at the Stanley. Closing in its fourth week (10 days in last week), "The Hurricane" grossed $8,000 at the Locust.

Total first run business was $94,600. Average, exclusive of the Locust, is $81,960.

Estimated takings for the week ending Dec. 9:

"NOTHING SACRED" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 2nd week. **Gross:** $13,000. (Average, $8,160)

"CONQUEST" (M-G-M)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days, 2nd week. **Gross:** $2,200. (Average, $2,800)

"VICTORIA THE GREAT" (RKO)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $11,000. (Average, $14,000)

"BIG TOWN GIRL" (20th-Fox)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Hudson DeLange Orchestra, Red Skelton, Novack and Fay. **Gross:** $19,000. (Average, $14,000)

"LAST GANGSTER" (M-G-M)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $14,000. (Average, $14,000)

"IT'S LOVE I'M AFTER" (W.B.)
(2nd run)
KARLTON—(1,000), 25c-40c-50c, 7 days. **Gross:** $3,100. (Average, $4,000)

"SECOND HONEYMOON" (20th-Fox)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days **Gross:** $3,500. (Average, $4,000)

"THE HURRICANE" (U.A.)
LOCUST — (1,300), 57c-86c-$1.14-$1.71, 10 days, 4th week. **Gross:** $8,000.

"NAVY BLUE AND GOLD" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 7 days **Gross:** $15,500. (Average, $14,000)

"THOROUGHBREDS DON'T CRY" (M-G-M)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,300. (Average, $7,000)

Buffalo Blizzard Cuts into Grosses

Buffalo, Dec. 15.—A blizzard gave all box-offices a severe frostbite.

Those hardy souls who did venture out showed a preference for the Buffalo's "Nothing Sacred" and "Conquest" at the Great Lakes.

Total first run business was approximately $31,700. Average is $42,400.

Estimated takings for the week ending Dec. 11:

"NOTHING SACRED" (U.A.)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $9,200. (Average, $14,000)

"CONQUEST" (M-G-M)
GREAT LAKES—(3,000), 35c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)

"STAND-IN" (U.A.)
"BULLDOG DRUMMOND COMES BACK" (Para.)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $5,400. (Average, $6,500)

"WEST OF SHANGHAI" (W.B.)
"PARTNERS IN CRIME" (Para.)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $5,000. (Average, $6,300)

"MERRY-GO-ROUND OF 1938" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $5,600. (Average, $6,500)

"Truth" Holds Despite Chill In Pittsburgh

Pittsburgh, Dec. 15. — Cold weather hit grosses during the week and only two first runs stayed in the profit column. "The Awful Truth," in its second week at the Alvin, was one of these. The $9,000 take, about half the first week gross, was still $2,500 over normal.

"Stage Door," which played eight days at the Penn, turned in $13,500. This was also $2,500 to the good. The other three first runs found the going rough.

Total first run business was $46,350. Average is $45,000.

Estimated takings for the week ending Dec. 9:

"THE AWFUL TRUTH" (Col.)
ALVIN—(2,000), 25c-40c, 2nd week, 7 days. **Gross:** $9,000. (Average, $6,500)

"TRAPPED BY G-MEN" (Col.)
"THE GIRL SAID NO" (G.N.)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"STAGE DOOR" (RKO)
PENN—(3,300), 25c-50c, 8 days. **Gross:** $13,500. (Average, 7 days, $11,000)

"NAVY BLUE AND GOLD" (M-G-M)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Herbie Kaye orchestra, Tom Howard and George Shelton, Gomez and Winona, Larry Blake, the Sinclair Twins. **Gross:** $17,000. (Average, $18,000)

"PARTNERS IN CRIME" (Para.)
"MUSIC FOR MADAME" (RKO)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $2,800. (Average, $5,000)

Tries Duals with Show

Seattle, Dec. 15.—John Danz's Palomar has started a new policy of two first run features in addition to five vaudeville acts. The regular scale of 15 cents at matinees and 25 and 35 cents evenings will continue.

Gets RKO Contract

Hollywood, Dec. 15.—Helen Meinardi, film writer, has been given a long term contract by RKO.

Philadelphia Decision Seen As Important

(*Continued from page* 1)

employed by the company which gave rise to the exhibitors' "strike."

Copies of the Circuit Court's decision studied in New York yesterday reveal that the use of "peaceful persuasion," as employed in the later stages of the Philadelphia "strike" are held by the court to be as illegal as the employment of force or coercion in a "buyers' strike" or boycott.

The decision stated that what the exhibitors attempted to do by force in the first place, and later by "peaceful persuasion," "could not be done without the interference and stoppage of the free flow of interstate commerce."

Of the exhibitor organization's claims to accomplishing its ends by individual, rather than joint, action, the decision says: "The evidence, when fairly construed, makes it plain that the appellees (exhibitors) had formed a combination or conspiracy and were acting together as a unit and are still so acting."

The decision states that only unqualifiedly individual action could escape violation of the anti-trust laws.

Philadelphia, Dec. 15.—Independent exhibitor leaders here do not regard the U. S. Circuit Court of Appeals' decision in favor of Paramount as affecting the exhibitors' legal rights to protect their interests in future contests with distributors.

Ben M. Golder, attorney for the U. M. P. T. O., speaking for the exhibitors, said: "This case has not taken from the exhibitor any right which he heretofore had; to wit, collective bargaining and the right to cooperative action. I feel that the result of the entire situation is one of great benefit to the individual exhibitor and to exhibitors generally. Henceforth, armed with the knowledge that they have a right to cooperate and do not need to use any illegal methods, they are in a better position to recognize the value of concerted action for their mutual benefit."

Production Gains With 41 Shooting

(*Continued from page* 1)

Paramount; "Broadway after Midnight" and "The Joy of Living," RKO, and "Midnight Intruder," Universal.

The tally by studio:
Columbia finished one, shooting two, preparing zero, editing 10; Goldwyn, zero, zero, zero, two; Grand National, zero, one, zero, one; M-G-M, zero, six, zero, four; Monogram, zero, one, zero, one; Paramount, zero, eight, three, 10; Principal, one, zero, zero, three; Republic, one, two, one, three; RKO, zero, five, two, four; Roach, zero, one, zero, zero; Selznick, zero, zero, zero, one; 20th Century-Fox, one, six, one, six; Universal, one five, zero, one; Wagner, zero, zero, zero, zero; Warners, zero, four, two, 22.

In the short subject division Columbia finished one and M-G-M two. One is shooting at M-G-M. None started.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 143 NEW YORK, FRIDAY, DECEMBER 17, 1937 TEN CENTS

U. A. Circuit Net Over '36 By $200,000

Rises to $364,973 for Year To Aug. 31

Net earnings for United Artists Theatre Circuit, Inc., were approximately $200,000 better for the fiscal year ended Aug. 31 than the year before, it was revealed yesterday with the issuance of the company's consolidated statement.

Net income for the year ended Aug. 31 was $364,973.02, as compared to $167,845.66 the previous year. According to the statement, net income for the year just ended, before interest, depreciation, amortization and provision for Federal income taxes, including profit from the sale of capital stock of affiliated companies and other assets, was listed at $627,254.18.

Deductions for interest, depreciation and amortization of theatre leaseholds, buildings and equipment, Federal income tax and other items totaled $456,153.20.

Cash on hand was listed at $485,883.37, cash in escrow for payment of

(*Continued on page* 3)

Joseph Takes Over Universal Ad Post

Official confirmation of the appointment of John E. Joseph as advertising publicity and exploitation director of Universal was made yesterday. He takes over the post immediately.

Joseph comes from Chicago, where he had been divisional director of advertising and publicity for RKO theatres in 1931. Previous to that he was in the advertising department of B. & K. for four years. During 1925-'27 he

(*Continued on page* 2)

Child Actor Subject In House Amendment

By BERTRAM F. LINZ

WASHINGTON, Dec. 16.—The House of Representatives today adopted a number of amendments to the wage-hour legislation, including provisions offered by Representative Schneider (Rep. Wis.) to limit the discretionary power of the chief of the Children's Bureau to issue licenses for employment of children to those between the ages of 14 and 16.

In the debate, Congressman Voorhis (Dem. Cal.) who yesterday unsuccessfully offered an amendment

(*Continued on page* 3)

What They Say—

Typical of the response to Martin Quigley's editorial in criticism of Mae West's Sunday night broadcast for Chase & Sanborn, which appeared under the caption "Radio Begs Trouble" in Tuesday's* Motion Picture Daily, *are the following:

Broadcasting System—

Mr. Martin Quigley:

The Mutual Broadcasting System congratulates you on your editorial "Radio Begs Trouble." It was splendid.

Lester Gottlieb,
Publicity Coordinator,
Mutual Broadcasting System

▼

Exhibitor—

Mr. Martin Quigley:

I want to congratulate you on your personal editorial on the MAE WEST ADAM AND EVE broadcast.

It is just such broadcasts that the motion picture exhibitors so

(*Continued on page* 10)

Legion of Decency Objects To Mae West's Air Program

The National Legion of Decency addressed a letter of protest yesterday to NBC, Standard Brands, Inc., for Chase & Sanborn, and the J. Walter Thompson Agency over "the low moral character of the material offered in the radio appearance last Sunday evening of Miss Mae West."

The protest marks the first instance of an expression of Legion of Decency concern over a radio program, the organization's efforts, heretofore, having been confined to the objectionable in films. Justifying its concern over the Mae West broadcast, the Legion's letter, which was signed by Mary Harden Looram, asserts that its efforts to discourage the use of such material in motion pictures "are seriously embarrassed by your radio broadcast."

The letter follows:

Gentlemen:

The National Legion of Decency has always directed its efforts and confined itself to the realm of motion pictures. We feel that in this particular case, however, we have a certain equity which justifies the protest we are hereby registering.

The Legion of Decency wishes respectfully to present its protest over the low moral character of the material offered in the radio appearance Sunday evening of Miss Mae West.

This agency is profoundly distressed over various incidents of this broadcast. These comprise a character of public entertainment against which this agency has made repeated and emphatic protests.

We are shocked to observe that, apparently, the factors responsible for this broadcast are not to be depended upon for the cooperation which has been so generally extended to the objectives of the National Legion of Decency. The implications of this broadcast are of particular concern to us because the characterizations and material which has been presented by Miss West in various of her motion picture appearances constitute for us a matter of grave worry and concern. Our efforts to discourage such presentations are seriously embarrassed by your radio broadcast.

The National Legion of Decency will appreciate an expression from you as to your intentions for the future use of material of the character which is herewith objected to.

Very truly yours,
MARY HARDEN LOORAM,
National Legion of Decency, 485 Madison Ave., New York City.

Additional Radio Developments—Pages 10-11

Final Protest On RKO Plan Goes to Bondy

Objections Mainly from Minority Holders

That opposition to the RKO plan of reorganization is limited to minority stockholder and creditor groups was revealed yesterday with the presentation to Federal Judge William Bondy of the final objections to the plan.

With the expiration yesterday of the time allotted for the filing of objections, none of the secured or unsecured creditors' committees whose assents to the plan are essential to its approval by the court, is on record as opposed to its adoption. Judge Bondy is scheduled to begin hearings on the objections to the plan Tuesday. With the opposition limited to groups and individuals representing only a small fraction of the claims against RKO, and their objections being centered upon points which already have received the approval of Special Master George W. Alger, an early confirmation of the plan without change in its basic provisions is regarded in reorganization circles as highly probable.

The last objections to the plan filed yesterday were those of the Independent Stockholders' Protective Committee; Edward J. Hickey, a

(*Continued on page* 3)

Atlas-Lehman RKO Option Is Renewed

An agreement was reached yesterday on an extension for one year of the option to acquire RCA's remaining holdings of RKO securities by a financial syndicate headed by Atlas Corp. and Lehman Bros.

A small portion of the securities covered by the $6,000,000 option expiring Dec. 31 will be purchased from RCA by the syndicate and will probably amount to about $1,000,000. The

(*Continued on page* 3)

G.B. Shareholders Will Seek Inquiry

By AUBREY FLANAGAN

LONDON, Dec. 16.—Shareholders of Gaumont British have been circularized by the Nordon Committee of stockholders, indicating that the committee is now ready to proceed with

(*Continued on page* 9)

MOTION PICTURE DAILY

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Ampa Members Turn Out to Honor Vogel

More than 300 members of Ampa turned out yesterday for the luncheon at the International Casino in honor of A-Mike Vogel, newly appointed editor of MOTION PICTURE DAILY.

Being an old Ampa member and knowing what sometimes happens to members who try to make serious speeches, Vogel started off with something that sounded like a political oration. He was stopped by Paul Lazarus, Jr., who was pinch-hitting for Ralph Rolan. He resumed in a semi-serious vein and let the hecklers have their fling. When it was over he received general congratulations.

Fillmore Hyde, editor of *Cue*, discussed the conflict between advertising and editorial departments over film reviews.

Susan Kaaren and Harriet Hoctor were introduced.

Figure $50,000 Week

Robert Weitman, manager of the Paramount, yesterday estimated a $50,000 week for "True Confession," which opened there Wednesday. The take would be about 20 per cent above "Pennies from Heaven," which played the theatre this week last year.

Purely Personal

BARNEY BALABAN, Paramount president, plans to leave for Chicago some time next week to spend the holidays. STANTON GRIFFIS, chairman of the Paramount executive committee, will leave for Florida at approximately the same time.

•

JOHN MCHALE, assistant manager of Radio City Music Hall, was married yesterday to GERALDINE WIGHT, one of the Rockettes. This follows closely the wedding of MARIE GRIMALDI, of the corps de ballet, and RICHARD NOLAN of the theatre's glee club.

•

NAT HOLT, Cleveland RKO division manager, returned home last night after setting bookings for January and February and attending the testimonial dinner to NATE J. BLUMBERG on Wednesday night.

•

GENE AIELLO of the United Artists' publicity staff has been transferred to the exploitation department and will leave today for Utica to cover the opening of "The Hurricane."

•

NICHOLAS M. SCHENCK did not appear at his office yesterday. He returned from the coast Monday and went to his home at Great Neck, but is expected at his office today.

•

ADELAIDE FINCH and FRANK DONOVAN, accompanied by a Pathe crew, left yesterday to make Pathe Parade films on Bermuda and Nassau cruises.

•

RICHARD DE ROCHEMONT, managing director of March of Time's European production, is Europe-bound aboard the *Queen Mary*.

•

ALEXANDER KORDA has delayed his return from the coast until the middle of next week. He has reservations to sail Dec. 26 on the *Normandie*.

•

JAMES M. FITZSIMONS, assistant district attorney of New York County since 1931, has resigned to rejoin the firm of Krellberg & Fitzsimons.

•

MRS. MACK MILLAR, wife of the night club-radio publicist, left for California yesterday to assume charge of the Millar office in Hollywood.

•

LOU KROUSE, I.A.T.S.E. vice-president, has gone to Indiana.

•

HARRY C. ARTHUR will leave for St. Louis today via American Airlines.

•

. . . Omaha

SAM STERN, one of the officials of the Capitol exchange, and MRS. STERN are the parents of a son.

EDDIE FORRESTER, manager of the Omaha, has sold his first novelette to an eastern magazine.

MURRAY STARR, representative of National Screen Service in this territory, has been transferred to New York. BENNIE LASS of St. Louis has come here.

C. K. OLSON, Warner exchange head, plans to remodel the exchange's offices and stock rooms. Work will start soon.

Joseph Takes Over Universal Ad Post

(*Continued from page* 1)

was film critic and assistant dramatic editor of the *Chicago Herald and Examiner*. He is a graduate of the University of Chicago, where he was on the editorial staff of the *Daily Maroon*, and also played a prominent part in the "Black Friars" plays there.

Lou Blaine has been named to succeed Joseph in the RKO Chicago post.

Weil Quits as "U" Exploitation Head

Joe Weil, who has been handling exploitation for Universal, yesterday resigned after having been with the company for 10 years. For one year he was executive assistant to Carl Laemmle in Hollywood and abroad. For two years he was director of advertising, publicity and exploitation of 380 Universal Chain Theatres.

Weil expects to announce a new affiliation shortly.

Waterman Tendered Farewell Luncheon

Larry Waterman, who will join Universal on Jan. 3 as executive secretary to Nate J. Blumberg, new president, yesterday was tendered a farewell luncheon at Murray's by about 20 RKO associates. He was given a desk set.

Mona Reilly also will move over to Universal at the same time as secretary to Blumberg.

Exchange Men to Lunch

A group of local exchange managers and circuit operators will hold a Christmas luncheon at the Tavern next Friday. Among those who will attend are Harry Shiffman, Edward M. Schnitzer, Mitchell Klupt, Charles Moses, Max Cohen, Bob Wolff, Sam Rinzler, Louis Frisch, Moe Streimer, Joe Hornstein, Leo Justin, Morris Jacks and numerous others.

Labor Board Orders Metro Case Hearing

LOS ANGELES, Dec. 16.—The National Labor Relations Board today, in an order issued from Washington, directed the Los Angeles Regional Labor Relations Board to conduct a hearing on charges of James E. Shaw, studio electrician, that he was discharged from M-G-M last March 12 because of union activities.

The local board some time ago refused to hold a hearing on the case and referred the matter to Washington. Shaw, a member of Local 37 of the I.A.T.S.E., claimed he lost his job because of his activity in organizing the "37 White Rats," an intramural organization of I.A. members seeking the return of autonomy to four locals of the I.A. here. Under the order of the National Board, the local unit must hold a hearing and call witnesses from M-G-M to ascertain why Shaw was discharged and whether he should be reinstated with full back pay.

Chicago Suit Awaits Philadelphia Result

CHICAGO, Dec. 16.—Before filing proposed suit against B. & K. charging monopoly Allied will watch the decision in the U. S. Circuit Court of Appeals in Philadelphia as major companies' counselors there state that duals damage public morals, cause cut-throat competition and are harmful to the industry as a whole.

According to Aaron Saperstein, the majors take almost the opposite stand in the situation here, thus dictating the release policy to suit their needs.

Through Aldermen A. G. Lindell and Thomas J. Terrell a new ordinance will be proposed next week asking that duals be abolished because of the injury to health and morals.

W. B. Club Ball Tonight

The Brooklyn unit of the Warner Club will hold a masquerade and civic ball tonight at the Hotel St. George.



Final Protest On RKO Plan Goes to Bondy

(*Continued from page* 1)

Washington stockholder; the U. S. National Bank of Denver, and Ernest W. Stirn, a Milwaukee stockholder.

The objections filed yesterday, like those filed earlier, centered principally upon the proposal to settle Rockefeller Center's $9,150,000 claim against RKO by the issuance to the former of 460,000 shares of new RKO common stock and the reduction of stockholders' equities by one-half. Scattered objections and contentions were included in the papers filed yesterday directed at less vital features of the plan.

Earlier objectors to the plan included Iva MacPherson and an associated group of Boston stockholders; George Sardou, a stockholder, and George L. Schein, New York stockholder.

No objections to the plan have been made by the principal stockholders' committee, the secured creditors' committee, Rockefeller Center or the holders of the largest individual secured claims, such as the Karl Hoblitzelle interests. Atlas Corp., proponent of the plan, with Lehman Bros. and RCA, control more than 84 per cent of the RKO debentures outstanding and more than 47 per cent of the outstanding common stock. None of these three has filed objections to the plan.

Atlas-Lehman RKO Option Is Renewed

(*Continued from page* 1)

exact amount to be acquired, however, and the option price of the balance to be purchased before the end of 1938 are still being negotiated. Both points may be settled today, but before Monday in any event. Floyd Odlum, Atlas Corp. head, leaves for the coast on Monday to confer on the new RKO studio and theatre setups, and the deal is scheduled to be concluded prior to his departure.

Atlas Corp. and Lehman Bros., with their associates, acquired 605,731 shares of RKO common and $4,893,327 face amount of RKO debentures from RCA for $5,000,000 two years ago, and obtained their option to purchase for $6,000,000 a like amount of common stock and debentures, constituting the remainder of RCA's holdings, up to Dec. 31 next. It is this option, less the securities to be picked up at this time, which will be extended to Dec. 31, 1938.

Net of U. A. Circuit Is $200,000 Over '36

(*Continued from page* 1)

real estate taxes, $12,710.34; sundry receivables, less reserves, $10,121.01; dues from affiliated companies, $117,839.08. Cash surrender value of life insurance policies was figured at $135,373.50, and investment securities at $20,044.01. Theatre investments totaled $6,394,728.85. Deferred charges were $1,413,791.28.

The Newsreel Parade

Movietone News
Vol. 20, No. 28
(20th Century-Fox)

Lew Lehr steals the show with his bit on wood nymphs. The pictures were taken in Florida's Cypress Gardens with the comic providing a line of chatter that will garner plenty of laughs.

The balance of the reel has the usual assortment of items, which include: J. F. T. O'Connor, Comptroller of Currency, delivering a Christmas message at Washington; children visiting Santa's workshop at Shenandoah Caverns, Va.; school children at work and play in Oklahoma City, the educational building precariously surrounded by oil wells; a glimpse of the World's Fair in miniature; the Buffalo roundup at Yellowstone Park.

Fashions, the latest in footwear for evening wear and for the beach, are on parade; 14 new Navy air bombers take off from San Diego for a 3,080-mile non-stop flight to Coco Solo, Panama; Johnny Revolta putting the lucky ball in the $10,000 Miami Biltmore open golf tourney; and simon pures socking away in a squared-ring in Boston for a glorious slugfest.

Running time, 10 mins. O.

News of the Day
Vol. 9, No. 226
(M-G-M)

There seems to have been a scarcity of exciting events for the newsreels these past few days. The editors of this reel, however, have gotten up a good issue which includes several interesting topics.

A flood in northern California occupies first place. It is vivid, well cut material. The second clip is a resume of Senate opinion on the Chinese conflict. Senators Bone, Shipstead and Bridges are seen and heard in brief speeches which urge the removal of American forces from the Orient.

Snapshots offer glimpses of a model of the forthcoming World's Fair, the renewal of an arbitration pact by the American Newspaper Publishers' Ass'n, and motorized military equipment maneuvers in Kentucky.

The Woman's Page is composed of shots of various female celebrities parading their fashionable clothes aboard the *Normandie* shortly before she sailed. Ed Sullivan presents the *Daily News* crowns to Myrna Loy and Clark Gable. The sporting division shows the highlights of the Miami-Biltmore golf tournament at Coral Gables.

Running time, 8 mins. P.

Paramount News
No. 39
(Paramount)

It has been a dull news period the past few days, as indicated in Paramount's latest issue. The editors were rather hard put to gather a lively combination of material.

The reel opens with shots of the Miami golf tournament, won by Johnny Revolta, whose skillful putting is caught on the screen. Pictured is the unusual case of the Pennsylvania father of eight who is in jail because he refused to permit his son to be vaccinated, and consequently the lad cannot attend school. Japanese throngs are seen hailing German, Italian and Japanese speakers on the occasion of Japan's entry into the anti-Communist three-nation bloc.

Some of the terrible things that can happen in an amateur hour are caught, as the reel pictures the latest craze to hit England. An effective bit catches the thanks of a New Orleans boy, to save whose sight a 63-year old man sacrificed the sight of one eye. The brilliant engineering feat which is the new Lincoln Tunnel in New York is seen prior to its opening to traffic, and the issue ends with a staged but attractive Christmas greeting from the reel to the public.

Running time, 9 mins. A.

Pathe News
Vol. 9, No. 43
(RKO)

The midweek newsreel issues are notorious consumers of the feature stuff which editors hold in reserve to get out a reel when news "breaks" are either scarce or non-existent. This release should give the feature department plenty to do in the way of replenishing the reserve.

The subjects, in the order of their appearance in the reel, are some flood scenes from Northern California; tryouts of New York City's new snow removal equipment at Lake Placid; the boys' choir of a New York church in a rendition of "Stille Nacht"; Secretary of Agriculture Wallace addressing the American Farm Bureau at Chicago; election campaign scenes in Moscow prior to the Soviet's first "secret" ballot; Southbury, Conn., citizens expressing their disapproval of a Nazi camp within the town boundaries; the University of Washington crew in training; progress of construction work on the Grand Coulee Dam, and scenes from the Miami Biltmore open golf tournament.

Running time, 8 mins. K.

Universal News
(Vol. 9, No. 624)
(Universal)

Novelties make up the bulk of the latest Universal Newsreel issue, four of them being labeled exclusive. Only four of the 10 subjects can be classified as news, but there is enough variety and the treatment is smart enough to make the reel interesting.

Several knockouts in the All-American amateur boxing bouts at Boston furnish a lively start. Then the inhabitants of Sebastopol in "sunny" California are shown rowing and splashing around in a widespread flood. Louisville's icy coating with slipping automobiles and airport attendants skidding are something of a surprise. Revolta winning the Miami Biltmore open golf tournament with the spectators attired in summer clothes make audiences feel comfortable—also envious.

Somebody discovered and photographed the Cave Women of America, clad in leopard skins, initiating a new member, but they're the mildest looking cave women that ever reached a screen. There's plenty of suspense in scenes of workmen hoisting the new seven-ton hands for the Metropolitan Tower clock while a Universal camera man lies on a plank with an Eyemo camera up near the top of the building. Graham McNamee enlivens a style show of woolen bathing suits, Santa Claus leads a group of children into a Shenandoah, Va., cave, a puppy show is presented, and ski experts do their stuff in Madison Square Garden.

Running time, 9 mins. J.

Allowance Denied in Roxy Case Decision

The petition of the Tipton Bondholders' Protective Committee for an allowance of $5,000 as fee in the Roxy reorganization was denied by Judge Francis G. Caffey in the U. S. District Court here yesterday. Judge Caffey ruled that the committee had traded in first mortgage bonds and that he therefore was compelled to disallow their request.

In a written opinion Judge Caffey revealed that several members of the Tipton Committee had purchased and sold Roxy bonds at a profit of $2,160. The committee's request for $361 for disbursements was allowed, however. Judge Caffey cautioned other petitioners that the allowance of disbursements in this case was not be "regarded as a precedent." The ruling came somewhat as a surprise as the committee took a leading part in the hearing before Special Master Addison S. Pratt. The Tipton Committee originally objected to the plan, but later approved it when an amendment raising the rate of interest was submitted.

Child Actor Subject In House Amendment

(*Continued from page* 1)

which would specifically allow the employment of child actors under permit, argued that the Schneider amendment would not react to the disadvantage of the film industry, later to find that no provision had been made for the exemption of child talent.

The opposition was led by Representative Dockweiler (Dem. Cal.) who asserted it would prohibit the employment of such children as Shirley Temple because the film industry has been held by the courts to be in interstate commerce. Supporters of the amendment, however, declared film production is purely intrastate.

Dockweiler later attempted to secure recognition to offer an amendment specifically exempting picture production from the legislation but was unable to do so. He will make further efforts tomorrow.

As the House adjourned the situation was so confused that no one could be found who would attempt to say whether films were covered by either the measure itself or any of the amendments adopted.

Monogram Franchise Men to Meet Mar. 1

W. Ray Johnston, president of Monogram, has set March 1 as the tentative date for a meeting of franchise holders on the coast. The session will be followed by a series of regional conclaves in May, Johnston said.

Next year's program, according to present plans, call for 48 features, of which 16 will be westerns. Production budgets will be increased 25 per cent next season, Johnston added. It was estimated that 4,538 theatres are playing Monogram product.

Chickasaw Circuit Adds Another House

MEMPHIS, Dec. 16.—The Chickasaw Amusement Co., headed by W. F. Ruffing, Covington, Tenn., has taken over the Roxie at Alamo, thus running to seven the number of houses operated by the company.

Ruffin already has the theatres at Covington, Newbern, Martin, Greenfield, Milan and Humboldt. He is a former president of the M. P. T. O. of Arkansas, Mississippi and Tennessee.

Midwest Gets K. C. Spot

KANSAS CITY, Dec. 16.—Fox Midwest Theatres, Inc., has taken over the lease on the Brookside, new 1,200-seat theatre built in the suburban south side last winter, and operated for some months by W. D. Fulton.

Duffy Leases Altus House

ALTUS, Okla., Dec. 16.—Pat Duffy, owner and operator of the Temple and Rialto in Mangum, Okla., has leased the old Wigwam theatre building which has been closed for two years.

Take Over Chickasha House

CHICKASHA, Okla., Dec. 16.—The Ritz here will be operated in the future by Southwestern Theatres, Inc., managed by C. B. Hudson. The Ismo, a Southwestern house, has been closed. The Ritz has been operated by Consolidated Theatres, Inc., a Griffith subsidiary in the past.

To Open Two at Capital

WASHINGTON, Dec. 15.—Two houses will open between Christmas and New Year's. Sidney B. Lust will open the Marlboro, Marlboro, Md., the town's first film theatre in a decade, and U. Hollingsworth and Lloyd Wineland will open the Congress in Southeast Washington (Anacostia).

Kentucky Court Bars Games as Lotteries

PADUCAH, Ky., Dec. 16.—A declaratory judgment suit to test the legality of Thrift Night awards at the Columbia and Arcade, owned by the Columbia Amusement Co., has been filed in McCracken Circuit Court.

The suit was the first brought in Kentucky to test the legality of prize giveaways. The test case came on the heels of an opinion given by the Attorney General, in which he held that Bank Night awards are a violation of the laws of Kentucky.

Immediately after the ruling the giveaways were discontinued.

Casper Acts on Game Ban

CASPER, Wyo., Dec. 16.—The City Council has passed on first reading an ordinance to ban Bank Night, Screeno, merchandise drawings. Bingo, suit raffles, or the drawing of coupons given with groceries or admission tickets.

Propose B. N. Tax

JACKSONVILLE, Dec. 16.—Councilman W. T. Gordon, one of the authors of the recently defeated bill to outlaw theatre Bank Nights, now proposes to tax such features. Gordon told the Council last night a tax of 25 per cent should be levied against each award, in addition to all other levies against theatres or other amusement places. He would make the fine for violation not to exceed $300, with an alternative of not more than 90 days in jail.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Prescription for Romance"

(Universal)

HOLLYWOOD, Dec. 16.—The title of this undertaking is more than commonly descriptive. That is to say, it is a picture written, produced, directed and acted in complete compliance with the currently favored prescription for what is habitually described as "light, frothy entertainment." Under that circumstance it could not well be remarkable. Standard is fairer word for it. The names involved are Wendy Barrie, Kent Taylor, Mischa Auer, Dorothea Kent, Frank Jenks, Henry Hunter and Bert Roach, with Auer and a dog, not named in the cast, providing the principal laughs.

Taylor plays a detective sent to Budapest to bring back Hunter, absconder, who has taken refuge with Miss Barrie, American doctor studying in that city. Auer is a count living by his wits and Jenks a newspaper man. Both attach themselves to the search for Hunter, which is ultimately successful. Detective and doctor fall in love of course while all this is going on and probably marry afterward.

Edmund Grainger produced the picture with Sylan Simon directing. The story is by John Reinhardt and Robert Neville, the screen play by James Mulhauser, Robert T. Shannon and Albert R. Perkins. It is neither the greatest not the least of the season's practically innumerable ventures in the same general classification.

Running time, 62 minutes. "G."

Looking 'Em Over

"Exiled to Shanghai"

(Republic)

Audiences viewing "Exiled to Shanghai" should be kept in a constantly smiling and mildly excited state. It is one of those gay, light dramas, a bit far-fetched, but otherwise cleverly fashioned for the ultimate in inocuous amusement.

Wallace Ford contributes a good performance as a newsreel cameraman with an unquenchable verve that carries him through adventure, business difficulties and romance. June Travis, Dean Jagger, Arthur Lake and William Bakewell are good in the support.

Ford gets into difficulties with his reel when he photographs Miss Travis, a slogan contest winner. He unknowingly passes her off as a sweepstakes winner. Various complications ensue. In a humorous manner Ford quits his job. A short time later he naively joins up with Bakewell, a phony television promoter. Through Ford's initiative and contacts, Bakewell gets Jonathan Hale, the newsreel head, to invest in the phony corporation. Ford uncovers the fraud when an incident, vaguely disguised, resembling the recent dirigible disaster is televised. A newsreel of an ordinary landing was substituted. Entanglements with the police, the friendly enmity between Jagger and Ford and a sketchy romance are also worked in to keep interest up while the main theme unfolds. Eventually Ford marries Miss Travis and Jagger finds himself televising the war in China while the loving pair watch in a theatre.

It is a bit on the pseudo-scientific side. Nick Grinde directed. Many stock shots are used. Wellyn Totman did the screenplay. The supporting cast includes Sarah Padden, Syd Saylor, Johnny Arthur and Minerva Urecal.

Running time, 64 minutes. "G."

Kentucky Official Hits at Bank Night

FRANKFORT, Ky., Dec. 16.—Assistant Attorney General J. K. Lewis has ruled that Bank Nights are illegal. Lewis' opinion was given to Sam Levin, attorney.

Lewis wrote that Kentucky courts have never ruled on the subject, but the legal profession is generally in agreement that the enterprises violate both the Constitution and the statutes.

Exempt Child Films From Rental Returns

LONDON, Dec. 16. — The General Council of the Cinematograph Exhibitors' Ass'n has reached an agreement with the Kinematograph Renters' Society (distributors) for the exemption of bookings for special children's matinees from rental returns.

The distributors will offer only pictures released in August and September for showing during July and August of the following year. The exhibitors have accepted the proposal and will give it a year's trial.

Variety Club

Des Moines

DES MOINES, Dec. 16.—The program for Variety Club's annual shut-in party to be held at the Paramount Dec. 20 includes a picture and entertainment by talent from the staffs of WHO, KSO and KRNT.

In addition to the program, candy, fruit and nuts will be distributed by the ushers to the 2,000 persons invited to the party. Free street car passes will be given those able to ride the street cars and club members will provide autos for others.

A. G. Stolte, Des Moines district manager for Tri-States is chairman of the program committee.

Omaha

OMAHA, Dec. 16.—HARRY SHUMOW, M-G-M exchange manager, is back at his desk after a trip to Kansas City to confer with HARRIS WOLFBERG, district manager.

EDWARD SHAFTON, property master, has returned from a combined business and pleasure jaunt to several eastern cities.

TED MENDENHALL, Paramount exchange boss and immediate past chief barker, is on the mend after having a bone growth removed.

Washington

WASHINGTON, Dec. 16.—With the annual dinner-dance now history, Tent No. 11 is taking a respite from social activities, with practically nothing on the calendar until the New Year's Eve party, sponsored by the house committee.

It is expected, however, that the club will hold "open house" on Christmas Day.

Morley in New Ad Post

CHICAGO, Dec. 16.—J. Kenfield Morley has been appointed vice-president and general manager of the Advitagraph Corp.

Wall Street

Small Board Gains

	Open	High	Low	Close	Net Change
Col.	14¼	14¼	14⅛	14⅛	+ ⅜
Cons.	1½	1½	1½	1½	.....
Cons., pfd.	8	8½	7¾	7¾	— ⅛
E. K.	162	162½	160¾	160¾	— ¼
G. T. E.	13	13	13	13	.....
Loew	48½	48¾	48¼	48⅜	+ ⅝
Loew, pfd.	104¾	104¾	104¾	104¾	+ ¼
Para.	10¾	11⅛	10¾	10⅞	.....
Para. 1	87½	87½	87½	87½	— ½
Para. 2	10⅜	10¾	10⅜	10⅝	+ ⅜
RKO	4⅜	4⅜	4¼	4¼	.....
20th Fox	20¾	21⅝	20¾	21⅝	+ ⅞
20th, pfd.	27	27	27	27	+ ⅜
W. B.	7	7⅛	7	7⅛	+ ⅛
W. B. pfd.	34	34	33	33½	— ½

Technicolor Rises on Curb

	Open	High	Low	Close	Net Change
G. N.	15/16	1	15/16	1	.....
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone	1⅞	1⅞	1⅞	1⅞	.....
Tech.	18	18¼	18	18¼	+ ⅜
Trans-Lux	3	3	2⅞	2⅞	.....
Univ. Corp.	2	2	2	2	.....

Short Bond Advances

	High	Low	Close	Net Change
Loew 3½s '46	97¾	97¾	97¾	— ¾
Para. B'way 3s '55	59	59	59	.....
Para. Pict. 6s '55	89	89	89	.....
Para. Pict. '47	73	72½	72½	+ ¼
W. B. 6s '39	72¾	72¾	72¾	+ ¼

(Quotations at close of Dec. 16)

THE GREATEST NEW YEAR'S ATTRACTION EVER MADE!

(Released December 31st)



LOVE AND HISSES

DARRYL F. ZANUCK'S
NEW OUT-OF-THE-RUT,
INTO-THE-MONEY MUSICALAFFEROO
with double the wallop of "Wake Up and Live"

WALTER WINCHELL · BEN BERNIE
SIMONE SIMON

(She sings! She sings!)

Simone ("Sweet Someone") Simon pitches a little woo with the lad who adds dynamite to the Winchell-Bernie brawl!



HISSES

AND LAUGHS!

Joan Davis on a rubber-legged rampage with Bert Lahr — Oh boy, oh boy, oh boy!

Walter Winchell and Ben Bernie . . . Rajahs of the Rib . . . in a roaring madventure over who discovered Yvette Yvette!

AND BIG-NAME CAST!

BERT LAHR
JOAN DAVIS
DICK BALDWIN
RAYMOND SCOTT QUINTET
RUTH TERRY
DOUGLAS FOWLEY
CHICK CHANDLER

—and swingers, and truckers, and rhythm-chuckers, and girls, and gagsters, and going-to-towners!

AND SHOWMANSHIP!

Darryl F. Zanuck
(the industry's most successful producer of musical entertainment)
In Charge of Production

Directed by Sidney Lanfield
(of "Sing, Baby, Sing," "One in a Million," "Wake Up and Live" and "Thin Ice" fame)

Associate Producer Kenneth Macgowan. Screen play by Curtis Kenyon and Art Arthur. From a story by Art Arthur. Dances staged by Nick Castle and Geneva Sawyer.

AND SONGS!

GORDON & REVEL'S latest hits:
"Sweet Someone," "I Wanna Be In Winchell's Column," "Be a Good Sport," "Broadway's Gone Hawaii"
and that's not all!
Pollack & Mitchell, Raymond Scott and Zeno & Irwin wrote some, too!

SIMONE SIMON Sings! Sings! ... LOVE AND HISSES

20th CENTURY FOX


THE NEW-IDEA SHOW
TO WHOOP IN THE NEW YEAR!
LOVE AND HISSES
RELEASED DECEMBER 31st TO GIVE YOU HOLIDAY BUSINESS FOR WEEKS, AND WEEKS, AND WEEKS
(in brief, a typical Darryl F. Zanuck smash!)
20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE
—and tell the world with this free 24-sheet!
SIMONE SIMON Sings! Sings! in LOVE and HISSES

Booking Amendment Adopted in London

LONDON, Dec. 16.—The House of Commons Films Act Committee in a quiet session today adopted minor amendments to the Films Bill proposed by Capt. Euan Wallace, Parliamentary Secretary of the Board of Trade, designed to prevent the unscrupulous from taking advantage of the blind booking clause in the Films Bill.

There were no other features of the legislation discussed by the committee today.

G. B. Shareholders Will Seek Inquiry

(*Continued from page* 1)

an application to the Board of Trade for an independent investigation into the affairs of the company.

The circular was accompanied by a voluminous and exhaustive examination and report on the organization's affairs, and by an application form to be signed by shareholders giving the grounds on which the application will be made.

Exhibitor Group to Acquire Sound City

LONDON, Dec. 16.—Negotiations have reached an advanced stage of the absorption of Sound City Distributors, distributing organization connected with Sound City, London producing group, by the Independent Exhibitors' Distribution Co., Ltd., cooperative production and distribution organization which was formed recently.

Under the plan now in negotiation, the cooperative group would acquire all Sound City product for distribution.

Asher to Sail Jan. 15

HOLLYWOOD, Dec. 16. — Irving Asher, head of Warner production at Teddington Studios in England, will sail for home Jan. 15 on the *Ile de France*. Sam Morris, foreign head, who has been here several weeks with Asher conferring with Harry M. and Jack L. Warner on new production plans abroad, will leave for New York after the first of the year.

Stuart Doyle to Embark

LONDON, Dec. 16.—Stuart F. Doyle will sail for New York Dec. 21 on the *Berengaria*.

Has New Sound Device

George H. Callahan says he will soon start marketing a new device for recording sound on 16mm and 35mm film for which a patent application has been filed. In place of the usual lenses the apparatus uses a mirror which utilizes ultra-violet rays, condenses and concentrates a light slit which is projected on the film surface. He claims it is free from spherical and chromatic aberration.

Form Circuit in Dover

DOVER, Del., Dec. 16.—Pix Theatres Circuit, Inc., has been incorporated here. Capital of $300,000 is listed. Incorporators are S. Nissley, S. H. Nisley and A. Eliopulos of Gary, Ind.

'Sacred,' 'Submarine' and 'Truth' Leading Grossers

"Nothing Sacred," "The Awful Truth" and "Submarine D-1" appeared to be the leaders in the nation's key city box-office parade last week, with special mention due to "The Awful Truth" because of the strength it is displaying in holdover engagements in numerous spots.

"Nothing Sacred" led in Detroit, Kansas City, Cleveland and Philadelphia, "Submarine D-1" was the leader in Milwaukee, ran strong in Cleveland and led in Cincinnati, while "The Awful Truth showed continued strength in a third Denver week, in Detroit, a fourth Minneapolis week, led in Seattle in a third week and was held again, in the fourth Cincinnati week, second Pittsburgh stanza, second San Francisco week. The film is in its fifth week in Hartford and Springfield, fourth week in Los Angeles, played five weeks in Toronto, four in Columbus, and is in its sixth week in Cleveland.

Chicago's lead went to "Conquest" with "Back in Circulation" at the State-Lake the only other film to better par, by $1,300. "A Damsel in Distress" was high in Denver, where "Nothing Sacred" was strong. "Stand-In," aided by a stage show, was behind "Nothing Sacred" at Detroit. "Double Wedding " topped average by $4,100 at Loew's Capitol in Washington, where "Stage Door" was fair in the second week.

"Navy Blue and Gold" at $9,000 at the Minneapolis Orpheum was one of the few to better par in the Twin Cities. "Submarine D-1," with Merry-Go-Round of 1938," was the only bill to better average in Milwaukee. "Submarine D-1," over the $6,500 average by $1,500 at Keith's in Cincinnati, was best in a light week. "Stage Door" ran behind "The Awful Truth" in Pittsburgh, where grosses also were generally weak. "Navy Blue and Gold" and "Big Time Girl" displayed good strength in Philadelphia. Only "The Last Gangster" was able to top average in Oklahoma City by $700. "The Firefly" topped San Francisco grosses, going $3,000 over the Warfield average. Kansas City houses were generally weak, behind "Nothing Sacred." 'Stage Door" and "Annapolis Salute" went $2,700 over par at the College in New Haven and consequently the bill was held.

Allied Bermuda Trip Stopped by a Strike

Allied of New Jersey's annual cruise to Bermuda was cancelled unexpectedly yesterday when 450 members of the *Monarch of Bermuda* crew called a strike two hours before sailing time.

Irving Dollinger, president, however, will sail for the winter resort either today or tomorrow to celebrate his 10th wedding anniversary.

Defer MPPDA Meeting

The quarterly meeting of the board of directors of the M. P. P. D. A. will be held about the middle of next week in the event a quorum can be obtained. The absence from the city of numerous board members during recent weeks has brought about several successive postponements of the meeting.

Claim Third Dimension

WASHINGTON, Dec. 16.—Charles Etzel, Philadelphia inventor, claimed today to have devised a simple method of producing and projecting third dimensional films. He was granted a patent on the device.

Postpone Reade Opening

The Community, Walter Reade house in Morristown, N. J., scheduled to open tonight, has been postponed. Inclement weather has held up construction.

Defer Col. Dividend

Columbia has deferred action on the usual 2½ per cent dividend due to uncertainties over the undistributed profits tax and tax legislation.

Bannan Joins N. S. S.

CLEVELAND, Dec. 16. — George Bannan has been named a salesman here for National Screen Service.

No Decision on Form Of Chicago Taxation

CHICAGO, Dec. 16.—Unable to agree among themselves regarding their proposal to the City Council of a plan for increasing theatre license fees in Chicago, theatremen are continuing meetings to work out a suitable solution. Independent exhibitors thus far have been unable to get B. & K. to agree to the fee plan as B. & K., with the largest theatres under their control, feel that the tax arrangement which Allied proposes is unfair to them.

In the meantime, the City Council is considering the licensing of race-track bookies as in Omaha and Los Angeles with the hope that this revenue would help meet the greater portion of the budget deficit.

Epstein Drive Winner

Morris Epstein, Grand National manager at the New York exchange, has been declared the winner of a grand prize of $1,000 for collections as well as the weekly prize for the first three weeks. Jules Lapidus of Pittsburgh took second prize and Russell Borg of Kansas City and James Winn of Chicago tying for third and fourth awards. Hi Peskay of Los Angeles took fifth prize.

Gainsborough Has Loss

LONDON, Dec. 16.—Gainsborough Pictures, subsidiary of Gaumont British, has reported a loss of £11,081 for the year ended June 30, the total deficit amounting to £127,289. The amount does not include any films produced under the arrangement by G. B. with General Film Distributors.

To Build at High Point

CHARLOTTE, Dec. 16.—North Carolina Theatres, Inc., will construct a $110,000 theatre in High Point, N. C., in the old Orpheum building.

Warn Reels to Abide By Pact with Union

The International Photographers' Union, Local 644, has issued a warning to newsreels to cease the practice of using material supplied by free lance non-union photographers. The warning came from Charles W. Downs, union business agent.

Downs said that under the two-year union deal with the reels, they are prohibited from using free lance material or purchasing films. He declared that the union recognized the fact that in the case of disasters and similar events, the use of free lance or bought material was necessary, but "now they are abusing the privilege." Two other practices to which the union is objecting, said Downs, is the use of newsreel photographers on commercial films and the exchanging of prints by the newsreel companies, which he contends results in the use of fewer cameramen, and which he called "unethical." Downs said that the union may demand that its label be placed on the reels.

Washington Unions Elect

WASHINGTON, Dec. 16.—A. C. Hayden has been elected to his 31st term as president of Musicians' Union, A. F. of M., Local No. 161. The entire roster of officers was reelected with him.

Earlier Edward Booth was named president of Operators' Local, No. 224. The Film Exchange Employes' Union has named George Sullivan, shipper at RKO, as president. The front-of-the-house theatre employes have elected to his second term Willard Brabson, chief of service at the Earle.

Stagehands Local, No. 22, will elect on Dec. 21, with Daniel Peck of Loew's Capitol staff probably being continued in office.

Urge Two Booth Men

ALBANY, Dec. 16.—The executive council of the New York State Federation of Labor has gone on record in favor of supporting an amendment to the licensing law to require a full safety crew of competent picture machine operators in all projection rooms of places of public assemblage. Virtually a two-men-in-a-booth plan, it may be presented to the legislature at the next session.

Seattle Local Reelects

SEATTLE, Dec. 16. — All officers of the I.A.T.S.E., Operators' Union, Local 15, have been reelected. They are: Charles Crickmore, president; Ernest Clark, finance officer; Edward Booth, recording secretary; Basil L. Grey, business agent; Colin Durie, treasurer, and Earl Gunther, delegate to the Seattle Central Labor Council.

Adjourn M. & R. Hearing

The taking of depositions here in the anti-trust suit brought by Morse & Rothenberg, Boston independent circuit, against major distributors, the Maine & New Hampshire and M. A. circuits, will be adjourned today and early in January.

The deposition of Abe Montague, Columbia general sales manager, was taken yesterday by George Ryan, attorney for the plaintiff. Today's session will be devoted to the entering of sales contracts in evidence, and will be without a witness. The resumption of the proceedings is tentatively set for Jan. 4.

Decency Move For Air Urged By Churchman

By CLARENCE LINZ

WASHINGTON, Dec. 16.—Initiation of a movement to clean up broadcasting, similar to the Legion of Decency sponsored by the Catholic Church to improve films, was agitated last night by Rev. Dr. Maurice S. Sheehy, head of the Department of Religion of Catholic University, in an address before the Newman Club of George Washington University.

Declaring that the recent broadcast appearance of Mae West was the "low spot in all broadcasting history," Dr. Sheehy urged that complaints be filed with the F.C.C. against the Chase & Sanborn Co.

That concern, he said, put the program on over the protest of its own actors and after he had written a warning that "if Mae West indulges in her usual risque line next Sunday, the Catholic press and a national Catholic organization will appeal for a boycott of this program."

Calls Law Inadequate

"The Federal statute on broadcasting is so vague that it is innocuous," Dr. Sheehy asserted. "True, if the members of the F.C.C. wish to protect people from such filth as Chase & Sanborn purveyed last Sunday night, they can do so. But do they?

"Under the direction of a committee of Bishops, the Legion of Decency has done much to raise the moral standard of the movies, basing its action upon the assumption that there are still enough decent people, Jewish, Protestant and Catholic, to rally to its cause. I suggest that we petition this organization to extend its efforts to the field of radio."

To Air "Snow White" Start

The premiere of "Snow White and the Seven Dwarfs" will be described in a special broadcast from the Carthay Circle in Hollywood, Dec. 21 from 11:45 P.M. to 12:15 A.M. on the NBC-Blue. The broadcast will present music and dramatic scenes from the picture.

Withdraw Motion in NBC Case

A motion to examine before trial David Sarnoff, president of RCA, Atherton Hobler, president of Benton & Bowles, and Clarence Francis, president of General Foods Corp., was withdrawn in the N. Y. Supreme Court yesterday.

Imperial Tobacco Co., Ltd.
OF CANADA
presents
KEN SISSON
Director, "Canada, 1937"
With a 30-piece orchestra
16-voice choir and soloists
Over a coast-to-coast network of
Canadian Stations
Fridays, 10 to 10:45 P.M., E.S.T.

What They Say—

(*Continued from page* 1)

strenuously object to. There is nothing that Mae West can give a radio audience and, in fact, it is pretty difficult to conceive that there is anything she can give any audience.

No thoughtful man but would agree that certain motion picture personalities are also to an even greater degree radio personalities, and that their appearance helps rather than hurts their box-office draw, yet, on the other hand, there are splendid screen personalities that on the radio are just nothing at all.

I am glad for your editorial and action. I congratulate you.

Walter Vincent,
Wilmer & Vincent Theatres

▼

Press Critic—

Mr. Martin Quigley:

Yours of Tuesday is best and most deserved editorial kick in the drawers that radio ever received. Congratulations.

Ashton Stevens,
Motion Picture and
Dramatic Critic,
Chicago American

▼

Radio Industry—

Mr. Martin Quigley:

By this means may I congratulate you on your courageous editorial appearing in the December 14th issue of MOTION PICTURE DAILY.

Not only is the topic very timely but well done. Radio, because of its phenomenal growth, has too often threatened to go beyond the boundaries of public acceptance.

Unless we in Radio realize this, we must be prepared to have an autocratic censorship forced upon us. We do not want this to happen.

Manuel L. Ruderman,
Vice President,
Radio and Film Methods
Corporation

Oklahoma Stations Foresee Good Year

OKLAHOMA CITY, Dec. 16. — All Oklahoma City stations report exceptionally good sales for 1937 and are looking optimistically toward 1938.

Time sales on WKY were the best in its history. Ten new accounts were secured by WKY during the past half year, all of which had never used radio previously. Time on the Oklahoma network has shown satisfactory increases during the last 12 months. The network has had increased business almost every month this year over the previous month.

Increases in 15-minute periods, where only spot announcements were used formerly, are reported by KTOK, Oklahoma network key station. At KOMA, Oklahoma City Hearst station, only one and a half hours average of free time is available per week on this station from 6 to 10 p.m.

"Rosalie" on M-G-M Show

The feature of the Dec. 23 "Good News of 1938" program will be a Christmas party for the "Rosalie" cast, with highlights of the production by Nelson Eddy, Eleanor Powell, Frank Morgan, Fanny Brice, Jimmy Stewart, Ray Bolger and Edna May Oliver, with Louis B. Mayer as host and William Anthony Maguire as co-host.

Blair to Open New Office in Seattle

CHICAGO, Dec. 16.—A new office in Seattle will be opened by John Blair & Co., national representatives of radio stations, Jan. 1. Dick McBroom will have charge of the new office and his duties here as head of the sales promotion department will be handled by Kay Beckman, with the Iowa Network before joining the Clair organization some months ago.

Elinor Lee Joins WJSV

WASHINGTON, Dec. 16.—Elinor Lee, director of home economics for the Westinghouse Electric & Mfg. Co., has joined the staff of WJSV. She will conduct the daily home economics program from the Electric Institute of the Potomac Electric Power Co., which is produced for WJSV by Larry Elliott, chief announcer.

Maurice Spitalny Joins KDKA

PITTSBURGH, Dec. 16. — Maurice Spitalny, brother of Phil and Leopold Spitalny and a well known musician himself, has been signed by KDKA as conductor of the station's new staff orchestra. He will take over his new post in a couple of weeks, succeeding Al Egizi. The latter will serve as Spitalny's assistant and sit in with the band.

CBS Extends Paley's Deal For One Year

CBS has amended William S. Paley's contract providing that his term of employment as president of the Columbia Broadcasting System is to end Dec. 31, 1940, instead of Dec. 31, 1939.

A further amendment provides that the "additional compensation" of Paley shall be five per cent of the annual consolidated net profit of the network and its subsidiaries up to $1,000,000, plus four per cent of the next $1,000,000 of such profits, plus two per cent of the sum by which such net profits shall exceed $3,000,000. Before the modification, Paley's agreement called for additional compensation of 2½ per cent of the annual consolidated net profits up to $600,000, plus five per cent of the sum by which such compensation shall exceed $600,000.

The readjustment has been reported by CBS to the S.E.C., as an amendment to the company's registration statement.

Bachman Represents WIND in the East

Chicago, Dec. 16.—Earle Bachman of New York has been appointed representative for WIND, to handle eastern accounts. Bachman, who has his own station representative office, will take over the new work the first of the year.

Set New WINS Break

Albert A. Cormier, who recently took over the management of WINS, has adopted a new station break, to be heard for the first time Dec. 17. The station will hereafter be identified on the air as "Station W-I-N-S WINS New York," incorporating in the single phrase both identification and message. This is the first of a series of innovations to go into effect with the new year, details of which will be revealed shortly.

Start "Moonlight Vignettes"

SAN DIEGO, Dec. 16. — Baranov's Jewelers is the sponsor of a new twice-weekly script show over KFSD, NBC-Blue outlet, here. Titled "Moonlight Vignettes," the program is a five-minute advertising skit featuring Tony D'Orazi and aired Mondays and Thursdays at 5:25 p.m. The Gerald Champ agency set the deal.

Lochman to General Mills

KANSAS CITY, Dec. 16.—Walt Lochman, baseball broadcaster of the area, who grew with KXBY, has been released from his contract at that station and has gone with General Mills to do that corporation's baseball broadcasting.

"Party Bureau" Starts Jan. 4

SAN FRANCISCO, Dec. 16.—"Caswell Party Bureau," a new CBS Pacific network commercial program, will make its air debut Jan. 4 under the sponsorship of George W. Caswell Co.

Singer Edict Applies Only To Road Units

President Joseph N. Weber, who Tuesday night issued an edict to non-union singers to join the American Federation of Actors if they desired to continue working with union bands, said yesterday that his edict was applicable only to traveling bands, and not to the entertainment business as a whole, as was reported in several newspapers yesterday.

Entertainment circles were disturbed yesterday because of the "misunderstanding." Without mentioning the name of the orchestra leader who was credited in yesterday's newspapers with making public the edict, Weber termed him "a fool," who was motivated primarily by the publicity he might derive from the story.

The false report was that Weber's edict applied to all singers on commercial and sustaining radio programs, singers with jazz bands and all actors who use music as a part of their entertainment medium. These number approximately 10,000.

Reveals Letter Contents

Explaining his edict referred only to traveling orchestras which employ non-union entertainers, Weber made public the contents of the letter which caused the alarm, and which, he reiterated, applied only to orchestras which travel about the country, usually carrying singers and other performers who comprise a unit of entertainers.

The letter, which Weber explained was dictated by him, but sent to Federation members by National Federation Treasurer Harry Brenton, whose office is in Boston, follows:

"Kindly be advised that if actors, singers or other entertainers are carried by your orchestra, they must be members of the American Federation of Actors. If they are not, they must immediately become such if they desire to continue to perform with your orchestra. Union orchestras cannot carry or play with non-union entertainers. This order conforms to Standing Resolution No. 13 of the American Federation of Musicians. The matter is very important."

Standing Resolution of the A. F. of M. rules is as follows, it was learned:

"A member of the Federation following another trade must become and remain a member of the union of such other trades if same is affiliated with the American Federation of Labor. If a member of the A. F. of M. employs or assists in employing men who follow another trade or profession he must employ or assist in employing union men if such other trade is organized and affiliated with the American Federation of Labor."

Weber explained that all entertainers had been organized recently by the A. F. of L., of which the American Federation of Actors is now a part.

Extended A. F. M. Deadline

Because a majority of the 293 I.R.N.A. stations have proved their desire to accept the A. F. of M.'s plan of settlement and are now negotiating with locals throughout the country, Joseph N. Weber, president of the Federation, yesterday extended the deadline to Dec. 22, to permit the stations time in which to complete their negotiations.

Signed contracts from the stations are being received at union headquarters in a steady daily flow, he said.

Hurlbutt Was Riding

Washington, Dec. 16.—For three years Jimmy Hurlbutt, news editor of WJSV, has been chasing Washington fires in the fond hope of finding one big enough and lasting enough for a special flame-by-flame broadcast.

On Sunday a Washington shoe store was destroyed by what was termed the "biggest fire in years."

WJSV put on an on-the-scene broadcast; most of the fire-fighting equipment of the Capital battled the blaze, and practically all of Washington's population turned out to watch—except Hurlbutt. It was his day off, and he had gone for a long drive in the country.

Nine Program Renewals Set For NBC Web

Nine programs were marked for renewal at NBC yesterday. The majority were for a full year, with the usual options at 13-week intervals.

Standard Brands renewed "Bakers' Broadcast" for Fleischmann Yeast, with Ozzie Nelson and Feg Murray, for 52 weeks, and Rudy Vallee's program for Royal Gelatine, also for one year. J. Walter Thompson is the agency. These complete the Standard Brands contingent of programs, the Chase & Sanborn hour and the two "One Man's Family" shows having been renewed last week.

Kellogg renewed "Girl Alone" on the Red and "Singing Lady" on the Blue, through N. W. Ayer & Son. The renewals are for a year each.

"Believe It or Not," with Ripley, has been renewed for 39 weeks, beginning Jan. 1. General Foods Corp. is the client, Benton & Bowles the agency.

M-G-M Show Renewed

Renewed for four weeks, up to and including the broadcast of Jan. 27, is the General Foods—M-G-M "Good News of 1938," through Benton & Bowles.

Beginning Feb. 1, the Philip Morris program, on the Red, will continue for another year. The renewal is through Biow & Co.

Household Finance Corp.'s "It Can Be Done," presented on the Blue, has been renewed for one year, beginning Jan. 4, through Batten, Barton, Durstine & Osborn.

The Standard Oil Co. of California, presenting "Standard School Broadcasts" over the Pacific Coast Red network and KFSD, has renewed the series for 26 weeks. McCann-Erickson is the agency.

Radio Personals

CHARLES J. COWARD, assistant radio director of Ralph H. Jones & Co., Cincinnati agency, will arrive in New York today to look after the "Hello Peggy" script program produced by his agency. . . . Babs Savage, five-year-old daughter of John R. Savage, art director of G. B. studios, will appear on the "O'Neill's" script show over NBC Dec. 23 as a guest. . . . Carl Hoff was signed to a one-year contract to supply music for the Al Pearce-Ford Co. program over CBS.

+

Chicago Town Pump

CHICAGO, Dec. 16.—Buddy Rogers and his band will open at the College Inn Christmas Day. . . Hugh Studebaker, who was once a theatre organist, purchased a miniature organ the other day to use for practice. . . . Harold Swanson, WJJD engineer, is recuperating from a motorcycle accident.

WIND will broadcast the Northwestern University basketball games this winter. . . Morrison C. Wood, WGN-MBS producer, has gone to Hollywood to write for pictures. . . Sidney N. Strotz is back at NBC after a two-week vacation. . . Virginia Payne has just celebrated her fourth year in radio. . . Larry Wolters, radio editor of the *Chicago Tribune*, is a father. It is a daughter.

FCC Lists a Busy Hearing Schedule

WASHINGTON, Dec. 16.—The F. C. C. today made public a tentative schedule of hearings on broadcasting cases for the week of Jan. 10, as follows:

January 10, before an examiner: Applications of Carl Latenser for a 1,420 kilocycle, 100-watt daytime station at Atchison, Kan.; Floyd A. Parton for a 1,170 kilocycle, 250-watt daytime station at San Jose, Cal.; George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Cal., and KAST, Astoria, Ore., for change of frequency from 1,370 to 1,200 kilocycles, extension of time to operate nights, and increase of power from 100 watts day to 100 watts night, 250 watts day.

Jan. 11, before an examiner: Applications of J. T. Griffin for an 880-kilocycle, 1,000-watt daytime station at Fort Smith, Ark.; Mrs. W. J. Virgin for a 1,410 kilocycle, 1,000-watt station at Medford, Ore., and Colonial Broadcasting Corp. for a 1,370-kilocycle station at Norfolk, Va., with 100 watts power night, 250 watts day.

Jan. 13, before the commission: Applications of Earl Yates for a 930-kilocycle, 500-watt station at Las Cruces, N. M.; Valley Broadcasting Co. for a 1,350-kilocycle, 1,000-watt station at Youngstown; Genesee Radio Corp. for a 1,200-kilocycle station at Flint, Mich., with 100 watts power night, 250 watts day.

Jan. 14, before an examiner: Applications of Piedmont Broadcasting Corp. for a 1,500-kilocycle station at Salisbury, N. C., with 100 watts power night, 250 watts day, and WAIR, Winston-Salem, N. C., for extension of time.

IF

all the money spent for goods sold at retail in the cities of

BOSTON
DETROIT
SEATTLE
BUFFALO
CHICAGO
MEMPHIS
ST. LOUIS
PORTLAND
CINCINNATI
BALTIMORE
CLEVELAND
MILWAUKEE
PITTSBURGH
WASHINGTON
MINNEAPOLIS
LOS ANGELES
KANSAS CITY
SAN FRANCISCO

were lumped into one sum, it still wouldn't equal the six billion dollars spent for goods sold at retail to the residents of the area WOR serves. Naturally, a station which boasts a market such as this must do an awfully thorough, widespread and profitable advertising job.

WOR

"Firefly" Is Frisco's Best Bet, $16,000

SAN FRANCISCO, Dec. 16.—"The Firefly" turned in a strong $16,000, up by $3,000, at the Warfield in a week when grosses were not outstanding because there were six holdovers and a dual of revivals.

Only two other spots went over par. These were the Embassy where "52nd Street" and "Action for Slander" pulled $7,500, up by $1,500, and the Orpheum, where "The Awful Truth" and "Life Begins with Love" took $8,200 in the seventh week. This was $200 in the black.

Total first run business was $82,550. Average is $98,000.

Estimated takings:

Week Ending Dec. 4:

"HURRICANE" (U. A.)
GEARY—(1,400), 55c-83c-$1.10-$1.65, 4 days, 4th week. **Gross:** $7,000. (Average, $10,000)

Week Ending Dec. 7:

"DAMSEL IN DISTRESS" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $12,000. (Average, $16,000)

"LAST GANGSTER" (M-G-M)
"LOVE ON TOAST" (Para.)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $10,500. (Average, $13,000)

Week Ending Dec. 8:

"52ND STREET" (U. A.)
"ACTION FOR SLANDER" (U. A.)
EMBASSY—(1,400), 15c-35c-40c-55c-65c, 7 days. **Gross:** $7,500. (Average, $6,000)

"SUBMARINE D-1" (W. B.)
"SH, THE OCTOPUS" (W. B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $17,000)

"AWFUL TRUTH' (Col.)
"LIFE BEGINS WITH LOVE" (Col.)
ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days, 7th week. **Gross:** $8,200. (Average, $8,000)

"LIVES OF A BENGAL LANCER" (Para.)
(Re-issue)
"RUGGLES OF RED GAP" (Para.)
(Re-issue)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days. **Gross:** $4,000. (Average, $7,000)

"PRISONER OF ZENDA" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $7,500. (Average, $7,000)

Week Ending Dec. 9:

"FIREFLY" (M-G-M)
WARFIELD—(2,860), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $13,000)

Week Ending Dec. 10:

"SUN OVER DENMARK" (Danish Films)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $850. (Average, $1,000)

Nine New Pacts at M-G-M

HOLLYWOOD, Dec. 16. — Mickey Rooney, Robert Whitney, Hudson Shotwell, Val Rosing and Konstantin Gorian have been signed to new acting contracts by M-G-M. Additionally, George Jessel, Ed Gardner, Sam More and Morton Harris, all active in the company's radio division, have been re-signed for 13 weeks.

Co-Star Taylor, Tracy

HOLLYWOOD, Dec. 16.—Robert Taylor and Spencer Tracy will co-star in "Northwest Passage," for M-G-M. The film from the best seller will be produced by Hunt Stromberg. Maureen O'Sullivan, returning soon from London, will be cast in "Marie Antoinette," M-G-M film.

"Sacred" Sole Draw in Cold At Cleveland

CLEVELAND, Dec. 16. — "Nothing Sacred" was outstanding with three of the six first run houses playing holdovers and the city covered with ice. The picture broke even at Loew's State, taking $15,000.

"Submarine D-1," playing a second week downtown at Warners' Lake where it went from the RKO Palace, doubled the Lake average with $5,000.

"The Firefly," at Loew's Stillman, where it played a second week following Loew's State, was under par by $1,000. The take was $5,000.

The weather was terrible, with heavy snow, very low temperatures and streets of glass.

Total first run business was $57,500. Average is $61,500.

Estimated takings for the week ending Nov. 10:

"DAMSEL IN DISTRESS" (RKO)
ALLEN—(3,000), 30c-35c-42c-55c, 5 days, 2nd week. **Gross:** $4,000. (Average, 7 days. $6,000)

"SH, THE OCTOPUS" (F. N.)
ALLEN—(3,000), 30c-35c-42c-55c, 3 days. **Gross:** $1,500. (Average, 7 days, $6,000)

"THE PERFECT SPECIMEN" (F. N.)
WARNERS' HIPPODROME—(3,500), 30c-35c-42c-55c, 8 days. **Gross:** $11,000. (Average, 7 days, $12,000)

"SUBMARINE D-1" (W. B.)
WARNERS' LAKE—(800), 30c-35c-42c-55c, 8 days, 2nd week. **Gross:** $5,000. (Average, $2,500)

"MERRY-GO-ROUND OF 1938" (Univ.)
RKO PALACE—(3,160), 30c-42c-60c-75c, 7 days. Stage: Dave Rubinoff and vaudeville. **Gross:** $16,000. (Average, $20,000)

"NOTHING SACRED" (U. A.)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $15,000. (Average, $15,000)

"THE FIREFLY" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"Stage Door" Dual $10,700, New Haven

NEW HAVEN, Dec. 16.—"Stage Door" and "Annapolis Salute" captured all honors in an otherwise dull week, grossing $10,700, over by $2,700. The dual was held for a second week at the College.

"Merry-Go-Round of 1938" and "I Cover the War" at the Paramount led off with good weekend business, which dwindled to $4,500, under the line by $300. The Roger Sherman, with "First Lady" and "Doctor Syn," took $4,000, short of par by $600, while "45 Fathers" and "Hideaway" at the College did $2,200, also $600 below the line. A packed Yehudi Menuhin concert was considerable competition.

Total first run business was $21,400. Average is $20,200.

Estimated takings for the week ending Dec. 9:

"45 FATHERS" (20th-Fox)
"HIDEAWAY" (RKO)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $2,200. (Average, $2,800)

"STAGE DOOR" (RKO)
"ANNAPOLIS SALUTE" (RKO)
LOEW'S POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,700. (Average, $8,000)

"MERRY-GO-ROUND OF 1938" (Univ.)
"I COVER THE WAR" (Univ.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,500. (Average, $4,800)

"FIRST LADY" (W.B.)
"DOCTOR SYN" (G. B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,000. (Average, $4,600)

"Submarine" Pulls $8,000, Cincinnati

CINCINNATI, Dec. 16.—"Submarine D-1" was the outstanding grosser in an otherwise light week, made so by holiday shopping and record cold weather. The take was $8,000 at Keith's, where normal is $6,500. It went into a second stanza.

"The Awful Truth" pulled $4,000 at the RKO Grand, where it was in its fourth downtown week, and held for another seven days. "Alcatraz Island" came within a whisper of the $6,500 par at the RKO Lyric, but statements from the other houses were not particularly cheerful reading.

Total first run business was $49,800. Average is $58,700.

Estimated takings:

Week Ending Dec. 8:

"EBB TIDE" (Para.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $9,000. (Average, $10,000)

Week Ending Dec. 9:

IT'S LOVE I'M AFTER" (W.B.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $10,000. (Average, $12,000)

"DR. SYN" (G.B.)
RKO SHUBERT—(2,150), 35c-42c, 7 days. **Gross:** $4,800. (Average, $12,000)

"NOTHING SACRED" (U.A.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,000. (Average, $6,500)

"ALCATRAZ ISLAND" (F.N.)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $6,400. (Average, $6,500)

"THE AWFUL TRUTH" (Col.)
RKO GRAND—(1,200), 25c-40c, 7 days, 4th downtown week. **Gross:** $4,000. (Average, $2,750)

"WESTERN GOLD" (20th-Fox)
(3 days)
"TRAPPED BY G-MEN" (Col.)
(2 days)
"CARNIVAL QUEEN" (Univ.)
(3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,600. (Average, $2,450)

"SUBMARINE D-1"
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $8,000. (Average, $6,500)

"Gangster" Is High In Oklahoma Slump

OKLAHOMA CITY, Dec. 16.—"The Last Gangster" was the only first run attraction to get into the money on the week and it didn't get far in at that. The $5,700 take at the Criterion was $700 over normal.

"Nothing Sacred" reached $2,500 in its second week at the State, under the normal line by $1,000. "Breakfast for Two" came within shooting distance of par, $2,100, at the Tower.

Total first run business was $15,900. Average is $18,500.

Estimated takings for the week ending Dec. 11:

"THE LAST GANGSTER" (M-G-M)
CRITERION—(1,300), 10c-35c-40c, 7 days. **Gross:** $5,700. (Average, $5,000)

"HANDY ANDY" (20th-Fox)
(Re-issue)
"LOVE IS ON THE AIR" (W. B.)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,700. (Average, 7 days, $2,500)

"SATURDAY'S HEROES" (RKO)
"LONDON BY NIGHT" (M-G-M)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $500. (Average, 7 days, $2,500)

"IT'S LOVE I'M AFTER" (W. B.)
MIDWEST—(1,500), 10c-35c-40c, 7 days **Gross:** $3,400. Average, $5,000)

"NOTHING SACRED" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days, 2nd week. **Gross:** $2,500. (Average, $3,500)

"BREAKFAST FOR TWO" (RKO)
TOWER—(1,000), 10c-25c-35c, 7 days. **Gross:** $2,100. (Average, $2,500)

Renamed Carol Rhodes

HOLLYWOOD, Dec. 16.—Lillian Pertka, young screen actress, has changed her name to Carol Rhodes.

"Truth" Sets Seattle Pace For 3rd Week

SEATTLE, Dec. 16.—"The Awful Truth" stayed out front in a big way in its third week at the Liberty, the $8,400 gross going over normal by $3,400. It was held again.

"Navy Blue and Gold," with "Fit for a King," was $150 up on a take of $6,150 at the Paramount, and "It's Love I'm After" and "This Way, Please" topped normal by $400 on a take of $7,400 at the Fifth Avenue. The Paramount dual was moved to the Blue Mouse and the Fifth Avenue program went to the Music Box.

Total first run business was $37,100. Average is $36,500.

Estimated takings for the week ending Dec. 10:

"SWEETHEART OF THE NAVY" (G.N.)
"BEHIND THE MIKE" (Univ.)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,100. (Average, $4,000)

"IT'S LOVE I'M AFTER" (W.B.)
"THIS WAY, PLEASE" (Para.)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,400. (Average, $7,000)

"THE AWFUL TRUTH" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 3rd week. **Gross:** $8,400. (Average, $5,000)

"HEIDI" (20th-Fox)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $2,950. (Average, $4,000)

"MERRY GO ROUND OF 1938" (Univ.)
"LANCER SPY" (20th-Fox)
ORPHEUM — (2,450), 30c-40c, 6 days. **Gross:** $4,700. (Average, $6,000)

"MANHATTAN MERRY-GO-ROUND" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Miss Chic Kennedy. **Gross:** $4,400. (Average, $4,500)

"NAVY BLUE AND GOLD" (M-G-M)
"FIT FOR A KING" (RKO)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $6,150. (Average, $6,000)

"Submarine" Only Milwaukee Grosser

MILWAUKEE, Dec. 16.—"Submarine D-1," with "Merry-Go-Round of 1938," was the only attraction to top par with $6,000 at the Warner, just $1,000 to the good.

Cold weather and a five-day bazaar at the Auditorium sponsored by the Farmer-Labor Progressive Federation, which drew more than 125,000 people, helped raise hob with box-office receipts.

Total first run business was $29,400. Average for five houses is $26,500

Estimated takings:

Week Ending Dec. 8:

"SUBMARINE D-1" (F.N.)
"MERRY-GO-ROUND OF 1938" (Univ.)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $6,000. (Average, $5,000)

Week Ending Dec. 9:

"EBB TIDE" (Para.)
"45 FATHERS" (20th-Fox)
GARDEN—(1,200), 35c-50c, 7 days. **Gross:** $3,000.

"I'LL TAKE ROMANCE" (Col.)
"MURDER IN GREENWICH VILLAGE" (Col.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"CARNIVAL QUEEN" (Univ.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: California Collegians. **Gross:** $4,400. (Average, $5,000)

"NAVY BLUE AND GOLD" (M-G-M)
"BIG TOWN GIRL" (20th-Fox)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $4,000. (Average, $4,500)

"THE LAST GANGSTER" (M-G-M)
"BORROWING TROUBLE" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $7,000. (Average, $8,000)

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 144 NEW YORK, SATURDAY, DECEMBER 18, 1937 TEN CENTS

Reputation of McNinch Hurt By West Show

Broadcast Aids Demand For Radio Probe

By BERTRAM F. LINZ

WASHINGTON, Dec. 17.—The violently unfavorable reaction to the Mae West broadcast on the Chase and Sanborn hour last Sunday evening has served to climax a growing disatisfaction with the failure of Frank R. McNinch, chairman of the F.C.C., to do the cleanup job for which he was transferred from the Federal Power Commission.

Thus far, it was declared here today, McNinch has done nothing other than to restate some of the old orders of the commission. His failure to meet Representative MacFarlane of Texas half way when the Congressman asked for an explanation of the Payne disbarment from the recent Segal-Smith trial also has served to add supporters to the Congressional resolutions which are seeking an investigation of the radio situation.

The entire Catholic community of the nation is being exhorted by church leaders and organizations here to make an effective protest against the West type of programs. Dr. Maurice S. Sheehy, head of the Department of Religion at Catholic University, has written to all Catholic editors asking editorial support.

Protests Increasing Over West Program

Protests against the Mae West broadcast of last Sunday evening for Chase & Sanborn continued to spread yesterday, emanating from the press and educators in widely separated parts of the country. Telegrams and letters voicing disapproval from women's clubs and similar organizations were received at the offices of NBC.

Meanwhile, Stanley Resor, presi-

(*Continued on page* 4)

White Heads Cairo Radio Delegation

WASHINGTON, Dec. 17.—Senator Wallace H. White, Jr., (Rep., Maine) will be chairman of the American Delegation to the International Radio Conference convening at

(*Continued on page* 4)

More Radio—P. 4

Warner Will Use Coast as Headquarters

Company Head to Make Short Trips East

HOLLYWOOD, Dec. 17.—Harry M. Warner, president of Warners, has decided to make his permanent headquarters at the studios from now on and will make short periodic trips to New York from time to time, it was learned today.

All important conferences regarding administration of executive business will be conducted here with heads of the various departments scheduled to come on from the east to discuss topics pertaining to their own departments.

Warner has been here for nine months and during that period has brought on from the east such executives as Gradwell Sears, general sales manager; Albert Warner, vice-president and treasurer; Sam E. Morris, foreign head, and Edwin Morris, head of Music Publishers, Warner subsidiary, who are still here; Herman Starr, in charge of the radio division; Jacob Wilk, eastern story chief; Sam Schneider, and several others.

The Warner president has built a

(*Continued on page* 3)

Alley Broadcasts on U. S. Panay Sinking

In a special broadcast last night at 6 P. M., Norman Alley, Universal Newsreel cameraman, was heard in an eye-witness account of the Japanese attack on the *Panay* at Nanking. Alley spoke from Shanghai, where he arrived yesterday on the *Oahu*. He cited instances of daring among members of the crew and their bravery when they were ordered to fire on the attacking airplanes.

Throughout all the pandemonium which reigned on the *Panay* for about

(*Continued on page* 4)

"Old Chicago" Dated At Astor for Jan. 6

"In Old Chicago" is set to open at the Astor, Jan. 6, at two-a-day, following "The Hurricane," which will close after the first of the year. This is the first roadshow set, with others to be lined up shortly.

Sidney R. Kent, president of 20th Century-Fox, has invited the press and industry executives to attend a cocktail party for Darryl F. Zanuck at the Waldorf Astoria, Jan. 4.

U.S. and Italy Set Commercial Treaty

By CLARENCE LINZ

WASHINGTON, Dec. 17.—Temporary preferential treatment for American films and other products in Italy is assured by an exchange of a "most favored nation" treaty between that country and the United States, it was announced tonight by the State Dept. The agreement became effective yesterday, superseding the commercial treaty which had been in effect since 1871 and which expired Dec. 15.

The new agreement is merely to continue privileges now enjoyed by each country in the markets of the

(*Continued on page* 4)

Amendm't Exempts Child Film Players

WASHINGTON, Dec. 17. — Moving to protect the film industry against the possible adverse effect of an amendment to the wage and hour bill adopted yesterday, which would in effect bar the issuance of work certificates by the Children's Bureau to children under 14, Representative Charles Kramer (Dem., Cal.) today had accepted by the House an amendment which would specifically exempt "any child now engaged or who may hereafter engage" in motion picture acting.

Kramer explained to the House that

(*Continued on page* 3)

Justice Dep't Will Scan Monopoly Bill

WASHINGTON, Dec. 17.—Dep't of Justice Review of the O'Mahoney-Borah anti-Monopoly Bill now pending in Congress was today promised Senator O'Mahoney (Dem., Wyo.) by Attorney General Cummings.

The Bill, recently introduced, provides for Federal licensing of all corporations engaged in interstate commerce and is designed to prevent combinations in restraint of trade and conspiracies to monopolize trade.

Acquiescence of Cummings in O'Mahoney's request for review was seen by supporters of the Bill as offering possibilities that the Administration would support the measure.

Agreement on Dallas Appeal Nearing End

DALLAS, Dec. 17.—Conferences on technical phases of the defendant distributors' appeal to the U. S. Supreme Court from Federal Judge W. H. Atwell's decision finding them guilty of a conspiracy in entering into contracts regulating subsequent run admission

(*Continued on page* 3)

Court Affirms Order Against Consolidated

Refinance Plan Declared Null and Void

DOVER, Del., Dec. 17.—The State Supreme Court in special session here today handed down a decision affirming a decree of the chancellor in declaring null and void and granting a permanent injunction against the proposed amendment to the certificate of incorporation of Consolidated Film Industries, Inc., in litigation brought against the company by Norman Johnson, New York, a preferred stockholder. Chancellor Josiah O. Wolcott handed down the opinion in Chancery Court at Wilmington last September.

The corporation had sought by the proposed amendment to change its currently outstanding 400,000 shares of $2 dividend cumulative preferred stock into 500,000 shares of $1 dividend cumulative preferred stock and 100,000 shares of the new common stock. The old common, 524,937 shares, was to have been converted into 349,982 shares of new common on a ratio of two-thirds of a new share for each share of old. Also the plan provided that dividends in arrears to the extent

(*Continued on page* 3)

Bank Night Killed By Mo. High Court

JEFFERSON CITY, Mo., Dec. 17.—The Missouri Supreme Court today held Bank Night to be illegal under the State Lottery Law thus reversing the decision of Judge Marion D. Waltner of Circuit Court here last year in the case of State vs. R. W. McEwan, Bank Night distributor. The opinion written by H. J. Westhues, commissioner, and concurred in by members of the Supreme Court stated:

"The courts would be blind indeed if they could not see that the scheme described is a deliberate plan to evade the lottery statutes. The scheme has

(*Continued on page* 3)

Gulick Resigns as Publicist at "U"

Paul Gulick, in charge of publicity for Universal for the past 24 years, resigned yesterday, effective immediately. He has no immediate plans for the future, he said yesterday.

Sidney Singerman, assistant to P.

(*Continued on page* 3)

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Redmond Gets New Reel Suit Verdict

Damages in the suit of Jack Redmond, a professional golfer, for alleged violation of the Civil Rights Law against Columbia, were raised from six cents to $1,500 by a four to one vote of the Appellate Division of the N. Y. Supreme Court yesterday. No opinion was rendered by the court. Justice Ferdinand Pecora rendered a verdict in Redmond's favor in May, but restricted the judgment to a nominal amount because Redmond proved no damages.

The action was based on the use of clips from a Fox Movietone Newsreel in the Columbia short "Golfing Rhythm." Redmond contended that the use of his picture and name in the film and advertising material without his consent violated Sections 50 and 51 of the New York Civil Rights Law.

Columbia charged that Redmond had sought publicity in the newsreel and that the subsequent short had aided rather than harmed him. Redmond pointed out that Sidney Franklyn, a bull fighter, had previously been awarded $5,000, in a similar action.

Insiders' Outlook

By A-MIKE VOGEL

MUCH has been said about the testimonials tendered Abe Blank and Si Fabian, these few days back. But something remains to be said and that has to do with the community standing of the honored guests as indicated by the cooperation of officialdom, state and local, and conservative leading citizens who hastened to ring loud the welkin.

An exhibitor who is regarded highly by his neighbors usually rates the same in the trade. The reverse is not necessarily true. The theatreman's business associates may turn out in large numbers from near and far to give him the "jolly good fellow" routine. If the home folks are not around to chime in on the chorus, somebody is kidding someone.

In Des Moines, there were governors, bishops, mayors, prominent locals, special editions, banners and bunting, the open door for visitors and what not in honor of Abe Blank's twenty-fifth exhibition anniversary. A few days later, Albany spread the same sort of a dish for Si Fabian's twentieth. The industry may have originated these celebrations, but the home folks took them over.

Abe and Si of course are to be toasted for their accomplishments in the span of years they have served themselves and the industry. But as warm a toast is justified for the constructive work they have done in elevating the theatre in their communities.

▼ ▼

Pictures projected within the conventionally cold surroundings of a 10 A. M. home office screening must perforce stand strictly upon their own merits. There is no helping hand from pre-sold paying audiences to sway professional critical opinion, even when critics are willing to be swayed. There is nothing but the picture itself.

This observer has just come away from such a screening of Warners' "Tovarich" and is pleased to bestow high compliment upon the Anatole Litvak production in saying the picture creates a warm glow.

Now, warm glows are not to be had for the asking. They are not frequently to be met with in a deliberately contrived entertainment.

A flaming sunset, yes. Field of ripening grain stirred gently by a vagrant wind, a toddling child at play, Rockefeller Center after dark—all create this infrequent quickening of the senses. When makers of motion pictures turn out a production that calls forth a similar emotion, they have attained a high expression of pure entertainment. "Tovarich" is that kind of an attraction.

▼ ▼

We have just gotten around to Doug Churchill's comments on the imbroglio between the industry and radio commentators. Much of what he has to say about the controversy cannot be denied. But in choosing to criticize producers who have good reason to hold a tight rein on irresponsible writers dependent upon Hollywood publicity for their livings, Mr. Churchill fails to come quite near enough to the target to register a complete bull's eye.

"The producers," *The Times* correspondent writes, "are in the peculiar position of being dependent upon something for which they pay nothing and then dictating what kind of publicity they receive."

Mr. Churchill should know there are over 400 accredited correspondents in Hollywood representing publications in various parts of the world. These writers are paid out of revenues received from sale of advertising space.

Theatres advertise in newspapers, and heavily. Because of long and dubious custom, for which there is no good reason today, theatres are forced to pay a higher rate than other local advertisers. That pays and more for all the publicity Mr. Churchill thinks they get for nothing.

Youngstown Union Elects

YOUNGSTOWN, Dec. 17.—Officers and members of the executive board of the M. P. Operators' Union, elected here, are: Joseph M. Steadman, president, and Earl Hartman, business agent and financial secretary. The executive board includes Steadman, Hartman, Ed Collins, C. H. Steadman, Albert Amerhein and Ollie Myers.

Trans-Lux to Pay More

Trans-Lux Corp. has voted an extra dividend of 10 cents a share on the common stock payable Dec. 24.

W. B. Club Party Today

The Warner Club, home office organization, will hold its annual Christmas children's party today. It is expected that 650 children will attend.

Warner Sales Head Back

Three Warner sales executives yesterday returned from vacations. Gradwell L. Sears, general sales manager, got back from hunting trips in South Carolina and Dallas. Roy H. Haines, eastern divisional sales head, and Ben Kalmenson, newly appointed western sales chief, returned from Miami.

Purely Personal

ALEC MOSS, Paramount advertising manager, left last night for Kansas City, Chicago and Detroit to do special promotion work on "The Buccaneer" and "Wells Fargo." He will be gone about one week.

•

EDWARD F. MCCLENNAN and GEORGE RYAN, attorneys in the Morse & Rothenberg anti-trust action, returned to Boston last night. They plan to be back in New York Jan. 4 to resume the proceedings here.

•

L. W. CONROW, head of Altec Service Corp., is due back early next week from New Orleans and Dallas. BERT SANFORD, JR., sales director of the same organization, returned from Philadelphia yesterday.

•

LOU DIAMOND left for the coast by plane yesterday. While in California he will look at a number of short subjects made by producers outside the Paramount fold.

•

NICHOLAS M. SCHENCK was at his office for two hours yesterday, the first appearance for the Loew president since he returned from California last Wednesday.

•

IRENE AGAI, Hungarian screen star, will arrive here Tuesday on the *Aquitania*. She is accompanied by husband, STEPHEN SZEKELY, director.

•

CHARLES ROBERTS, assistant to JOSEPH SEIDELMAN, foreign head of Columbia, left for Havana yesterday by plane on a short business trip.

•

JOAN CRAWFORD was guest of honor last night at Loew's Lexington, where the Joan Crawford Fan Club celebrated its sixth anniversary.

•

ZACH FREEDMAN, MONTE PROSER and NAT HARRIS, manager of the French Casino, will leave for Hollywood today by train.

•

J. J. MILSTEIN, general sales manager of Republic, cut his cross country sales trip short and returned from St. Louis yesterday.

•

REG WILSON, G. B. special sales representative, arrived in town yesterday.

•

BEN CAMMACK, in charge of Latin America for RKO, got in town yesterday to spend the Christmas holidays.

•

ARTHUR GREENBLATT, G. B. eastern division manager, is in New Haven. He will return here Monday.

•

GLADYS SWARTHOUT and her husband, FRANK CHAPMAN, leave for Hollywood by train today.

•

ELMER DYER, M-G-M cameraman, returns today from England on the *President Roosevelt*.

•

JOE VOGEL returned to his office yesterday after being out several days.

•

LOU IRWIN will leave tomorrow by American Airlines for Hollywood.

•

ETHEL MERMAN is due this morning on the Century.

Court Affirms Order Against Consolidated

(*Continued from page* 1)

of $4 per share on the old cumulative stock, as of Oct. 1, 1936, be cancelled. This proposed recapitalization has been held beyond the power of a Delaware corporation.

No preferred dividends have been paid this year, but it is believed some dividend will be declared before Jan. 1. It is understood the earnings for the first nine months of 1937 amounted to $1.35 a share on the issued and outstanding $2 dividend preferred stock.

Bank Night Killed By Mo. High Court

(*Continued from page* 1)

all the elements of a lottery and is just as harmful as if it were limited to those purchasing tickets. We hold that sufficient consideration exists in the scheme to come within the terms of our statute which makes it a felony to establish or aid in establishing any lottery, gift, enterprise or scheme of drawing in the nature of a lottery. One cannot sit by his fireside and take part therein. He must be present and swell the crowd. Such persons naturally get enthusiastic and the gambling spirit is quickened, stakes rise from week to week and pictures become of little importance."

Westhues said that to follow the cases cited in defense of Bank Night would be a policy that would "only tend to force legislatures to constantly enact new laws to meet the ever increasing cunning devices to evade existing laws. Anyone who deliberately attempts to evade the letter and spirit of the law is not entitled to the strictest construction of the law in his favor."

The test case concerned the promotion of Bank Night by McEwan in the Ashland here on June 18, 1935. In reversing the Circuit Court the Supreme Court sent the case back for trial.

Frank King Acquitted

NEWARK, O., Dec. 17.—Frank King, manager of Shea's Midland, and his assistant, Joseph Hackenberry, were acquitted by a jury today on charges of violating an anti-gambling order for Bank Night operation.

20th-Fox in Song Deal

Hollywood Songs, Inc., has concluded a deal with 20th Century-Fox to publish "I've Taken a Fancy to You," "I'll Never Let You Cry" and "Take a Dip," written by Lew Pollack and Sidney Mitchell, which are used in "In Old Chicago." Plans have been made to exploit the songs prior to the roadshowing of the film.

Flash Preview

"Wise Girl . . . First class screen fare . . . comedy romance in the modern trend . . . story of a man trying to make a home for two youngsters . . . assured of audience enjoyment.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Rosalie"

(M-G-M)

HOLLYWOOD, Dec. 17.—Big is quite literally the word for "Rosalie." It is spacious, populous and long. All the dimensional superlatives in the adjectival arsenal apply with complete accuracy. The production is both gigantic and collossal in the pure sense of those words and it may very well turn out to be great as well, in somewhat the sense that "The Great Ziegfeld," which it resembles, was great, although it makes no pretense of having the story meat that distinguished that production. The narrative content of "Rosalie" is in the pattern of musical comedy as Ziegfeld produced it, inconsequential stuff on which to string song, dance, spectacle and humor. The cast and production personnel engaged in the fabrication of these materials are of the best. It would seem to follow as night the day that unless sheer magnitude and splendor have lost their power to impress and please since the Great Glorifier passed on, his henchman, William Anthony McGuire's retracing of his late mentor's footsteps will roll up a substantial take.

Nelson Eddy sings the role of the West Point cadet and grid star enamoured of Princess Eleanor Powell, of Romanza, whose father, King Frank Morgan, betrothes her to Prince Tom Rutherford for reasons of state and Queen Edna May Oliver. Cadet Ray Bolger accompanies Eddy and Lady in Waiting Ilona Massey attends Princess Powell throughout the romantic complications. King Morgan plays at ventriloquism in something like the Bergen manner and Billy Gilbert takes down second comedy honors as a sneezy Balkan army officer.

Eddy's singing is robust and tender in turn and his numbers well within popular comprehension. Miss Powell dances somewhat more effectively than of late under more elaborate production circumstances. Morgan's king recalls his triumph in "The Affairs of Cellini" except when he's burdened with the regrettable dummy. Ray Bolger has quite a stint of comic dialogue and manages to get in some highly satisfactory stepping. Miss Oliver gets little chance to do her stuff. Miss Massey flashes a voice quite likely to carry her far and a personality that may strike public fancy this way or that but in either case definitely.

Albertina Rasch adds substantially to her already eminent artistic stature by the polished proficiency of dances and ensembles employing immense groups in consummately coordinated routines. Words and music by Cole Porter of course require no further endorsement.

W. S. Van Dyke's direction is notable for holding reasonably taut the attenuated thread of a necessarily intermittent narrative and Producer McGuire's screenplay from the Ziegfeld original by himself and Guy Bolton is continuously coherent and sometimes unique.

It may be in order, from the exhibitor point of view, to remark that the football completion given the picture in early press reference is based solely upon an introductory sequence which might very well be dispensed with now that the same company's "Navy Blue and Gold" has covered that subject so altogether admirably. It may be pertinent, too, to mention that the treatment of West Point life and tradition in "Rosalie" is typical musical comedy treatment and not at all the considered attention given Annapolis in the other film.

Running time, 122 minutes. "G."

Agreement on Dallas Appeal Nearing End

(*Continued from page* 1)

scales will be concluded here on Saturday, B. W. Henderson, assistant U. S. Attorney General, said today.

Henderson, who is here from Washington for the conferences, said that they have been successful thus far and that if an agreement is reached tomorrow the hearing on the form of the appeal which is scheduled for Monday would not be necessary.

The defendants' notice of appeal was filed a week ago. Records of the case will be forwarded to the Supreme Court which is expected to reach the case for hearing early next spring.

Lichtman Going West

HOLLYWOOD, Dec. 17.—Al Lichtman will leave for Palm Springs over the weekend. He is not expected to return to New York until after Christmas.

Amendm't Exempts Child Film Players

(*Continued from page* 1)

his amendment was necessary if certain pictures and certain types of pictures were to be produced in the future and pointed out that a ban on children would deprive those of exceptional merit of an opportunity. He cited a number of child actors who have achieved national and world fame, among them Mary Pickford, Jackie Coogan and the kids of "Our Gang". There are very few children in the industry, he said, and those who do work are fully protected by the studios and by California law.

Sonja Henie Re-Signed

HOLLYWOOD, Dec. 17. — Sonja Henie's option has been taken up by 20th Century-Fox. She will make three films for the company.

Warner Will Use Coast as Headquarters

(*Continued from page* 1)

home here and his family is with him. He has always been anxious to be near his daughter, Doris Warner LeRoy, and her child.

Although it has been his practice to attend all stockholders' meetings at Wilmington, Warner canceled a trip east this year and did not attend the Dec. 13 session. The annual elections of officers will be held next Tuesday at the home office at which time directors will reelect him president in addition to continuing the rest of the executive setup.

Gulick Resigns as Publicist at "U"

(*Continued from page* 1)

D. Cochrane, and in charge of the program department, also resigned yesterday.

Gulick joined Universal in 1913, having been hired by Joe Brandt, then general manager of the company, after experience on the *New York World, Journal of Commerce* and in the operation, for three years, of his own publicity bureau, Philip Mindil, Inc. He entered the film business working for the Atlas Theatres Corp., in New York, and later operated that company's Star Theatre in Hartford for a time. Through that connection he was asked to join Universal in 1913 and remained there from that time.

He also edited the house organ, *The Universal Weekly,* and was one of the founders of the Ampa.

No successor has been named to Gulick's post at Universal as yet, it was indicated at the home office yesterday.

Wall Street

Warner Best Board Gain

	Open	High	Low	Close	Net Change
Col.	14	14	14	14	— ⅛
Cons.	1½	1½	1⅜	1⅜	— ⅛
Cons., pfd.	7¾	7⅞	7¼	7¼	— ½
E. K.	160¾	161	160¾	161	+ ¼
G. T. E.	12⅝	12⅝	12	12	—1
Loew	48¼	48½	48	48⅜	.....
Loew, pfd.	104¼	104¼	104	104	— ¾
Para.	11	11	10¾	11	+ ⅛
Para. 2	10⅝	11	10⅝	11	+ ⅜
RKO	4¼	4⅜	4	4	— ¼
20th Fox	21½	21⅝	21¼	21⅝	.....
20th, pfd.	27	27¾	27	27¾	+ ¾
Univ., pfd.	33	33	33	33	.....
W. B.	7	7	6⅞	6⅞	— ¼
W. B., pfd.	34½	34½	34½	34½	+1

Curb Generally Declines

	Open	High	Low	Close	Net Change
G. N.	15/16	15/16	⅞	⅞	— ⅛
Monogram	1⅝	1⅝	1½	1½	— ⅛
Sonotone	1¾	1¾	1¾	1¾	— ⅛
Tech.	18	18⅛	17¾	17¾	— ¼
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....
Univ. Corp.	2	2	2	2	.....
Univ. Pict.	3⅝	3⅝	3⅝	3⅝	+ ⅛

RKO Bonds Off 6 Points

	High	Low	Close	Net Change
Loew 3½s '46	97½	97½	97½	— ¼
Para. Pict. 6s '55	89¼	89	89	.....
Para. Pict. '47	74	74	74	+1½
RKO 6s '41	87	87	87	—6
W. B. 6s '39	74	73⅞	74	— ½

(Quotations at close of Dec. 17)

Protests Increasing Over West Program

(*Continued from page* 1)

dent of J. Walter Thompson Co., the advertising agency handling the broadcasts, wrote a letter to NBC accepting responsibility for the broadcast, expressing regret that it had given offense, and giving assurance that a similar situation would not again occur. Lenox Lohr, president of NBC, in a response to Resor's letter, declared his organization shared both the regret and responsibility for the broadcast.

An outspoken protest was voiced by *The Brooklyn Tablet,* weekly publication of the Brooklyn Catholic diocese. The skit was called "a cheap travesty, with the notorious Mae West in a featured role, on the Garden of Eden." Editorially, the publication called it "an open insult to every Christian in the country."

Another protest came from Manhattan College, which will publish an editorial in the next issue of *Quadrangle,* the student publication, protesting the broadcast and urging the Catholic Church to establish some sort of regulation of the air, similar to the Legion of Decency. The Catholic Women's Club of Westchester was another group voicing objection.

Leaders of the Legion of Decency in Tulsa, Okla., also voiced objection to the broadcast and urged the necessity of some means of exercising a "cleansing" influence on radio.

Resor Letter Specific

Resor declared, in his letter to NBC:

"On behalf of our client, Chase & Sanborn, we wish to express our deepest regret that the program broadcast Sunday night, Dec. 12, gave offense to any one. Obviously, the whole purpose of these broadcasts is to afford wholesome entertainment.

"These programs, over a period of eight years, are evidence of this. The script of this feature of the broadcast was our responsibility. It was a mistake, and we can assure the public at large that the same mistake will not be made again."

Lohr's reply was as follows:

"We appreciate your expression of concern about the broadcast of December 12, against which criticism has been directed. We share with you the regret you express as we share also the responsibility in this incident.

"Our interests are entirely mutual in striving to give to the American public the type of wholesome entertainment which it wants, and which it has every right to expect. The National Broadcasting Company can be counted upon to intensify its efforts to this end."

Miss West in Rebuttal

HOLLYWOOD, Dec. 17—Mae West, queried here today concerning her broadcast on the Chase and Sanborn hour last Sunday evening, stated that she had questioned the propriety of the subject matter but had been assured by the agency controlling the account that it would meet with approval.

Switch Ellington's Time

Jean Ellington's Thursday NBC-Red network spot which is heard at 1 P. M., has been moved to Mondays.

Radio Personals

JOHN CHARLES THOMAS again will make a flying trip to Hollywood to appear on the Vicks "Open House" Dec. 26. Thomas will fly from Palm Beach, where he is vacationing . . . Ruby Keeler will join hubby Al on Jolson's program Dec. 28, to appear in a specially written skit . . . Harry Hershfield, Gov. Hoffman of Jersey, Mayor Ellenstein of Newark, Milton Biow of the agency, Donald Flamm of WMCA, Dick Merrill and Judges Jonah Goldstein and Lester Patterson will be among those who will take their places on the dais at the testimonial dinner to Bobby Feldman, WMCA vice-president, Jan. 9 at the Hotel Astor honoring Feldman's 20 years on Broadway.

Laurette Petersen left WOR to accept a post as executive secretary to Dave Elman of the "Hobby Lobby" show, only to learn yesterday that she had made an unfortunate exchange, for she no longer is with Elman . . . Although absent from France for almost a year, Jean Sablon has just been awarded a gold medal by a committee of Paris showmen for the best recording of the year. The award went to his Victor recording "Vous Qui Passez Sans Me Voir" . . . Col. Jack Major of CBS has been booked for a personal appearance Jan. 10 at the annual banquet of the Carson C. Peck Memorial Hospital in Brooklyn.

"Shadow" Wins Award

The Pilot Radio Award this month will be conferred on the cast of "The Shadow" series, which is broadcast Sundays over the Mutual network. The presentation will be made Dec. 19.

Central States Group Confirms WAAW Buy

LINCOLN, Neb., Dec. 17.—The purchase of WAAW by the Sidles Co., owners of the Lincoln *Journal and Star* and half owners of the Central States Broadcasting Co., today was confirmed by The Omaha Grain Exchange, former owners of the station. The price was $55,000 and the sale still must have the approval of the F. C. C. The transmitter operates on 660 kilocycles. A previous sale of the station to Omaha *World-Herald* was nullified by the F. C. C.

Central States already operates KFAB and KFOR in Lincoln and KOIL in Omaha. It is planned to continue WAAW as a farmer station and to take some of the CBS and Mutual programs now unused.

White Heads Cairo Radio Delegation

(*Continued from page* 1)

Cairo, Egypt, Feb. 1, next, it was announced today by the State Dep't.

Other delegates approved by the President will be Capt. Stanford C. Hooper, U.S.N.; E. K. Jett, Acting Chief Engineer of the F.C.C., and Francis Colt De Wolf of the State Dep't Treaty Division.

Technical advisers to the delegation will include representatives of the War, Navy, Treasury and Commerce Dep'ts and the following officials of the F.C.C.: E. M. Webster, Acting Assistant Chief Engineer; Gerald C. Gross, Chief of the International Section; Marion H. Woodward, Senior Telegraph Engineer, and William G. Butts, Chief of the Tariff Section.

"Treasure Hunt" to WCAE

PITTSBURGH, Dec. 17.—The American Cigar Co's "Treasure Hunt" program, which has been started successfully in Baltimore and Milwaukee, has been taken on WCAE here for 13 weeks. The program is divided into two 15-minute periods every Saturday night, the first section being devoted to calling out the scheduled articles and the second to interviews with most of the 35 winners. Duquesne Garden, Johnny Harris' big sports arena, has been taken over as the center of operation and the show will be in charge of Carl Dozer and Bob McKee, of the station's announcing staff.

Boat Makers to Have Programs Over NBC

The Griswald Manufacturing Co. and the National Ass'n of Engine Boat Manufacturers yesterday contracted for programs to appear in January over the local NBC stations, WJZ and WEAF.

Booked for 13 weeks, Griswald will present J. Alden Edkins, vocalist, over WEAF, starting Jan. 23 from 9:30 to 9:45 A. M., and Sundays thereafter at that time. Batten, Barton, Durstine & Osborn is the agency.

The Boat Mfg.'s program is for one week and will be titled "Carefree Cruisers." It will begin Jan. 7 and will be heard Friday through Monday, except Saturday and Sunday, of that week. Both local stations, WJZ and WEAF, will carry the programs. Charles J. Cutajan is the agency.

RCA-Hazeltine Pact Winds Up Litigation

RCA yesterday entered into agreements with the Hazeltine Corp. whereby it has acquired simple non-exclusive licenses in all radio fields under the Hazeltine patents. The signing of the agreement terminates a long pending litigation between the parties.

Daughter of P. K. Ewing Dies

NEW ORLEANS, Dec. 17.—Mrs. Myrtle Ewing Moreno, 25, daughter of P. K. Ewing, vice-president of WDSU, is dead of burns suffered at her parents' home, when her clothing caught fire as she stood in front of a gas log. Mrs. Moreno is survived by her husband, her parents and two brothers. She was here on a visit at the time of the accident.

WOR Makes Store Records

WOR Recording Laboratory is waxing electrically transcribed spot announcement for Michaelson's Department Store for broadcast over stations WAAT, WINS and WNEW. The order was placed through the Schillin Adv. Corp.

McGee Show Adds Stations

CHICAGO, Dec. 17.—Five new stations have been added to the Fibber McGee network show. They are WBRC, Birmingham, and KFKB, Sacramento; KWG, Stockton; KMJ, Fresno, and KERN, Bakersfield, all in California.

U.S. and Italy Set Commercial Treaty

(*Continued from page* 1)

other until a new treaty can be consummated, it was explained, but its adoption was seen in Washington as serving to carry the two nations closer in the seeking of a basis for a reciprocal trade agreement.

A provision of the treaty stipulates that neither country shall establish or maintain any export prohibition or restriction which does not apply to all countries and it is also agreed that in the case of quotas, the country adopting such restriction "shall allot to the other high contracting party a proportion of such total quantity equivalent to the proportion of the total importation of such article which the other high contracting party supplied during a previous representative period."

Kalmus In England Monday for Checkup

LONDON, Dec. 17.—Herbert T. Kalmus, president of Technicolor, will arrive here Monday on the *Queen Mary* for his annual inspection of the company's various activities in England and other countries.

Ben Goetz, in charge of M-G-M production here, will sail tomorrow on the *Normandie* for New York where he will spend a week visiting his family. He may go to the coast for hurried conferences with Louis B. Mayer and other studio executives.

Kalmus plans to return to America early in February. Mrs. Kalmus is acting as supervising director for Technicolor on several London Films productions.

Alley Broadcasts on U. S. Panay Sinking

(*Continued from page* 1)

an hour Alley was at the finder of his camera and "shot the works." He was slightly wounded in the finger by a piece of flying shrapnel but he laughed that off, saying he "won't claim any insurance" for the injury.

Alley will ship his film on the *China Clipper,* and it should reach here in two weeks. He is following for a vacation.

The CBS Dep't of Public Affairs put the special broadcast on. It was heard over the CBS network in this country and Canada.

Ungerfeld Rites Set

Funeral services for Jack K. Ungerfeld, former owner of the Rhebems Corp., theatre circuit, who died Thursday night, will be held tomorrow at 11 A.M. at the Riverside Chapel. Ungerfeld was 51. He at one time controlled houses in Portchester, Nyack and Ossining. He is survived by his widow, Alys, a brother and two sisters.

Equity Head Not Chosen

The council of Actors' Equity Ass'n was unable yesterday to agree on the designation of a successor to Frank Gillmore, retiring president of the organization, and will convene again on Monday to continue the deliberations. Gillmore's resignation becomes effective as soon as a successor is chosen.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 145 NEW YORK, MONDAY, DECEMBER 20, 1937 TEN CENTS

McCarthy The Wooden Takes Radio Honors

Wins Editors' Poll of Motion Picture Daily

By JACK BANNER

Suspected of being radio's outstanding attraction virtually since the beginning of his now historic tiffs with W. C. Fields on the Chase and Sanborn Hour, and now known to be the rightful radio champion of 1937 is Charlie McCarthy, the amazing hunk of pine to which Edgar Bergen has given such enjoyable voice.

The saucy little ventriloquist's dummy has been so declared by a majority of the more than 400 radio editors who were consulted in determining the results of MOTION PICTURE DAILY's second annual radio popularity poll. In unseating Jack Benny,

Additional developments in radio yesterday, pages 10-12

winner of the championship in last year's MOTION PICTURE DAILY poll, the loquacious dummy scores memorably, for he has been before the microphone only since December of 1936, when Rudy Vallee introduced him to the listening public.

The balloting was conducted by MOTION PICTURE DAILY on behalf of *Fame: The Box Office Check-Up*, which will appear early next year and

(*Continued on page* 10)

Schwarzkopf Joining "Gang Busters" Show

Col. H. Norman Schwarzkopf, former head of the New Jersey State Police, will join the "Gang Busters" staff beginning Jan. 12 when the program will begin its third year on the air.

Col. Schwarzkopf will handle the interviewing on the program, replacing Phil Lord, producer and author

(*Continued on page* 12)

Stage Writer Awards To Be Made Shortly

The first fellowship awards under the John Golden $5,000 fund for the encouragement of new stage playwrights will be made early in 1938, the Authors' League of America stated on Saturday. Application blanks are being sent out today to prospective playwrights.

The awards resulted from Sidney Howard's suggestion at the first con-

(*Continued on page* 9)

The Winnah



Charlie McCarthy

Shelved Wage Bill Relieves Industry

By BERTRAM F. LINZ

WASHINGTON, Dec. 19.—Film interests were greatly relieved yesterday when Administration forces admittedly had little hope of the wage and hour bill receiving new consideration during the coming session of Congress, as a result of the action of the House Friday night in sending it back to the Labor Committee by a vote of 216 to 198.

While it was generally conceded

(*Continued on page* 9)

Schnitzer Starts Warner Job Today

Having completed all product deals in his territory two weeks ahead of time, Edward M. Schnitzer, eastern district manager for Republic, today will join Warners in a similar post. He had been scheduled to take over his new job on Jan. 1.

Schnitzer will supervise Warner sales in New York, New Jersey, Albany, Buffalo, New Haven and Boston.

No successor has been appointed to fill the Schnitzer vacancy at Republic. J. J. Milstein, general sales manager, cut his cross-country tour short and hurried back from Chicago Friday. He stated that he has not given the matter any thought. However, a new district sales head will be named after the first of the year, he said.

Gradwell Sears, general sales man-

(*Continued on page* 9)

Warners' Zone Heads To Meet Here Today

Joseph Bernhard has called in zone managers of the Warner circuit for the quarterly meeting today at the home office. Among those who will attend from the field are:

James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington; Howard Waugh, Memphis, and Herb Copelan, Atlantic City.

Members of the home office who will attend include: Clayton Bond, Ed Hinchy, Leonard Schlesinger, Frank Phelps, Nat Fellman, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louis Kaufman, Frank Cahill, Herman Maier and Harry Goldberg.

No Fun for Her

Oklahoma City, Dec. 19.—The "Barnyard Boys" radio program, a 6:30 A.M. affair, may please many of Oklahoma City's early risers, but to Mrs. Avery Harris it is just a pain.

Of all the noises emanating from the radio station, which she alleges disturb her, those of the "Barnyard Boys" program are the most disagreeable, Mrs. Harris told a jury from the witness stand in District Judge Frank Douglass' courtroom.

She lives right next door to Station KTOK, and she and her husband are suing KTOK for $8,000, alleging inconvenience, loss of sleep, loss of peace of mind and depreciation of the value of their house.

Joseph Lee, station manager, said it's all a mistake; that his station has only four midget loud speakers, and that he doesn't see how the noise, if the neighbors want to call it that, could bother anyone.

H. C. Eggleston, who said he had been a real estate man here for 18 years, testified that the Harris property was worth $2,500 before KTOK was built last year and that it is worth only $1,500 now.

"Bicycling" On Increase, Report Shows

Other Violations Up in Year, Bureau Says

"Bicycling" and other forms of film copyright violations in the exhibition end of the industry are on the increase, it is revealed in the annual report of the Copyright Protection Bureau, covering the period from Oct. 31, 1936, to Oct. 31, 1937.

The report, released on Saturday by Jack H. Levin, director of the Copyright Protection Bureau, also disclosed that the organization was active during the period in the investigation of film exhibitions under non-theatrical auspices in 33 states.

Of the increase in copyright violations, in general, and on bicycling, in particular, the report states that, "with approximately the same number of theatres investigated under practically identical methods as in each of past recent years, one or more violations were found in 12.03 per cent of the theatres where investigations were completed. This is in excess of the 9.3 per cent of irregularities disclosed during the fiscal year 1936, but still considerably under the 44.6 per cent for the years 1930 and 1931. In addition to the increase of

(*Continued on page* 9)

Charnas Sells His Criterion Interest

Harry Charnas has sold his interest in the Macon Amusement Co., operating the Criterion, to B. S. Moss. He left over the weekend for Miami. He will go to the coast after a vacation, probably to join Warners in a production berth.

Charnas recently returned from the coast with Albert Warner and conferred with Harry M. and Jack L. Shortly after his arrival, he sold out his interest in the Criterion to Moss.

"Night Fall" Tops Review Board List

"Night Must Fall" has been selected as the best film of the year from any country by the National Board of Review. In its listing of choices for the year from Dec. 15, 1936 to Dec. 15, 1937, "The River," Government-made film, was given special commendation.

The 10 best American pictures selected by the board are as follows: "Night Must Fall," "The Life of Emile Zola," "Black Legion," "Camille,"

(*Continued on page* 9)

MOTION PICTURE DAILY
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Legion Approves All Of 13 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved all of the 13 new films reviewed, nine for general patronage and four for adults. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Boy of the Streets," "Checkers," "Murder on Diamond Row," "Partners of the Plains," "Romance of the Rockies," "Sergeant Murphy," "Tovarich," "Wells Fargo," "You're a Sweetheart." Class A-2, Unobjectionable for Adults: "Daughter of Shanghai," "Krauch in Hinterhaus" (German), "Man-Proof," "Der Postillon von Lonjumeau" (German).

Dallas Hearing Off

DALLAS, Dec. 19.—An agreement which eliminates the hearing scheduled for Monday on the form of defendant distributors' appeal in the Government's Dallas anti-trust suit was reported by attorneys Saturday. The appeal will be forwarded to the U. S. Supreme Court in 10 days. The hearing is expected to be held early in the spring.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Love and Hisses"

(20th Century-Fox)

HOLLYWOOD, Dec. 19.—Darryl Zanuck and his corps of writers, directors, composers and technical assistants have again turned out quality musical comedy entertainment which has wide commercial possibilities in "Love and Hisses." Built of popular ingredients, it compares more than favorably with the previous Walter Winchell-Ben Bernie presentation, "Wake Up and Live." Although it lacks the element of personal surprise that characterized the first appearance of that pair, it packs surprises of its own that fully discount the apparent shortcoming.

The chief surprise is Simone Simon. As an actress she is considerably improved, but it was her singing that handed the preview audience a wallop and provoked intense applause. Her rendition of an operatic aria from "Lakme" as well as modern numbers considerably enhance her value as a screen personality and it may be expected that the public will demand that in future films she be given further opportunities to sing. Another surprise is Joan Davis playing Winchell's Girl Friday. Her comedy talents have already won popularity for her but nevertheless she adds much zip and zest to this production. It may be too that Zanuck has unearthed a new singing and dancing star in Ruth Terry. The audience was highly appreciative of her efforts.

The light and interesting story is a repetition of the Winchell-Bernie feud. Bernie plans to present Miss Simon as his latest singing sensation. In collusion with Bert Lahr, Georges Rene Vant, Chick Chandler and Charles Williams they trick Winchell, who believes Miss Simon is another person until he builds her up. Winchell falls for the gag. As musical interludes intervene there comes a suggestion of romance involving Miss Simon with Dick Baldwin, an amateur songwriter. Miss Simon confesses the ruse to Winchell when she fears she will lose her boy friend. In turn Winchell gags Bernie into believing that he is to be taken for a ride by Douglas Fowley and Robert Battier, a pair of gangsters. It is his turn to laugh when Bernie is dumped into his own night club. Then there ensues the spectacularly mounted parade of musical dancing specialties which feature Miss Simon, Miss Terry, The Brewster Twins and The Peters Sisters. The later trio's serio-burlesque contribution brought down the house.

With Miss Simon rising to the heights and Winchell and Bernie probably making their farewell co-starring appearance in films and with the rest of the cast acting up to the standards of what is expected of those who appear in a first class 20th Century-Fox musical film, it can be anticipated that "Love and Hisses" will attract healthy grosses.

It is based on a story by Art Arthur who collaborated with Curtis Kenyon on the screenplay. The yarn is crowded with engaging dialogue and tricky situations. Musical embellishment provided by Mack Gordon and Harry Revel is cleverly inserted to pep up the continuity and dances are arranged by Nick Castle and Geneva Sawyers.

Sidney Lanfield's direction is marked with shrewd finesse, permitting Winchell and Bernie to dominate the early sequences while giving Bert Lahr and Miss Davis many chances to be funny. He never forgets to impress upon the audience that Miss Simon has a voice. When he turns to glamour in the finale he does it masterfully.

Showmen who like to exploit a picture have a wealth of material to work with in "Love and Hisses."

Running time, 85 minutes. "G."

"All American Sweetheart"

(Columbia)

HOLLYWOOD, Dec. 19.—Audiences will find little in this film to interest them and exhibitors cannot hope to do much with it commercially. As the title indicates, "All American Sweetheart" is a collegiate story. Based on a story by Robert E. Kent which Grace Neville, Fred Niblo, Jr., and Michael Simmons adapted and which Lambert Hillyer directed, it may appeal to some segments of youthful patronage. Scott Colton, Patricia Farr and Jimmy Eagles are featured supported by Gene Morgan, Arthur Loft, Joe Twerp, Ruth Hilliard, Donald Briggs, Louis D. Pron, Allen Brook and Frank C. Wilson.

Student Colton prefers to study rather than indulge in athletics. A star oarsman, he quits the crew. Miss Farr, however, takes it upon herself to make everything so uncomfortable for him that he is forced to return to the crew in time to win the big race. Wound in and around the romance of the story, is a bit of theatrical drama that has Colton mixed up in a gambling scrape in which he saves the reputation of the girl's brother and crew coxswain, Eagles.

At best, the film is a secondary Saturday afternoon attraction.

Running time, 60 minutes. "G."

Purely Personal

STANTON GRIFFIS, chairman of the Paramount executive committee, will leave for Florida on Thursday to spend 10 days aboard his yacht, the *North Star*.

•

HERB CROOKER of the Warner publicity department has returned from the coast where he spent two weeks conferring with S. CHARLES EINFELD and BOB TAPLINGER.

•

ED THORGERSEN, sports commentator for Movietone News, has been named to the special sports advisory committee of the World's Fair by GROVER WHALEN.

•

LOU IRWIN changed his mind and will not head for the coast via American Airlines until today. He had an important Warner deal pending which kept him back a day.

•

JOHN JOSEPH, new advertising and publicity director of Universal, will go to Chicago late this week to spend the Christmas holiday.

•

RICHARD DE ROCHEMONT, managing director of European production for the March of Time, is eastbound on the *Queen Mary*.

•

CLARENCE BUDINGTON KELLAND has gone to Arizona to spend three months with his son, TOM, a newspaper man there.

•

ELISABETH DAY, manager of the local branch of the Wagner Sign Co., has equipped the Roxy with new marquee signs.

•

E. C. MILLS of Ascap is expected back today from a vacation trip to Bermuda and Florida.

•

WHITFORD DRAKE, Erpi president, left for Florida on Saturday and will remain there over the holidays.

•

WALTER HUSTON left for the coast by plane over the weeknd.

•

AL FAGAN, associated with Warners, left for the coast by plane Saturday night.

•

NATALIE GARSON, M-G-M contract player, will arrive this morning on the Century.

"U" Sales Meet Held

Universal southern and southwestern district and branch managers met at the home office on Saturday with F. J. A. McCarthy, acting sales manager. New sales policies were discussed at the meeting.

Cooper to Golden State

SEATTLE, Dec. 19. — Roy Cooper, formerly of the Sterling Circuit here, has been named division manager for Golden State Amusement Co., San Francisco.

A Correction

Sidney Singerman was erroneously reported to have resigned from Universal in Saturday's issue of MOTION PICTURE DAILY. Singerman states he is still with the company.

"Wedding" Up In Washington With $25,000

WASHINGTON, Dec. 19.—"Double Wedding" did the big business of the week, taking $25,000 at Loew's Capitol to exceed average by $4,100, with some help from the stage show.

"West of Shanghai," at the Metropolitan, did a nice $6,600 to go over par by $2,300. A return engagement of "Conquest" at Loew's Columbia took $4,500, or $900 over the first run average. A second week of "Stage Door" at RKO-Keith's stood up well, with a take of $7,500, or $3,100 under the average first week.

Total first run business was $67,200. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Dec. 8:

"CONQUEST" (M-G-M)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,500. (Average, first run, $3,600)

Week Ending Dec. 7:

"STAGE DOOR" (RKO)

RKO-KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $7,500. (Average, first week, $10,600)

Week Ending Dec. 9:

"FIRST LADY" (W.B.)

EARLE—(2,218), 25c-66c, 7 days. Stage: Vincent Lopez & His Orchestra, with complete show. **Gross:** $15,900. (Average $18,400)

"DOUBLE WEDDING" (M-G-M)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: "The Hollywood Hotel Revue." **Gross:** $25,000. (Average, $20,900)

"WEST OF SHANGHAI" (W. B.)

METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $6,600. (Average, $4,300)

Eight Days Ending Dec. 9:

"THE FIREFLY" (M-G-M)

LOEW'S PALACE — (2,370), 35c-55c, 8 days, 2nd week and one day on third. **Gross:** $7,700. (Average, first week, $15,900.)

"Ali Baba" Takes $9,800 at Omaha

OMAHA, Dec. 19.—"Ali Baba Goes to Town," dualled with "Night Club Scandal," with a Saturday midnight showing of "Merry-Go-Round of 1938" and a Big Apple dance contest on the stage of the Orpheum, turned in $9,800 in eight days. This was $2,600 over a seven-day average.

Total first run business was $20,000. Average is $16,700.

Estimated takings:

Week Ending Dec. 8:

"A DAMSEL IN DISTRESS" (RKO)
"WEST OF SHANGHAI" (F. N.)

BRANDEIS—(1,200), 25c-35c-40c, 7 days, 2nd week. **Gross:** $3,500. (Average, $4,000)

"THE LAST GANGSTER" (M-G-M)
"MARRY THE GIRL" (W. B.)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,700. (Average, $5,500)

Week Ending Dec. 9:

"ALI BABA GOES TO TOWN" (20th-Fox)
"NIGHT CLUB SCANDAL" (Para.)

ORPHEUM—(3,000), 25c-40c, 8 days. Stage: Big Apple contest Saturday; midnight preview "Merry-Go-Round of 1938." **Gross:** $9,800. (Average, $7,200)

To Make Shorts in N. Y.

HOLLYWOOD, Dec. 19.—Jack Chertok, M-G-M shorts department head, will go to New York in January to supervise production there of four Robert Benchley starring short subjects.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wise Girl"

(RKO)

HOLLYWOOD, Dec. 19.—A theme which is not new basically has been endowed with such expert performances and tinged with such a lively flair in both dialogue and situations that "Wise Girl" emerges as first class screen fare for any audience.

Actually it is a comedy romance in the modern trend, set, with excellent production values, in Greenwich Village, but behind it is a human interest story of a man trying to make a home for two youngsters, only to be stymied by an attempt to take the two children from him. The film is replete with laughs, played to the hilt by Miriam Hopkins, Ray Milland, Walter Abel and Guinn Williams. The two youngsters, Betty Philson and Marianna Strelby, come close to stealing the picture. The showman can sell the featured names, promise excellent comedy romance entertainment and be assured of audience enjoyment.

The screenplay was prepared by Allan Scott, who wrote the original in collaboration with Charles Norman. Leigh Jason, who directed, handled his story and players admirably, to make the most of the combined elements of comedy, romance and human interest.

Miss Hopkins goes to Greenwich Village posing as a would-be actress without money, in an attempt to get the two children from Milland, brother of their father, who has died. The mother was Miss Hopkins' sister and daughter of Henry Stephenson, who had disapproved the marriage. Miss Hopkins falls in love with Milland, and it is only after persecuting him that everything is straightened out.

Running time, 70 minutes. "G."

Looking 'Em Over

"Young Pushkin"

(Amkino)

The Russian Lenfilm studios have produced in "Young Pushkin" another film that is made to bear favorably on the present regime. It is set around the period following 1811 and chiefly concerns Alexander Pushkin, the youth, and his education and poetic development in the Russian equivalent of a prep school.

The scenario sketches his strange temperamental nature, which is aroused by treatment of serfs and the suppression of his own liberal views. He is given to wild emotional flights which find a vent in poetry. Gradually he forms a free-thinking clique with other students. A new school head is appointed and the group's troubles increase. Young Pushkin is headed for expulsion, but his recitation of a touching ballad gains him the approval of the current poet laureate and he remains. The film closes with his graduation and the parting of the students.

The title role is enacted by a sensitive player who constantly overacts the part. He gives a performance that too rapidly shifts from one mood to another and not very convincingly.

Running time, 85 minutes. "A."

Aids Safety Campaign

MADISON, Wis., Dec. 19.—Safety trailers have been originated by Ed Benjii, manager of the Capitol, in cooperation with the State Highway Dept. for showing at the Capitol and other Warner-Saxe houses to impress upon the public greater need for highway safety.

Rush "Sweetheart" Dates

HOLLYWOOD, Dec. 19.—Universal is concentrating on placing "You're a Sweetheart" into 200 situations during the holiday period. Thus far 42 contracts are set.

Jack Kloepper Ill

PORTLAND, Ore., Dec. 19. — Jack Kloepper, Oregon manager for United Artists, is ill with the flu.

Replace Luise Rainer

HOLLYWOOD, Dec. 19.—Because of the illness of Luise Rainer, Maureen O'Sullivan will replace her in the lead of "Madelon," which has started shooting at M-G-M. Miss Rainer has a cold and complications and may be confined for two more weeks.

British Tax $55,000

LONDON, Dec. 12.—British theatres for the year ended March 31 paid to the Government's Cinematographic Fund £11,004, as their prescribed share of the Sunday opening tax.

Reade to Open in Hudson

The Community, new Walter Reade house in Hudson, N. Y., will be opened with a reception and buffet on Friday evening, Dec. 24.

Short Subjects

"The Mysterious Pilot"

(Columbia)

The novel note this serial strikes is the brief lessons in flying that Frank Hawks gives a youngster at the conclusion of each chapter. Here is a selling point which should easily be put over with the junior audience. The names in the cast outside of Frank Hawks will be easily remembered from another day. Their performances measure up adequately and convincingly.

The story's major incidents involve the flying activities of Hawks and the Canadian police as they combat the activities of vicious gangsters. The threads of the plot involve all sorts of far fetched angles, but thrilling incidents and the chase device keep things moving.

Hawks has a pleasant camera personality and registers to advantage. The supporting cast also utilizes the talents of Dorothy Sebastian, Rex Lease, Guy Bates Post, Kenneth Harlan, Yakima Canutt, Frank Lackteen, Clara Kimball Young, Esther Ralston and Tom London. The first chapter runs 29 minutes. The other 14 episodes run 19 minutes each. "G."

"Cover to Cover"

(Lenauer International)

The history of mankind's expression in the form of writing is illuminatingly outlined in this documentary short produced in England by Paul Rotha. The presentation of fact is light and a great deal of relating material is covered. In proper sequence the history of printing from early pre-historic cave drawing to the publication of a modern book is shown. The narrative is enlightening and there are comments by such literary luminaries as Somerset Maugham, Rebecca West and Julian Huxley. It is well filmed and edited. Since everybody reads the film should find an audience anywhere and hold its interest. Running time, 16 mins. "G."

"Harris in the Spring"

(RKO)

The hectic life of a minor celebrity provides the scenario for this one. Phil Harris is plagued by feminine autograph seekers and in his flight meets a girl who has never seen him. They have a date, a misunderstanding and finally a fight before the piece concludes. In between Harris manages to get in some interesting ballads which he sings entertainingly. It has amusing moments. Running time, 20 mins. "G."

"Donald's Ostrich"

(Disney-RKO)

Donald Duck has many amusing adventures as a railroad station agent who is on the receiving end of a voracious ostrich in this colored cartoon. The scenario involves much harum-scarum action which is cleverly animated for full comic effect. The climax arrives when Donald attempts to quell the bird's hiccups by fright. Running time, 9 mins. "G."

Change Fox Unit Name

DOVER, Dec. 19.—The Fox Midwest Agency Corp. changed its name here to Fox Midwest Amusement Corp., Kansas City, Mo.

"Conquest" Is Boston's Best In Two Spots

BOSTON, Dec. 19.—"Conquest," on a dual with "She Married an Artist," was outstanding in a week marred by snow, cold weather and Christmas shopping. It pulled $16,000, over the line by $4,000, at Loew's Orpheum, and went to $13,000, up by $2,000, at Loew's State.

"Stage Door," with "Quick Money," reached $14,000 in its second week at the RKO Memorial. This was $2,000 above par. "First Lady" and "Partners in Crime" were par at both the Fenway and Paramount, taking $4,500 at the former and $7,000 at the latter. "Hurricane" grossed $6,000 in its third week at the Colonial.

Total first run business was $94,500. Average is $90,500.

Estimated takings for the week ending Dec. 10:

"FIRST LADY" (W.B.)
"PARTNERS IN CRIME" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $4,500. (Average, $4,500)
"STAGE DOOR" (RKO)
"QUICK MONEY" (RKO)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days, 2nd week. **Gross:** $14,000. (Average, $12,000)
"CONQUEST" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $16,000. (Average, $12,000)
"CONQUEST" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days. **Gross:** $13,000. (Average, $11,000)
"SECOND HONEYMOON" (20th-Fox)
METROPOLITAN—(4,332), 25c-40c-65c, 7 days. Stage: Lucky Millinder and His Orchestra and Jack Denny and His Orchestra in "Battle of Swing." **Gross:** $19,000. (Average, $22,000)
"FIRST LADY" (W.B.)
"PARTNERS IN CRIME" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)
"DANGER PATROL" (RKO)
RKO BOSTON—(3,246), 25c-40c-55c, 7 days. Stage: "N.T.G. Follies." **Gross:** $21,000. (Average, $22,000)
"HURRICANE" (U.A.)
COLONIAL — (1,650), 55c-83c-$1.10-$1.65, 3rd week. **Gross:** $6,000.

New Firms Chartered

ALBANY, Dec. 19.—The following radio and film companies have been incorporated here:

Skouras Settlement Corp., New York, to act as disbursing agent for corporations; Langroth Amusement Enterprises, Inc., New York, exhibition; Richard Goldstaub, Inc., New York, general film business; New America Films, Inc., New York films and sound records; Imported Pictures Corp., New York, general film business; Magic Ear Radio Corp., New York, general radio business; Audio Devices, Inc., audio and sound devices; Les Amis de la Langue Francaise, Inc., New York, general film business.

Dutch Company Formed

AMSTERDAM, Dec. 8.—The first Dutch production company of importance has been formed here, under the name of Neerlandia-Film Co., for the production of domestic films. The company has been established by Filmex, the firm which produced "Pygmalion" in Dutch last year, in association with B. H. Ochse, manager of the newsreel company, Polygoon.

"Navy Blue" Minneapolis Top, $9,000

MINNEAPOLIS, Dec. 19.—"Navy Blue and Gold" was good for $9,000 at the Minneapolis Orpheum this week to lead off the slim list of good pictures for the Twin Cities.

Outstanding in a period of pre-Christmas slump, "The Awful Truth" entered its fourth week in the Loop, a record for the State, which has fared badly with double features all year. It grossed $8,000, over par by $2,500.

Still clicking with double bills, the Tower in St. Paul grossed $3,000 with "Alcatraz Island" and "There Goes the Groom." Normal is $2,000.

Total first run business in Minneapolis was $30,500. Average is $27,500. Total first run business in St. Paul was $13,500. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Dec. 8:

"CONQUEST" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $8,000. (Average, $10,000)
"NAVY BLUE AND GOLD" (W.B.)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $9,000. (Average, $6,000)
"THE AWFUL TRUTH" (Col.)
STATE—(2,400), 25c-55c, 7 days, 3rd week. **Gross:** $8,000. (Average, $5,500)
"STAND-IN" (U.A.)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

Week Ending Dec. 9:

"THE GREAT GARRICK" (W.B.)
WORLD—(400), 25c-35c, 7 days, 2nd week. **Gross:** $1,500. (Average, $2,000)

St. Paul:

Week Ending Dec. 8:

"CONQUEST" (M-G-M)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $4,000. (Average, $5,500)
"SECOND HONEYMOON" (20th-Fox)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

Week Ending Dec. 9:

"VOGUES OF 1938" (U.A.)
"BORROWING TROUBLE" (20th-Fox)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)
"ALCATRAZ ISLAND" (F.N.)
"THERE GOES THE GROOM" (RKO)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $3,000. (Average, $2,000)

Unger Takes Cincy Taft

CINCINNATI, Dec. 19.—Milford Unger, who managed the Grand Opera House when it played legitimate attractions, before being acquired by RKO, has leased the Taft, a part of the Masonic Temple building a few squares away from the main theatre area, and will open the house New Year's Eve.

Moore Goes to Fayette

KANSAS CITY, Dec. 19.—William T. Moore has been named manager of the Dickinson at Fayette, Mo. Charles Martin, former manager, has been shifted to Parsons, Kan., where he will manage the Uptown, now in process of remodeling for Christmas opening.

Saenger Employs Women

NEW ORLEANS, Dec. 19.—The Saenger combination, St. Charles, Tudor, Globe and the Saenger, are now employing women in the front of the theatres, from doormen, ticket sellers and takers to ushers. All other houses are retaining men employes.

Curfew Blows

Chardon, O., Dec. 19.—The Chardon, the only house in this 1,800 population town, can expect no juvenile patronage from nearby Middletown late at night. A factory whistle blasts a curfew at 8:50 nightly as a warning that children shall be off the streets.

The curfew was started by a high school coach to prod his players homeward, and was so effective that it has been adopted as a municipal proposition.

"Merry" with Show $24,500 Detroit Lead

DETROIT, Dec. 19.—Big money for the week went to "Merry-Go-Round of 1938" and a stage show headed by Will Osborne's orchestra at the Fox. The take was $24,500, over normal by $4,500.

"Submarine D-1," also with a stage show, turned in $24,000 at the Michigan. This was up by $4,000. "Nothing Sacred" held up to $12,300 in its second week at the Madison. This was above average by $2,300.

Total first run business was $81,600. Average is $75,000.

Estimated takings for the week ending Dec. 16:

"OUTLAWS OF THE ORIENT" (Col.)
"THE AWFUL TRUTH" (Col.)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $5,500. (Average, $5,000)
"MERRY-GO-ROUND OF 1938" (Univ.)
FOX—(5,100), 15c-75c, 7 days. Stage: Will Osborne's orchestra, Andrea Marcelle, Marion Bellitt & English Bros. **Gross:** $24,500. (Average, $20,000)
"SUBMARINE D-1" (W. B.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Easter & Hazleton, Johnny Woods, Kirby & Duval, Michon Bros., Anita Jakobi. **Gross:** $24,000. (Average, $20,000)
"THE LAST GANGSTER" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days. **Gross:** $10,000. (Average, $10,000)
"NOTHING SACRED" (U. A.)
MADISON—(2,000), 15c-75c, 2nd week. **Gross:** $12,300. (Average, $10,000)
"52D STREET" (U. A.)
"MURDER ON DIAMOND ROW" (U. A.)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $5,300. (Average, $10,000)

Dissolve Huffman Firm

DENVER, Dec. 19.—The company which operated the Denver and Paramount theatres with Harry Huffman as president and manager, General Theatres, Inc., has been dissolved. Huffman formed the company several years ago when he took over the two houses. When Fox took them over recently Huffman became city manager for Fox in Denver.

Manages Ohio Houses

UHRLICHVILLE, O., Dec. 19.—A. K. Veach of Cleveland has been named manager of the State and Ohio here and the Lincoln in nearby Dennison, after purchase of the three theatres from the Twin City Theatre Co. by the Tuscarawas Amusement Co., a new corporation backed by Chicago and Cleveland interests. Veach succeeds E. E. Elgin of Dover.

"Sacred" at Kansas City Gets $12,700

KANSAS CITY, Dec. 19.—"Nothing Sacred," on a dual with "Trapped by G-Men," pulled out into the profit column at the Midland by grossing $12,700. This was $500 to the good.

All other grosses were hit by extraordinary competition—Christmas shopping, an automobile show that drew an estimated 135,000, "Room Service" and Noel Coward's "Tonight at 8:30."

"Damsel in Distress," with "Night Club Scandal," took $4,100 in a second week.

Total first run business was $31,700. Average is $34,900.

Estimated takings:

Week Ending Dec. 8:

"PORTIA ON TRIAL" (Republic)
UPTOWN—(2,000), 25c-40c, 6 days. **Gross:** $2,400. (Average, 6 days, $3,500)
"FIRST LADY" (W. B.)
"LOVE IS ON THE AIR" (W. B.)
MAINSTREET—(3,100), 25c-40c, 6 days. **Gross:** $5,700. (Average, 6 days, $7,200)

Week Ending Dec. 9:

"NOTHING SACRED" (U. A.)
"TRAPPED BY G-MEN" (Col.)
MIDLAND—(4,000), 25c-40c, 8 days. **Gross:** $12,700. (Average, 8 days, $12,200)
"DAMSEL IN DISTRESS" (RKO)
"NIGHT CLUB SCANDAL" (Para.)
NEWMAN—(1,900), 25c-40c, 7 days, 2nd week. **Gross:** $4,100. (Average, $5,000)
"45 FATHERS" (20th-Fox)
FOX TOWER—(2,200), 25c-40c, 7 days. Stage: Maida & Ray, Joe Termini with Jean Hamilton & Joe Clayton, Don & Shirley, Clifton & Murray. **Gross:** $6,800. (Average, $7,000)

"Conquest" $13,000 Leader at Montreal

MONTREAL, Dec. 19.—"Conquest" proved to be the ace attraction for the week with a take of $13,000 at the Palace, this being $2,000 above average and rating a holdover. "The Awful Truth," on a twin bill at Loew's, continued on its merry way with $8,000 for its second week and was also held over for a third week.

"Dead End," completing its third and final week at the Orpheum was responsible for $3,000 against average of $5,000, while "The Great Garrick," dualling at the Princess, brought in $5,000, which was below the line.

"A Damsel in Distress," playing as the sole attraction at the Capitol, was responsible for $7,000 which was below average. Chief opposition was pro hockey, which has been off all season locally, and Christmas shopping was being felt for the first time.

Total first run business was $36,000. Average is $40,500.

Estimated takings for the week ending Dec. 11:

"A DAMSEL IN DISTRESS" (RKO)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,000. (Average, $9,500)
"THE AWFUL TRUTH" (Col.)
"PARK AVENUE GIRL" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days, 2nd week. **Gross:** $8,000. (Average, $8,000). Held for third week.
"DEAD END" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 3rd week. **Gross:** $3,000. (Average, $5,000)
"CONQUEST" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,000. (Average, $11,000). Held over.
"THE GREAT GARRICK" (W. B.)
"THE ADVENTUROUS BLONDE" (W. B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $7,000)

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"Bicycling" On Increase, Report Shows

(*Continued from page* 1)

disclosures of irregularities, 'bicycling' violations substantially exceeded the 'hold-over' type of violation, a reversal of the trend during recent years.

"The explanation for this increase in violations disclosed, and the trend of violations toward 'bicycling' rather than 'holding-over,'" the report states, "presumably lies in an influx of new exhibitors and exhibitors previously operating single units or small circuits who acquired one or more additional theatres."

The bureau's investigation of showings under non-theatrical auspices was undertaken "to determine the source from which the prints are obtained," the report says. The results of the investigation are not disclosed. Exhibitors in all sections of the country have become increasingly disturbed over the non-theatrical showings in competition with established theatres.

The bureau's report also discussed an opinion handed down on Dec. 6, last, by the U. S. Circuit Court of Appeals in New York which "expressly recognizes the existence of exclusive exhibition rights for the first time under the statutory copyright obtained for a non-photoplay film registered under Class M. All previous court opinions in respect of exhibition rights were handed down in cases involving only photoplay films," the report observes.

Kansas City House Uses Air with Reel

KANSAS CITY, Dec. 19.—For what is believed to be the first time in the country, a theatre is using a radio news broadcast to supplement its newsreel. Jerry Zigmond, manager of the first run Newman here, and KCMO, have arranged to broadcast "headlines in the news" at the end of each of four newsreel showings in the theatre each day, beginning Dec. 10. The "newscast" comes directly from the station to the theatre's sound system.

Zigmond's trailer, which is shown during the broadcast, shows Tom Kelly, KCMO newscaster, and then follows with a series of kaleidoscopic news type scenes that flash off the end of sparks from a microphone.

Stage Writer Awards To Be Made Shortly

(*Continued from page* 1)

vention of the American Theatre Council here last summer to save the theatre from Hollywood's raids by developing new sources of stage writers and material. The awards will be made by a committee consisting of Howard, Burns Mantle, George S. Kaufman, John Golden and Frank Crowninshield.

Newsreel Spot to Open

Newsreel Theatres, Inc., will open another house on upper Broadway next summer. It will be the fourth unit and will be located at 72nd St.

Lobby Postoffice

Seattle, Dec. 19.—A complete U. S. postoffice sub-station has been opened in the lobby of the Fifth Avenue by Manager Andy Saso for the convenience of patrons during the holiday season.

Every day, including Sunday, until December 25 the miniature post office is open from 11:30 A.M. until 12 midnight.

"Night Fall" Tops Review Board List

(*Continued from page* 1)

"Make Way for Tomorrow," "The Good Earth," "They Won't Forget," "Captains Courageous," "A Star is Born" and "Stage Door."

The 10 best foreign films selected are: "The Eternal Mask," "The Lower Depths," "Baltic Deputy," "Mayerling," "The Spanish Earth," "Golgotha," "Elephant Boy," "Rembrandt," "Janosik" and "The Wedding of Palo."

The 10 best on the basis of popular appeal were: "The Good Earth," "The Life of Emile Zola," "Captains Courageous," "Lost Horizon," "Stage Door," "A Star Is Born," "Dead End," "The Prisoner of Zenda," "Conquest" and "Camille."

Pick Two "Jones" Titles

HOLLYWOOD, Dec. 19.—Max Golden, associate producer at 20th Century-Fox in charge of the "Jones Family" series, says the titles of the ninth and tenth of the series will be, respectively, "A Trip to Paris" and "Safety in Numbers." Currently in work is "Love on a Budget."

Retitle Karloff Picture

HOLLYWOOD, Dec. 19.—Warners have changed the title of "Without Warning," Boris Karloff vehicle, to "The Invisible Menace." The picture will be released Jan. 29.

"Headline" Retitled

HOLLYWOOD, Dec. 19.—"Change of Heart" has been substituted for the title of the 20th Century-Fox film which went into production as "Headline Huntress."

Will Honor Jacques

CINCINNATI, Dec. 19.—A testimonial dinner will be tendered Stanley C. Jacques at the Netherland Plaza Jan. 10 in commemoration of his 20th year as local branch manager of RKO. Many company officials and exhibitors who were in the industry when Jacques took over the local office will attend.

Caplan Dinner Guest

NEW HAVEN, Dec. 19.—Lawrence Caplan was tendered a bachelor dinner at the Hejaz Grotto. Caplan, executive secretary of Allied Theatres of Connecticut, will marry Ruth, daughter of Abe Fishman of Fishman Theatres, Inc., Dec. 26.

Bruce, Ruben Married

HOLLYWOOD, Dec. 19. — Virginia Bruce and J. Walter Ruben were married here Saturday.

Shelved Wage Bill Relieves Industry

(*Continued from page* 1)

that the bill would have applied to production, because the films later would move in interstate commerce, the House took time out Friday to make sure that child stars could be employed, despite an amendment adopted the previous day which would have barred them from the screen.

This was but one of so many exemptions that were granted by amendment as to lead Representative Dies (Dem. Tex.) facetiously to offer an amendment calling upon the administrator to report in 90 days "whether anyone at all will come under this bill because of its exemptions."

Climaxing five days of heated debate, in the course of which the measure was so broadly and hurriedly amended that few members at the close professed to know accurately what was in it, the vote to recommit was a demonstration of unalterable opposition to the legislation by the southern bloc, which had consistently but unsuccessfully fought for a wage differential in favor of the south.

Big Film Contingent Is Due on Normandie

The *Normandie*, which will arrive from England Thursday, will be crowded with film personalities either visiting here or rushing home to spend the holidays with their families.

Among those on the ship are Ben Goetz, in charge of Metro British production; Victor Saville, Peter Bull, June Knight, Victor McLaglen, Samuel Engel, Brian Donlevy, Francis L. Harley and Ben Miggins. Harley, 20th Century-Fox sales head in England, is bringing a print of "He Was Her Man" to this country. Richard Barthelmess is reported to be on the *Manhattan*, which sailed Thursday.

Cut Milwaukee Scales

MILWAUKEE, Dec. 19.—Fox's Garden, which for the past six weeks has been playing continued first runs from the circuit's Palace and Wisconsin at 35 and 50-cent admissions, has reverted to a policy of first run sloughs at 25 and 35 cents.

The circuit has made five-cent cuts in admissions at several of its neighborhood houses as well.

Putnam, Garnett to Hunt

SAN PEDRO, Cal., Dec. 19.—George Palmer Putnam, in association with Tay Garnett, film director for the California Zoological Society, have sailed from here on Garnett's yacht for South America where they will hunt animals which will be presented to the association's zoo.

Approve Eastman Leaves

ROCHESTER, N. Y., Dec. 19.—Under a new plan which will become effective Jan. 1, Eastman Kodak will give vacations with pay to more than 11,500 factory employes. The holiday will be of one week or two weeks depending on length of service of the individual.

Margot Grahame Is Ill

Margot Grahame is ill of influenza at the Sherry Netherland Hotel.

Schnitzer Starts Warner Job Today

(*Continued from page* 1)

ager of Warners; Roy H. Haines, eastern divisional sales head, and Ben Kalmenson, western sales division chief, returned from vacations over the weekend. Sears had been hunting in the south while Haines and Kalmenson have been basking on Miami shores. Schnitzer will meet with the three sales heads today at the home office. His headquarters will be at the local exchange in the Film Center Bldg.

Meanwhile, Herb Ochs, former western division sales manager, has not been assigned to a new spot. This is scheduled to be done this week.

Set Warner Club Party

NEW HAVEN, Dec. 19.—I. J. Hoffman, B. E. Hoffman and the Warner Club will be hosts at the annual Warner dinner-dance at the Seven Gables Inn Wednesday evening. Over 100 managers, office employes and friends will attend. Benjamin Banford of the theatre department has charge of arrangements.

Plan Wilmington Shows

WILMINGTON, Dec. 19. — Special showings in theatres here will be given for children on Dec. 24 and adults on Dec. 29 as a part of the city's Christmas festival. Mayor Walter W. Bacon has appointed members of the committee to represent him at the various theatres and extend his greetings.

Taking part in the special showing for children are the Aldine, Loew's Parkway, Grand, Arcadia, Rialto, Queen, Savoy, Ace, Park, Strand, and National. Parties for the "old folks" will be held on Dec. 29 at Loew's, Aldine, Rialto, Arcadia and National.

Atlas Men Shifted

DENVER, Dec. 19.—The resignation of Harry Moore as city manager at Salida, Col., for Atlas Theatres, caused the shifting of several men by Dave Davis, manager of Atlas.

Succeeding Moore is Frank Barnes, who was city manager at Lamar, Col. Raymond Lounsbury, assistant at Lamar, has been promoted to city manager. Dick Jancke has been made manager of the Gem at Golden, Col., succeeding Berlin Tanner, who has gone to Monte Vista, Col., as assistant at the Granada.

Wall Street

Few Board Issues Gain

	Open	High	Low	Close	Net Change
Col.	13⅞	14	13½	14	.....
Cons., pfd.	7½	7½	7½	7½	+ ¼
E. K.	161½	163	161½	163	+2
G. T. E.	12	12¼	12	12⅛	+ ⅛
Loew	48½	49	48½	49	+ ⅝
Para.	10¾	10⅞	10⅝	10⅞	— ⅛
Para. 2.	10¾	10¾	10⅝	10¾	— ¼
Pathe	6¼	6¼	6¼	6¼	— ¼
R. K. O.	4¼	4¼	4⅛	4¼	+ ¼
20th Fox.	21½	21½	21⅛	21¼	— ⅜
20th pfd.	27	27	27	27	— ¾
W. B.	6⅞	7	6⅞	6⅞	.....

Curb Rises Fractionally

	Open	High	Low	Close	Net Change
G. N.	⅞	⅞	⅞	⅞	.....
Monogram	1½	1½	1½	1½	.....
Sonotone	1¾	1⅞	1¾	1⅞	+ ⅛
Technicolor	18¼	18⅜	18¼	18⅜	+ ⅝

(Quotations at close of Dec. 18.)

McCarthy Rise Almost Phenomenal

McCarthy the Wooden Takes Radio Honors

(*Continued from page* 1)

the outcome is only one of the many features in this annual Quigley Publication.

Radio annals record only one other rise of similar phenomenal and majestic proportion—that of Major Bowes. Each has been able to answer the listeners' cry for something new, something novel in the way of radio fare, with the rewards for doing so following automatically.

Benny, second choice, trails by 11 votes. Bing Crosby, steward of the Kraft "Music Hall," is third, with Fred Allen, Rudy Vallee, Kate Smith and Don Ameche following in that order.

The year's most popular male vocalists, classical and popular variety respectively, are Nelson Eddy and Bing Crosby. Last year the poll made no distinction between classical and popular singers, and Eddy and Crosby finished in that one-two order. This season each has a crown of his own, and each has a marked lead in the poll.

Baker Trails Crosby

Behind Eddy is John Charles Thomas and trailing that singer are Richard Crooks, Lauritz Melchior, Lawrence Tibbett, Richard Bonelli and Nino Martini.

Second to Crosby, with slightly less than half the number of votes cast for Bing, is Kenny Baker, with Lanny Ross pressing closely for third place and Frank Parker in fourth position. Nelson Eddy also has support in the popular song group, finishing behind Parker. Rudy Vallee is the number six choice.

Petite Lily Pons wins top ranking of classical soloists among feminine singers, while dusky-toned Frances Langford is declared the leader of the popular song contingent.

Ranking close to Miss Pons is Jeanette MacDonald, Jessica Dragonette third, Grace Moore fourth, Gladys Swarthout fifth.

Below Miss Langford we find the booming figure of Kate Smith, a scant handful of votes determining the difference between them. Third among the popular song leaders is Miss MacDonald. Had the votes given Miss MacDonald in the popular song group gone to the classical division, she would have outranked Miss Pons.

Below Miss MacDonald, as fourth choice popular singer, is Alice Faye, followed by Virginia Verrill and Dorothy Lamour. Last year the poll made no classifications among the feminine singers. Then the leaders were Jessica Dragonette, Lily Pons, Francis Langford, Kate Smith, in that order.

Benny Best Comedian

Jack Benny is the year's best comedian, according to the radio editors. They repeat it with the same emphasis as last year. Charley McCarthy ranks second, Fred Allen third. Allen was long absent from the air last summer, probably accounting for his drop in popularity. Bob Burns is in fourth place and Eddie Cantor is next. Walter O'Keefe, who substituted for Allen during the summer, is in seventh place, behind W. C. Fields, who was on the air briefly this summer trading barbs with Charley McCarthy on the Chase and Sanborn show.

Among the comediennes, Gracie Allen is a hands-down winner over Beatrice Lillie, with Sheila Barrett, Mary Livingstone, Jane Ace and Molly McGee finishing in that order.

As in 1936, Burns and Allen literally run away with the comedy team division. Fibber McGee and Molly, amazingly popular this year, are in second place, climbing from their 1936 fourth position. The irrepressible McCarthy and his manipulator, Bergen, are the third choice team, Benny-Livingstone, fourth; Amos 'n' Andy, fifth; Stoopnagle and Budd, sixth; Fred Allen-Portland Hoffa, seventh.

Lux Dramatic Winner

The year's most popular dramatic series is the Lux "Radio Theatre," followed by "One Man's Family," both produced by the same agency, J. Walter Thompson. The "First Nighter" series is third. Now comes a sustaining program in the first division among the year's most popular dramatic series, its first major showing in a national popularity poll, it is believed. It is "The Columbia Workshop," produced by Irving Reis and heard over CBS. In last year's poll it was twelfth. This year it ranks ahead of the "March of Time" and the Shakespeare productions which both NBC and CBS presented the past summer.

The Jell-o program, Jack Benny's, is ranked the best comedy series. Pepsodent's Amos 'n' Andy is the runner-up; the Johnson Floor Wax team, Fibber McGee & Molly, is next while "Town Hall Tonight" for Bristol-Myers, complete the first division for the best comedy series. Last year the first four were: Jell-o; "Town Hall Tonight" with Fred Allen; Burns & Allen, for Campbell's Soup; and Stoopnagle & Budd for Minute Tapioca.

Kostelanetz Wins

1937's best popular orchestra is Andre Kostelanetz's, followed by Guy Lombardo, Benny Goodman, Wayne King, Horace Heidt. The 1936 poll showed Kostelanetz and Lombardo in the same relative standings; Fred Waring, third; Wayne King, fourth; Shep Fields, fifth.

The year's best liked classical musical unit is the New York Philharmonic, with Stokowski's Philadelphia Orchestra pressing closely. The Ford Symphony is third, Frank Black's NBC Symphony fourth, General Motors fifth.

The Lucky Strike "Hit Parades" score as the most popular musical program; the Ford Sunday Evening Hour is ranked similarly as the best classical musical program. Following the "Hit Parades" is the Chesterfield show with Kostelanetz; Rudy Vallee's Standard Brands variety program; Bing Crosby's Kraft-Phoenix Music Hall. Horace Heidt's Alemite Corp. Brigadiers show and General Electric's "Hour of Charm" are in a tie for fifth place. Following the Ford show for serious music honors are: General Motors concerts, the New York Philharmonic; Cities Service, and the bank-sponsored Philadelphia Orchestra series.

Avocation

F. D. R. still ranks high as a speaker with radio editors throughout the country. Many submitted the President's name as their choice for "best commentator," but these were disallowed and the votes were not counted.

Wilson Top Announcer

Don Wilson is the announcer of the year, repeating his 1936 victory. Milton Cross, whose popularity lingers amazingly, is ranked second best, followed by Harry Von Zell, Ted Husing, Ken Carpenter and David Ross.

Boake Carter is the stand-out selection among commentators. Here too, is a 1936 repeater. Following in order are Lowell Thomas, Edwin C. Hill, H. V. Kaltenborn, Paul Sullivan and Gabriel Heatter.

Bing Crosby is far and away the editors' choice as the most effective film player in radio. Don Ameche is second choice; next come Edwin G. Robinson, Jeanette MacDonald, Bob Burns, Charles Butterworth and Tyrone Power.

The best film programs on the air, the editors have decided, are Lux "Radio Theatre," "Hollywood Hotel," MGM-Maxwell House "Good News of 1938;" Jimmy Fidler's gossip period; the Chase and Sanborn Hour, Packard's "Hollywood Mardi Gras," and Roger Bros. "Silver Theatre."

This year the poll incorporated in its questionnaire a new division. The editors were asked to supply the answer to the following: "It is widely agreed that commercials are overdone. Recognizing that the sponsor insists upon them and the public has to stand for them, what program consistently does the best job in the light of its twin allegiance?"

Some Editors Facetious

Some editors did not even bother to run a dash through the question. Some were facetious, Alton Cook of the New York *World-Telegram* wrote: "I never listen to commercials, and, consequently, I regret that they are not a great deal longer." Some were honestly non-plussed like Guy M. Chase of the Elizabeth (N. J.) *Journal*: "No off-hand choice. Lack of good taste as to text or lack of reasonable brevity characterizes practically all of them." And Bill Newell, of the Vancouver (B. C.) *Columbia Sun* wrote: "Sorry, can't think of any." D. M. Legate of the Montreal *Daily Star* answered: "If you mean the best of a generally bad and regrettable lot, then Jack Benny's program."

But most were constructive like Mary O'Neill of the Albany (N. Y.) *Knickerbocker News* who replied: "I would suggest giving a trio of awards: To Jell-o for least painful advertising; to Bing Crosby's program for its unique method of getting in station breaks and commercials, to Fred Allen's Town Hall, which also manages to kid you into its advertising."

Here is the ranking for programs with the best commercial readings:

(1) Jell-o, (2), Ford Sunday Evening Hour; (3) Kraft Music Hall, (4) Town Hall Tonight, (5) Metropolitan Auditions of the Air.

Results, in all classifications, of the poll of radio editors follow:

Open Champions

Charles McCarthy
Jack Benny
Bing Crosby
Fred Allen
Rudy Vallee
Kate Smith
Don Ameche
Nelson Eddy
Eddie Cantor
Andre Kostelanetz
Fibber McGee & Molly
Deanna Durbin
Lanny Ross
Bob Burns
Walter O'Keefe
Major Bowes
Jeanette MacDonald
Judy Garland
Herbert Marshall
Leopold Stokowski
Franklin D. Roosevelt
Tommy Riggs
Judy Canova
Arturo Toscanini
Kirsten Flagstad
Lucrezia Bori
Lawrence Tibbett
Tyrone Power
Gertrude Niesen
Charles Winninger

Most Effective Film Players

Bing Crosby
Don Ameche
Edward G. Robinson
Jeanette MacDonald
Bob Burns
Charles Butterworth
Tyrone Power
Walter Huston
Rosalind Russell
Nelson Eddy
W. C. Fields
Jack Benny
Eddie Cantor
Clark Gable
Dick Powell
Alice Faye
Herbert Marshall
Leslie Howard
Jack Oakie
John Barrymore
Claudette Colbert
Frances Langford
Barbara Stanwyck
James Stewart
Helen Hayes
Grace Moore
Frederic March
Deanna Durbin
Martha Raye
Dorothy Lamour
Jean Hersholt
Fred Astaire
Edward Arnold
Lionel Barrymore
Joan Crawford
Bette Davis
Andy Devine
Stuart Erwin
Patsy Kelly
Irene Rich
Spencer Tracy
Rudy Vallee
Ben Bernie

Benny, 1936 Winner, Runs Second

Burns and Allen
Carole Lombard
Joe Penner
Ginger Rogers
Walter Winchell
Al Jolson
Charles Winninger
May Robson
Conrad Nagel
Paul Muni
Robert Montgomery
Jack Haley
Jane Froman
Tallulah Bankhead
Constance Bennett
Irene Dunne
Jean Arthur
Gail Patrick
Warren Hull
Judy Garland
Betty Grable
Claire Trevor
George Arliss
James Melton
Edmund Lowe
Madge Evans
Margaret Sullavan
Simone Simon
Anne Shirley
Robert Taylor
Ned Sparks
Claude Rains
Lily Pons
Pat O'Brien
Donald Novis
Burgess Meredith
Fred MacMurray
Tony Martin
Gertrude Lawrence
Allan Jones
Cary Grant
Miriam Hopkins
Armand Girard
Frances Farmer
Kay Francis
Kitty Carlisle
Ruth Chatterton
Ronald Colman
Wallace Beery
Freddie Bartholomew
Brian Aherne

Vocalists: Male (Popular)

Bing Crosby
Kenny Baker
Lanny Ross
Frank Parker
Nelson Eddy
Rudy Vallee
James Melton
Frank Munn
Tony Martin
Jerry Cooper
Barry McKinley
Igor Gorin
Dick Powell
Buddy Clark
Al Jolson
Eddie Cantor
Stuart Allen
Jack Fulton
Jean Sablon
Del Casino
Reed Kennedy
Morton Bowe
Donald Novis
The Street Singer
Skinny Ennis
Perry Camo

Vocalists: Male (Classical)

Nelson Eddy
John Charles Thomas
Richard Crooks
Lauritz Melchior
Lawrence Tibbett
Richard Bonelli
Nino Martini
Igor Gorin
Frank Munn
Jan Peerce
Richard Tauber
Giovanni Martinelli
Giuseppe Bentonelli
James Melton
Armand Girard
Richard Maxwell
Conrad Thibault
Tino Rossi
Frank Parker

Vocalists: Feminine (Popular)

Frances Langford
Kate Smith
Jeanette MacDonald
Alice Faye
Virginia Verrill
Dorothy Lamour
Harriet Hilliard
Connie Boswell
Jane Froman
Deanna Durbin
Jessica Dragonette
Gertrude Niesen
Edythe Wright
Judy Garland
Dolly Dawn
Gladys Swarthout
Lucille Manners
Kay Thompson
Kitty Carlisle
Martha Raye
Hildegarde
Maxine
Jane Pickens
Sheila Barrett
Ella Fitzgerald
Patricia Ryan
Florence George
Loretta Lee
Margaret Speaks
Mildred Bailey
Freda Gibson
Mary Small
Benay Venuta
Vaughn De Leath
Irene Beasley
Ethel Waters
Leah Ray
Sylvia Froos
Patti Chapin

Vocalists: Feminine (Classical)

Lily Pons
Jeanette MacDonald
Jessica Dragonette
Grace Moore
Gladys Swarthout
Lucille Manners
Kirsten Flagstad
Margaret Speaks
Helen Jepson
Deanna Durbin
Nadine Connor
Rosa Ponselle
Vivian della Chiesa
Marion Talley
Elisabeth Rethberg
Irene Dunne
Grete Stuekegold
Erna Sack
Maria Jeritza
Mary Eastman
Helen Marshall
Jean Dickenson
Bruna Castagna
Hollace Shaw

Comedians

Jack Benny
Charley McCarthy
Fred Allen
Bob Burns
Eddie Cantor
W. C. Fields
Walter O'Keefe
Milton Berle
Phil Baker
Ken Murray
George Burns
Fibber McGee
Tommy Riggs
Henry Burbig

Comediennes

Gracie Allen
Beatrice Lillie
Sheila Barrett
Mary Livingstone
Jane Ace
Molly McGee
Martha Raye
Arlene Harris
Judy Canova
Portland Hoffa

Comedy Teams

Burns & Allen
Fibber McGee & Molly
McCarthy-Bergen
Benny-Livingston
Amos 'n' Andy
Stoopnagle & Budd
Allen-Hoffa
Lum 'n' Abner
Easy Aces
Pick and Pat
Tim and Irene
Stroud Twins
Crosby-Burns
Marx Brothers
Deacon and Colonel ("Showboat")
W. C. Fields-Charlie McCarthy

Dramatic Series

Lux Radio Theatre
"One Man's Family"
"First Nighter"
Columbia Workshop
March of Time
"Gang Busters"
"Silver Theatre"
Shakespeare Series (both CBS and NBC)
"Big Town"
"Death Valley Days"
Lum 'n' Abner
"Cavalcade of America"
"Lights Out"
"Big Sister"
"Famous Jury Trials"
"Today's Children"
"Hollywood Playhouse"
Chase & Sanborn Sketches
"Lone Ranger"
"Witches's Tale"
Helen Hayes' "Bambi"
Helen Menken's "Second Husband"
"Vic and Sade"
"Whitefires"
Scattergold Baine Stories
Sunday Players
"Crooked House" (Canada)
"First Love"

But Edgar Collects

Edgar Bergen needs a press agent — badly. Poor Edgar only writes the script and provides the vocal motivation for the words that issue from the notable Charlie McCarthy's facial opening. But all the publicity and all the honors go to the little dummy, while Edgar remains unhonored and unsung.

Comedy Series

Jack Benny—Jell-o Program
Amos 'n' Andy—Pepsodent
Fibber McGee & Molly—Johnson Floor Wax
Town Hall Tonight—Bristol-Myers
Lum 'n' Abner—Horlick's Malted Milk
Chase & Sanborn Hour
Easy Aces—Anacin
Burns & Allen—Grape Nuts
Al Pearce Ford program
Eddie Cantor—Texaco
Music Hall—Kraft-Phenix Cheese
Phil Baker—Gulf Gas
Pick and Pat—U. S. Tobacco
Log Cabin Revue—Log Cabin Syrup
Jack Oakie's College—Camel Cigarettes
Joe Penner—Cocomalt
Vic and Sade—Crisco
East and Dumpke—Kellogg Co.
Happy Hollow
Kaltenmeyer's Kindergarten—Quaker Oats
Lars and Lena

Orchestras (Popular)

Andre Kostelanetz
Guy Lombardo
Benny Goodman
Wayne King
Horace Heidt
Hal Kemp
Rudy Vallee
Tommy Dorsey
Richard Himber
Shep Fields
Paul Whiteman
Phil Spitalny
Kay Kyser
Meredith Willson
Eddy Duchin
Fred Waring
Ray Noble
Casa Loma
Raymond Paige
Harry Salter
George Olson
Ted Fio Rito
Russ Morgan
John Scott Trotter
Ted Weems
Xavier Cugat
Ferde Grofe
Jack Hylton
Bob Crosby
Marek Weber
Joe Sanders
Phil Harris
Mark Warnow
Duke Ellington
Ozzie Nelson
Vincent Lopez
Top Hatters
Will McCune

Orchestras (Classical)

New York Philharmonic
Philadelphia Orchestra
Ford Symphony
Frank Black's NBC Symphony
General Motors Concerts
Erno Rapee's Orchestra
Alfred Wallenstein's Sinfonieta
Columbia Symphony
Cities Service Concerts
Chicago Symphony
Josef Hornik
Rochester Symphony
NBC Symphony
Werner Janssen
Alfred Hertz
RCA Symphony

(*Continued on following page*)

McCarthy The Wooden Takes Radio Honors

(*Continued from preceding page*)

Detroit Symphony
Standard Symphony
Boston Philharmonic

Musical Programs (Popular)

Lucky Strike Hit Parades
Chesterfield-Kostelanetz Series
Rudy Vallee's Variety Program
Kraft Music Hall
Horace Heidt's Brigadiers
Hour of Charm
Benny Goodman program, Camel Cigarettes
Chesterfield—Hal Kemp
American Album of Familiar Music
Lady Esther
Coca-Cola Song Shop
Hollywood Mardi Gras
Bond Bread—Guy Lombardo
Chase & Sanborn
Tommy Dorsey program, Raleigh Cigarettes
RCA Magic Key
Voice of Firestone
Saturday Night Swing Sessions
Hollywood Hotel
Palmolive Beauty Box Theatre
Chevrolet Program, Seymour Simon
Vicks Open House
Kate Smith Program
Hollywood Mardi Gras
M-G-M—General Foods Corp. show
Major Bowes Program
Log Cabin Revue
Contented Milk program
Lud Gluskin's Hollywood Showcase
Pontiac Varsity Show
Maxwell House Showboat
Jergens-Woodbury, Shep Fields
Manhattan Merry-Go-Round
Russ Morgan—Phillip Morris Program
Lucky Strike—Richard Himber
Bughouse Rhythm

Musical Programs (Classical)

Ford Sunday Evening Hour
General Motors Concerts
New York Philharmonic
Cities Service Concerts
Bank Series, Philadelphia Orchestra
Metropolitan Auditions of the Air
Standard Symphony
American Album of Familiar Music
Frank Black's Symphony
NBC Symphony
Voice of Firestone
Capitol Family
Everybody's Music
Chicago Symphony
Matinee Metropolitan Operas
Perole String Quartet
Lewisohn Stadium Concerts
Gordon String Quartet of Cleveland

Announcers

Don Wilson
Milton Cross
Harry Von Zell
Ted Husing
Ken Carpenter
David Ross
Paul Douglas
Jean Paul King
Truman Bradley
Graham McNamee
Jimmy Wallington
Nelson Case
Howard Claney
Andre Baruch
Hugh Conrad
Bob Trout
Harlow Wilcox
Alois Havrilla
Phil Stewart
Charles Lyons
Basil Ruysdael
Carleton Ka Dell
Dan Seymour
Bill Hay
Don McNeal
Charles O'Connor
Ford Bond
Thomas Freebairn-Smith
Ronald Drake
Don Forbes
Harold Ross
John Hughes
James Fleming
Norman Brokenshire
Gayne Whitman
Tom Manning
Jack Halden

Commentators

Boake Carter
Lowell Thomas
Edwin C. Hill
H. V. Kaltenborn
Paul Sullivan
Gabriel Heatter
Walter Winchell
Linton Wells
John B. Kennedy
Kathryn Cravens
John Nesbitt
Deems Taylor
Dorothy Thompson
Paul Douglas
Alexander Woollcott
Alistaire Cooke
Dr. H. L. Stewart
Jean Paul King
Lewis Browne
George Fischer
General Hugh S. Johnson
Hendrik Van Loon
Ken McClure
Dave Pickard
Rush Hughes
Cornell Daily Sun Radio Reporter
Note: Many votes were received for President Roosevelt, but these were disallowed.

Film Programs

Lux Radio Theatre
Hollywood Hotel
M-G-M—General Foods "Good News of 1938"
Jimmy Fidler
Chase and Sanborn Hour
Hollywood Mardi Gras
Silver Theatre
Jell-O
Kraft Music Hall
Woodbury Playhouse
Seein' Stars
Maxwell House "Showboat"
Walter Winchell
Helen Hayes' "Bambi"
Screen Week

Commercials

Jello-O
Ford Sunday Evening Hour
Kraft Music Hall
Metropolitan Auditions of the Air
Town Hall Tonight

Form Alabama Broadcasting

HUNTSVILLE, Ala., Dec. 19.—Alabama Mutual Broadcasting System, Inc., has just been organized. Officers are: J. S. Allen, WBHP, president; W. H. Pollard, Huntsville, vice-president; and John R. Hughes, WBHP, secretary-treasurer.

The new group has listed full time contracts with radio stations in Huntsville, Sheffield and Decatur, it was stated.

Radio Personals

BILL ROBINSON will be the guest of Radie Harris on the latter's Mutual program Wednesday. . . Don Dunphy will broadcast an account of the "Ice Carnival" from Madison Square Garden over WINS beginning Tuesday and continuing through Thursday. . . Phil Spitalny has been given the latest *Radio Guide* honor award. . . Nila Mack, CBS writer directress, will repeat for the fifth time her own Christmas fantasy, "The House of the World," on the "Let's Pretend" series Christmas Day. . . Bob Emory's "Rainbow House" will offer a dramatization of the Monogram film, "Boy of the Streets," over WOR Dec. 26 at 9 A. M. . . Likewise WNYC, New York municipal station, will present a dramatization from the picture Jan. 2 at 2:30 P. M. . . Martin Gosch, CBS producer, left for Hollywood Sunday to begin preparation of the Paul Whiteman series for Chesterfield, which he will produce.

+

WOR tendered a pre-Christmas party for the children of its employes Saturday, with about 70 children participating in the fun. . . . Ted Granik, WOR "Forum Hour" conductor, who was recently appointed special counsel to the Housing Administration in Washington, is confined to his bed with an attack of grippe.

+

Pittsburgh Town Pump

PITTSBURGH, Dec. 19.—WCAE will hold its annual Christmas party for the staff at the Fort Pitt Hotel Thursday night. . . . Maurice Spitalny will take over the directorship of KDKA's staff orchestra Jan. 1. . . . Norman Twigger is back on the job at WCAE after a severe cold. . . . Spencer Clark, bass player for Dick Stabile's orchestra, is in the Homeopathic Hospital suffering from pneumonia. . . . Val Varr is home from New York spending the holidays with her family.

Tom Wilmot, former scripter for Joe Penner, who left the Hearst station in San Francisco recently, is back in town.

Schwarzkopf Joining "Gang Busters" Show

(*Continued from page* 1)

of the series. Lord is relinquishing his "em cee" duties to devote more time to the writing and production of additional radio programs. Last year, when Lord took a brief vacation, Schwarzkopf pinchhit for him on the air.

KSFO Adds 3 Programs

SAN FRANCISCO, Dec. 19.—KSFO has added three half-hour live programs a week to its schedule, for Langendorf United Bakeries. Starting the first week in January, the programs will consist of a combination man-in-the-street and vox pop programs with Dean Maddux handling the microphone, assisted by Marcia Miller. The Leon Livingston agency placed the account.

Power Increase Is Granted to KVOS

WASHINGTON, Dec. 19.—Authority to increase day power from 100 to 250 watts has been granted by the F. C. C. to KVOS, Ardmore, Okla.

The commission ordered set for hearing a number of applications, including the following: Mollin Investment Co., for a 1,160-kilocycle, 100-watt daytime station at Huntington Park, Cal.; King-Trendle Broadcasting Co., for a 1,010-kilocycle, 250-watt station at Grand Rapids; WPRA, Mayaguez, P. R., for change of frequency from 1,370 to 780 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 2,500 watts day; KRMC, Jamestown, N. D., for change of frequency from 1,370 to 900 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day; WIND, Gary, Ind., for increase of night power from 1,000 to 5,000 watts, and WRBL, Columbus, Ga., for change of frequency from 1,200 to 1,330 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

Change of frequency from 1,410 to 1,320 kilocycles was requested by KMED, Medford, Ore., in an amendment to an application previously filed for an increase of power from 250 to 1,000 watts.

Other applications included requests of WEMP, Milwaukee, for extension of time from daytime to unlimited; KRKO, Everett, Wash., for change of frequency from 1,370 to 1,400 kilocycles and increase of power from 50 to 250 watts, and WPAX, Thomasville, Ga., for increase of time from day to unlimited and increase of power from 100 watts day to 100 watts night, 250 watts day.

WLW Signs Three Contract Renewals

CINCINNATI, Dec. 19.—Three new local programs and a one-year renewal for a current one have been signed for at WLW.

A six-hour-a-week broadcast schedule will be maintained by Benson & Dall, Inc., Chicago agency, for Consolidated Drug Products, starting Dec. 21. On that date Consolidated will add the new half-hour period to its two other programs maintained on WLW. The contract is for 52 weeks.

Barton Rees Pogue, poet, will be featured in a new evening spot starting Jan. 7 for the American Book Mart. The contract is for 26 weeks, through the E. H. Brown Agency.

A new program for Groves Bromo-Quinine will start this week. The order is through H. W. Kastor & Sons.

Peter Grant, WLW news commentator, is assured of another year's broadcasting for the North American Insurance Co. through a renewal effective this week through the Franklin Bruck Advertising Corp.

Durkee Has New CBS Show

"My Secret Ambition" is the title of the new series to be inaugurated on seven western CBS stations under the sponsorship of Durkee's Famous Foods, Ltd., through a contract renewal effective today. It will replace the current "Good Afternoon, Neighbor." Botsford, Constantine & Gardner is the agency.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 146 NEW YORK, TUESDAY, DECEMBER 21, 1937 TEN CENTS

U.S. Asks to Intervene in RKO Hearings

Would Answer Attack on Validity of 77-B

The U. S. Attorney General's office, through Lamar Hardy, U. S. Attorney for the New York district, yesterday filed a petition in Federal court here for leave to intervene in the RKO reorganization proceedings in order to answer the contention of Edward Hickey, an RKO stockholder, that the company's reorganization plan should not be approved by the court because it is being proposed under Section 77-B of the Bankruptcy Act, which Hickey contends is unconstitutional.

The Government's petition is returnable tomorrow. Hickey advanced his objections to the proceedings when the RKO reorganization plan was before Special Master George W. Alger, who dismissed the stockholders contentions with few words. Hickey presented the same objections to the Federal court last week for consideration by Judge William Bondy, who will begin hearings on the reorganization plan today.

With the hearings before Judge

(*Continued on page* 8)

Chicagoans Offer 50% License Jump

CHICAGO, Dec. 20.—Theatre operators here, after a meeting yesterday, decided to give the city a 50 per cent increase in license fees starting with a 25 per cent increase for small theatres and graduating to a 75 per cent increase for the larger houses. This increase would bring the city $60,000 more than the current $120,000 they are now getting.

The city asked for a one per cent tax on gross business from theatremen which would net about $500,000 in revenue annually. What action the municipality will take regarding the theatremen's proposal is unknown. Chances are that the offer will be considered tomorrow or Wednesday.

Ascap to Defer Its Actions in Florida

Ascap will defer filing of its actions attacking the constitutionality of Florida and Tennessee legislation barring the organization from operating within those states until decisions have been handed down by the special Federal statutory courts which heard

(*Continued on page* 5)

New Decisions Hit Use of Bank Night

Adverse decisions and rulings affecting Bank Night and other theatre chance games have dealt a severe blow to the operation of the games within the past few days in widely separated sections of the country.

These decisions follow those of the past several months in which the games were declared to be lotteries and violation of lottery laws by major courts in Georgia, Nebraska and Alabama.

The decisions of the past few days

(*Continued on page* 5)

Only 13 Films Are Banned by Legion

Of a total of 1,271 feature pictures, both American and foreign, reviewed and classified by the National Legion of Decency during the period from February, 1936, to November, 1937, only 13, or one per cent, were condemned, and 98, or eight per cent, were classified as objectionable in part.

The organization's report, just released, indicates that 780, or 61 per cent, were classed as unobjectionable for general patronage and the remaining 380, or 30 per cent, were listed

(*Continued on page* 8)

NBC Receives FCC Request On West Show

The request of Frank R. McNinch, F. C. C. chairman, for full details on the Mae West broadcast, asked Saturday of NBC, was received yesterday by NBC President Lenox R. Lohr. Beyond admitting receipt of the commission chairman's request, Lohr's office maintained absolute silence on the matter, but presumably the network will comply.

J. Walter Thompson Co., the agency handling the Chase & Sanborn ac-

Additional developments in radio on page 12

count, meanwhile on Sunday went a step beyond its recent public apology printed in newspapers throughout the country, by broadcasting an apology to the listeners who last Sunday had tuned in the offensive skit.

Voiced by Ronald Drake, announcer for the program, the announcement read as follows: "It has been brought to the attention of the sponsors of this

(*Continued on page* 12)

IA Exchange Talks Here Are Postponed

Distributor representatives, scheduled to meet today at the Warner home office to discuss the master agreement with the I. A. T. S. E. to govern "back room" employes in exchanges, have postponed the session indefinitely, it was learned yesterday. Several of the men slated to attend have gone out of town.

Indications are now that the two groups will convene here about the middle of next month, the definite date to be decided later.

Radio Treaty Ratification To Be Delayed

By BERTRAM F. LINZ

WASHINGTON, Dec. 20.—Action toward shifting broadcasting stations to bring them into line with the provisions of the four-power treaty developed at the recent Inter-American Radio Conference at Havana will be delayed until evidence is given that the other three countries involved will ratify the agreement, it was disclosed today by Commissioner T. A. M. Craven of the F. C. C., chairman of the American delegation, who has just returned to Washington.

Apparently suspicious of the intentions of the Mexican Government and doubtful as to the course of Canada, which with Cuba comprise the other three parties to the agreement, Craven indicated that the treaty might not be submitted to the Senate for ratification until the other countries have taken action to make it effective. Under the terms of the treaty, all of the Mexican border stations which have been causing interference in this country will be

(*Continued on page* 12)

R. V. Anderson Quits Universal Newsreel

R. V. Anderson, who has managed Universal's newsreel department in charge of the buying and distribution of prints and other business details since two years after the start of the reel in 1929, has resigned.

For 10 years, from 1919 to 1929, when Universal distributed the International Newsreel, produced by Hearst, Anderson was contact man between Hearst and Universal. Following the start of Universal's reel he was with

(*Continued on page* 8)

Korda Seeks Release From UA Contract

Believed He Wants Free Hand in U. S. Market

HOLLYWOOD, Dec. 20.—Alexander Korda has asked for a complete release from his contractual obligations with United Artists, including his unfulfilled commitment to purchase a one-fifth stock interest in the company, it was learned from authoritative sources here today.

Korda's contemplated withdrawal from United Artists is understood to be in accordance with his known desire to produce quality pictures in England for American companies under the new British Films Act and, in addition, to be free to negotiate individual deals in the open market for American distribution of any pictures of his own making, independently of other producing commitments.

Korda's contract for United Artists distribution of his pictures runs to 1940. His stock purchase commitment, which is payable out of dividends he receives from the company, is understood to be approximately one-sixth completed. He has requested a full release from both pacts.

The company is understood to be inclined to grant Korda's request but is still studying the situation for its possible effect on other United Artists producers who, at some future date, might ask releases from their contracts using the Korda instance for precedent.

Odlum Starts West; Option Deal Is Near

Floyd Odlum, Atlas Corp. head, left for the coast yesterday in advance of consummation of the negotiations whereby RCA will grant a one-year extension of the option held by an investment syndicate headed by Atlas Corp. and Lehman Bros. for the purchase of RCA's remaining holdings of RKO securities.

The option expires Dec. 31 and the

(*Continued on page* 8)

Hulburd to Return To Magazine Field

HOLLYWOOD, Dec. 20.—Merritt Hulburd has obtained release from his contract with Samuel Goldwyn as an assistant director. He will rejoin *The Saturday Evening Post,* which he left three years ago, as an editorial executive.

Hulburd worked on "Dead End," "Stella Dallas" and "The Hurricane."

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Purely Personal

SOL LESSER will arrive in Philadelphia today from the coast to attend an engagement party Thursday at the Warwick there for his daughter. IRVING LESSER will leave Thursday for the Quaker City for the festivities. The producer will arrive here Friday and spend the holidays visiting friends and relatives.

•

ALBERT LEWIN, Paramount producer, and MRS. LEWIN have completed their stay here and will leave by train this afternoon for Hollywood.

•

STEPHEN SZEKELY, Hungarian director; his wife, IRENE AGAI, and ENDRE DE TOTH, his assistant, will arrive today on the *Berengaria*.

•

ROMAN REBUSH of New Star Films, Inc., distributors of the Yiddish film, "Green Fields," is in Chicago arranging for the opening of the film there.

•

JAMES MULVEY, eastern representative for SAMUEL GOLDWYN, is due back the end of the week from the coast.

•

HEATHER ANGEL arrived on the coast yesterday via American Airlines.

•

GEORGE J. SCHAEFER, vice-president and general manager of United Artists, is due here today by train.

•

DOUGLAS FAIRBANKS, SR., and MRS. FAIRBANKS, the former LADY ASHLEY, will arrive today on the *Bremen*.

•

CHARLIE RUGGLES is here for a short vacation at his place on Long Island.

•

JOHN and ELAINE BARRYMORE arrived yesterday to spend the holidays here.

•

STUART F. DOYLE is now due from England on Monday.

JAMES A. FITZPATRICK will leave for Hollywood by train to confer with FRED C. QIMBY, general manager of M-G-M short subjects. Today, FITZPATRICK will complete recording of his Paris exposition short in Technicolor.

•

AL TRAHAN on Saturday captured a 22-pound turkey at the Travers Island traps of the N. Y. Athletic Club and the following day took the class "A" handicap shooting prize with a score of 99 out of 100. He will head for the coast and film work shortly.

•

LOU KROUSE, vice-president of the I. A. T. S. E., was in town yesterday from Philadelphia, his headquarters.

•

FRANCHOT TONE will arrive from Hollywood tomorrow to join his wife, JOAN CRAWFORD, who has been here for more than a week.

•

MRS. BOB WEITMAN, wife of the manager of the Paramount, is recovering from a mastoid operation at the Brooklyn Eye and Ear Hospital.

•

DARRYL ZANUCK, TYRONE POWER and ALICE FAYE are due shortly to attend the opening of "In Old Chicago" at the Astor, Jan. 6.

•

LESSER SAMUELS, scenarist for G. B., will arrive tomorrow on the *Manhattan* for a five-week vacation.

•

FRANK PHELPS, Warner home office labor contact, will leave today for Hartford on business.

•

LOU IRWIN flew to the coast yesterday after reorganizing his local office.

•

NED E. DEPINET returned from the coast yesterday.

•

PHIL REGAN, Republic star, will arrive from the coast today.

Many Pacts Closed, Loew President Says

"Innumerable contracts have been renewed with producers, directors and writers at the M-G-M studios," Nicholas M. Schenck, president of Loew's, stated yesterday. "They are too many to enumerate, but every important personality whose contract expired at this time has been continued," he added.

Elated over his recent trip to the coast, Schenck said, "the studios are in fine shape."

Harry Rapf, producer, has been given a new contract in addition to Louis B. Mayer, E. J. Mannix, Benjamin Thau, Sam Katz and Al Lichtman.

Bull to Metro Studio

Peter Bull, English actor who will arrive on the *Normandie* Thursday, will leave the same day by plane for the M-G-M studios, where he has been cast for an important role in "Marie Antoinette."

Ben Goetz, M-G-M production head in England, and Victor Saville, new producer recently signed, will also head for Hollywood by plane upon their arrival. Saville's first for the company will be "The Citadel" and his coast trip is for the purpose of familiarizing himself with Hollywood technique.

Set MPPDA Board Meet

The board of directors of M. P. P. D. A. will hold its adjourned quarterly meeting today if a quorum can be obtained. Except for receiving a report on the educational films approved for school use, catalogued as to company ownership of the films, only routine business is scheduled for consideration, it was stated at the Hays office yesterday.

Sam Smith on Normandie

Sam Smith, managing director of British Lion Films, London, is en route here aboard the *Normandie*.

Union Cinemas May Abolish Vaudeville

By AUBREY FLANAGAN

LONDON, Dec. 20. — Associated British Pictures, controlling Union Cinemas, is contemplating the elimination of stage shows in all the houses of the circuit. Certain of the Union houses, which previously have played vaudeville, are being subjected to study.

The action is seen as significant here in view of the present movement among exhibitors against broadcasting and other sources of competition, as well as the increased cost of films.

Schenck Coming East

In a change of plans, Joseph M. Schenck, chairman of the 20th Century-Fox board, will spend the Christmas holidays in New York instead of on the coast. He will arrive from Hollywood the latter part of the week and will attend the wedding of his nephew, Aubrey Schenck, next week.

"Hotel" Is Previewed

HOLLYWOOD, Dec. 20.—"Hollywood Hotel," Warner musical, was previewed here tonight at the Warner.

Mrs. Mechanic Dies

BALTIMORE, Dec. 20.—Mrs. Wittel Mechanic, mother of Morris A. Mechanic, president of the New Theatre, died at her apartment in the Esplanade.

Rites for Lee Miller

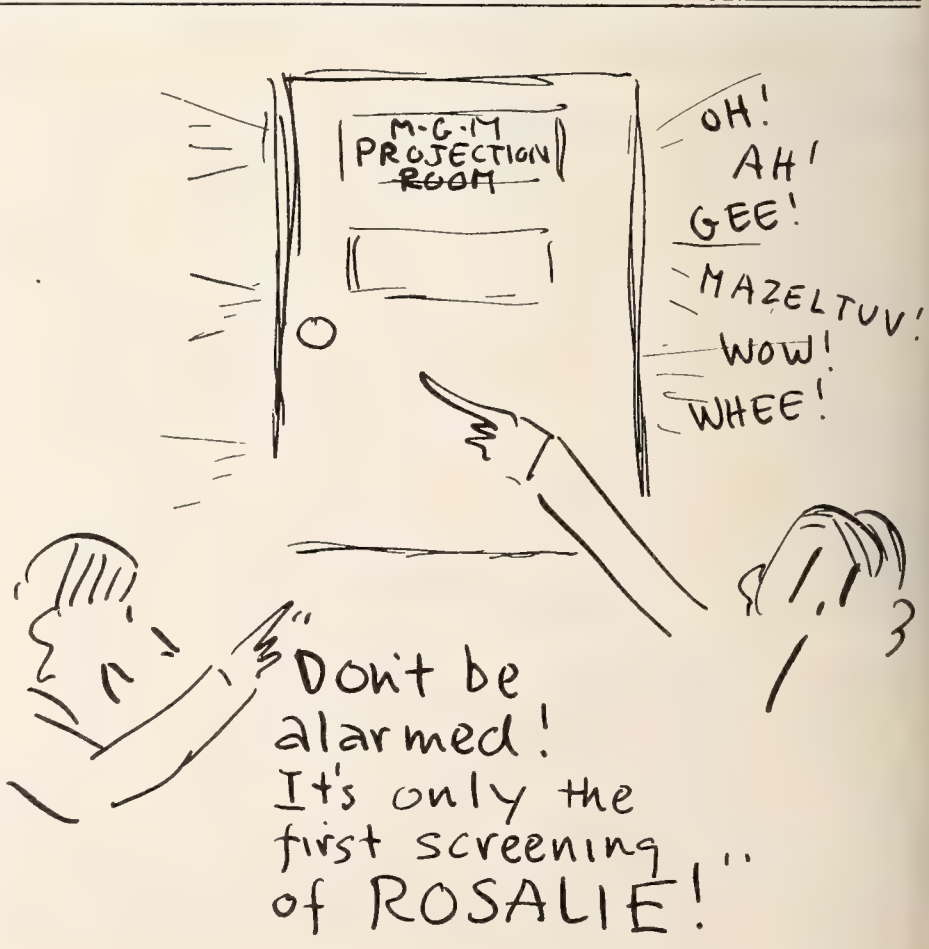
COLUMBUS, Dec. 20.—Funeral services were held here today for Lee Miller Boda who founded the Valentine Circuit of legitimate houses in 1895. Boda died of pneumonia on Saturday. He was the first manager of the Hartman Theatre. Robert F. Boda, his son, and Mrs. Boda survive.

Para. Board Meet Set

The Paramount board of directors will meet on Thursday if a quorum can be obtained, officials of the company stated yesterday. Barney Balaban, president, and Stanton Griffis, chairman of the executive committee, are scheduled to leave on holiday trips late Thursday.

Aid President's Ball

HOLLYWOOD, Dec. 20.—Dr. A. H. Giannini, Samuel Goldwyn, Charles Chaplin and David O. Selznick, all of United Artists, have volunteered to serve on the Motion Picture Council under the Committee for the Celebration of the President's Birthday.



Paramount Pictures

"SO REST YE MERRIE, GENTLEMEN, AND BE YE NOT DISMAYED . . .

WE BRING YOU 'TRUE CONFESSION'

TO GRAB YE CHRISTMAS TRADE"



"TRUE CONFESSION"

"I confess that 'TRUE CONFESSION' has brought the best pre-holiday trade to the Paramount Theatre in years. Audience reaction is terrific."

—*Robert M. Weitman, Paramount Theatre, N.Y.*

"I must confess that 'TRUE CONFESSION' is knocking them over at the Sheridan in Miami Beach, even bettering last year's holiday records of 'COLLEGE HOLIDAY' and 'THE PLAINSMAN' although playing in pre-holiday time. Audience reaction is tremendous."

—*Will Lynch, Paramount Enterprises, Miami, Fla.*

" 'TRUE CONFESSION' is a highly polished, smoothly grained Yule log which deserves to crackle right merrily at the Paramount. It is witty, clever, highly amusing. Santa will have to be generous indeed to give us a merrier show."

—*Frank Nugent, New York Times*

Paramount's Christmas Carole



• America's favorite comedienne star of the Wesley Ruggles comedy hit — "True Confession"

Carole LOMBARD
Fred MacMURRAY
John BARRYMORE

"TRUE CONFESSION"

A WESLEY RUGGLES Production

Una Merkel · Lynne Overman
Porter Hall · Edgar Kennedy

Produced by ALBERT LEWIN · Directed by WESLEY RUGGLES
Screen play by Claude Binyon · Based on a Play by Louis Verneuil and Georges Berr · A PARAMOUNT PICTURE

New Decisions Hit Use of Bank Night

(*Continued from page* 1)

have been recorded, either in the form of court rulings or the opinions of law enforcement officials in Cincinnati, where a county prosecutor declared the game a violation of Ohio lottery laws, Milwaukee, where a ruling was handed down against the games, and Missouri, when the State Supreme Court at Jefferson City ruled against the practice.

The details of the most recent rulings follow.

Operators Fined in Alabama

BIRMINGHAM, Dec. 20. — N. H. Waters, owner of the Waters circuit of suburban theaters, was fined $100 and costs in two cases, and T. W. Williams, part owner of the Woodlawn, fined $100 and costs in Police Court here by Judge Henry Martin on a charge of violation of the city and state lottery laws.

The two theatre owners were placed under bond in connection with the holding Bank Night or Jack Pot at several suburban theatres. Howard Perdue, attorney for Waters and Williams will appeal.

Orders Game Prosecution

KANSAS CITY, Dec. 20.—Responsibility for prosecution of exhibitors and others using Bank Night and other forms of lotteries has been placed upon the shoulders of county prosecutors by Attorney General Roy McKittrick following the Missouri Supreme Court's decision last week that Bank Night is a lottery and against the law.

In calling on local enforcement officer to take action against such schemes, McKittrick pointed out that his office as long ago as April 12, 1934, held Bank Night to be a lottery. Following that, the attorney general's office has handed down other opinions holding Screeno, Hollywood, Surprise Night, Win-O, Bingo, corn games, Whiffle boards, Rocket and Sportsman's machines, Tit-Tat-Toe machines, suit clubs, ball machines, weekly drawings for prizes and others to be in violation of the state's gambling statutes.

Ruled Violation in Ohio

CINCINNATI, Dec. 20.—Operation of Bank Night in theatres and other places of amusement is a violation of the Ohio lottery law, and therefore illegal, in the opinion of County Prosecutor Dudley Outcalt Miller, rendered at the request of Sheriff Frank Lutz, who requested the information after having received request for a ruling from suburban houses.

"Since the theatre benefits by increased attendance on Bank Night, and there is an element of chance, the scheme is entirely illegal under the Ohio laws covering lotteries," Miller declared. He cited the Ohio lottery law, in force since 1873, which, he said, was considerably broader in scope than similar statutes in other states where the game had been barred.

Orders Milwaukee Cessation

MILWAUKEE, Dec. 20.—Exhibitors here have been given until Jan. 1 to discontinue Bank Night, Bingo, Hollywood and similar prize nights under an order issued by Police Chief Joseph T. Kluchesky.

Churches, fraternal organizations, political groups and civic and veterans' organization who do not conduct their games on a commercialized basis, are exempt from the provisions of the order.

Prize nights are being featured by most of the city's theatres with the exception of the first run houses and Fox recently added Bingo as an attraction at most of its neighborhood spots.

Attorneys Oppose Games

DES MOINES, Dec. 20.—The State Ass'n. of County Attorneys, meeting here for their annual conference, went on record as opposing Bank Night, and favoring a state legislative act to prohibit Bank Night and all other trade schemes and so-called gift enterprises."

"We believe that the Bank Night scheme has a demoralizing effect upon the public and that it encourages a spirit of gambling; that it tends to break down the enforcement of laws against other forms of lottery and gambling, and that it tends to embarrass county attorneys in the enforcement of laws against lotteries and gambling," the group said.

They requested that the State Attorney General draft such a bill and present it to the next session of the Iowa General Assembly for enactment.

30 Missouri Houses Hit

ST. LOUIS, Dec. 20.—The decision of the Missouri Supreme Court last week declaring Bank Night illegal, affects about 30 theatres in St. Louis County, but not in St. Louis, which is separate from the county. St. Louis houses have not used the game since January, 1936, when Circuit Attorney Franklin Miller banned it.

I. A. Emblem

All pictures now being shipped from Hollywood bear the I.A.T.S.E. emblem, in accordance with a recent agreement between producers and the I.A.

Ascap to Defer Its Actions in Florida

(*Continued from page* 1)

Ascap's attacks on similar legislation enacted by Montana and Washington, E. C. Mills, chairman of the Ascap administrative committee, said yesterday.

The organization had planned to file its Florida and Tennessee actions immediately following the statutory court decision enjoining Nebraska from enforcing its anti-Ascap legislation, which was handed down early in November. Mills, who returned yesterday from a southern trip during which he conferred in Tallahassee with Ascap's Florida attorneys, said that it had been decided, instead, to await the Montana and Washington decisions. Both cases were heard early last summer and decisions are expected daily.

Henie SRO in Chicago

CHICAGO, Dec. 20.—Sonja Henie and a troupe of 58 arrived here by plane today from Hollywood for their one-week engagement at the Stadium, the 21,000 seats of which have been already sold out for the first five days of the exhibition.

Meredith Elected First Equity V-P.

Burgess Meredith, a member of the council of Actors' Equity Ass'n, was elected first vice-president at a meeting of the council yesterday and in that capacity will take over the duties of the Equity president, Frank Gillmore, who withdraws from Equity to become active head of the Associated Actors & Artistes of America, parent A. F. of entertainers' union.

Gillmore, who tendered his resignation as president of Equity two weeks ago to take effect upon the selection of a successor, will retain the title of president and was given a leave of absence until the annual meeting of Equity next June, when a new slate of officers will be elected. The council's procedure side-stepped internal strife in Equity over the designation of a president to succeed Gillmore, none of the leading candidates, of which Meredith was one, having been able to muster the unanimous support of the council.

The post of first vice-president of Equity, which Meredith assumes, is without salary. It has been vacant since the death of Osgood Perkins last summer. Meredith's term in office expires with the next annual meeting of Equity.

Sten Film Starts Soon

HOLLYWOOD, Dec. 20.—Shooting on "Don't Lead with Your Heart," Grand National's starring vehicle for Anna Sten, will start in January, the studio has stated, adding that seven other scripts will be ready for production at that time.

GIVE HER FOR XMAS



A PRESTO JR. RECORDING PHONOGRAPH

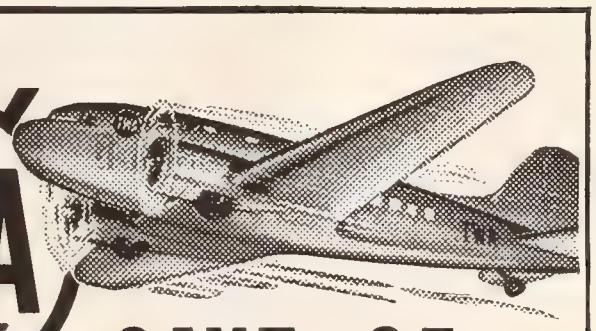
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A unique and original gift—extremely useful to the young actress or musician for voice training and—a riot of fun at any party.

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..BECAUSE THERE'S NOTHING ELSE ANYWHERE THAT CAN COMPARE TO THE FUN IN

HOLLYWOOD



All These Songs by the composers of 'Have You Got Any Castles?', Dick Whiting and Johnny Mercer: 'SILHOUETTED IN THE MOONLIGHT' • 'I'M LIKE A FISH OUT OF WATER' • 'I'VE HITCHED MY WAGON TO A STAR' • 'LET THAT BE A LESSON TO YOU'

All This Advertising —Two-page ads in radio publications and other leading magazines—followed-up with a giant day-and-date newspaper campaign everywhere!



Yours from *Warner Bros.* after three years of weekly plugging to 60 million radio listeners!

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HOLLYWOOD HOTEL

THE HOLLYWOOD HOTEL PROGRAM
with
LOUELLA PARSONS
FRANCES LANGFORD · JERRY COOPER · KEN NILES
DUANE THOMPSON · RAYMOND PAIGE & HIS ORCHESTRA

BENNY GOODMAN
AND HIS SWING BAND

Directed by BUSBY BERKELEY

Screen Play by Jerry Wald, Maurice Leo and Richard Macauley
Original Story by Jerry Wald and Maurice Leo · A First Nat'l Picture

U.S. Asks to Intervene in RKO Hearings

(*Continued from page* 1)

Bondy, the RKO reorganization goes into its final stages. Although objectors to the plan are comparatively numerous, especially among small stockholder groups, the plan has been approved in essence by Alger and has more than the required amount of creditor and stockholder assents. None of the principal creditors has filed objections to the plan. The hearings before Bondy undoubtedly will continue into January with the court's decision being made known possibly by the end of the month.

The principal phases of the reorganization remaining to be completed prior to court confirmation of the plan include the designation of a new board of directors of nine members to serve for an initial term of two years, which is now under discussion, and a designation of the value of the new RKO securities comprising the $1,600,000 issue to be underwritten by Atlas Corp., in accordance with the provisions of the reorganization plan, for providing new working capital for the reorganized company.

The new directorate is expected to be ready for submission to the court for approval during January. A designation of the value of the new securities is expected in the course of the hearings on the plan.

J. J. Franklin Takes San Francisco House

SAN FRANCISCO, Dec. 20.—The Strand, subsequent run operated by Herman Cohen here, has been taken over by J. J. Franklin, formerly associated with Franklin Theatres of Honolulu. Franklin will spend several thousand dollars on improvements to the house.

The 600-seat Rialto at Willows, near here, has been sold by Mrs. Sarah Daly to Fred Naify. Harvey Amusement Co. has added the Liberty at Coalinga to its circuit. The company already has the California in the town. The Orpheus in San Rafael, operated by Blumenfeld Theatres, is undergoing repairs.

Flash Previews

"Lady Behave." . . . Good story; well produced . . . two plots, resulting in a third . . . intriguing title, story content and name value.

"Mama Runs Wild." . . . Verbiage and gags sufficient for half a dozen short slapstick comedies. . . . Mary Boland is the mama . . . plenty in the picture for audiences to laugh at.

"Boss of Lonely Valley." . . . It'll do average business for Buck Jones fans . . . brings G-Men into the western field.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Criterion Plans Stunts

The Criterion will inaugurate a series of stunt nights after the first of the year, Charles B. Moss, manager, stated yesterday. A different stunt will be featured every night, according to Moss.

Looking 'Em Over

"I'll Take Romance"

(*Columbia*)

Columbia continues the Grace Moore formula in "I'll Take Romance." The picture compounds entertainment of smartly-paced story values, a plenitude of laughs, shrewdly applied seasoning of operatic selections plus bits of more popular stuff, all carried along ably by a top name supporting cast. The picture opens like the proverbial house afire and moves along as fast, as least for more than the first half. It coasts a bit toward the end, but winds up with a fat score.

In this Miss Moore again plays the opera star, but this time intent on going to Paris to fill a date even though she is legally tied to a previous engagement in Buenos Aires. Melvyn Douglas, a transplanted American, plays the impresario who has engaged the star. He comes north to persuade her to change her mind. With him he brings Stuart Erwin, who provides a lot of the laughs. Unable to meet the singer through conventional channels, Douglas manages to rent the apartment next hers and gets acquainted, without of course disclosing his identity or purpose. He manages to wangle his way into the confidence of Helen Westley, Miss Moore's aunt and chaperon and former opera star. From then on his path is a bit smoother.

Miss Moore falls for Douglas. He decides to kidnap her onto the South American boat, which leaves at about the same time as the Paris liner. Miss Moore overhears but goes for the idea anyhow. On the voyage, the star receives a cable from Miss Westley tipping off the plot, and from then on, with a few phony kidnappings in Buenos Aires, it's the usual touch and go until Miss Moore decides to let up on Douglas and marry him.

Plenty of pace keeps the story going and there are a number of comedy sequences that ring clearly. In addition to Erwin, there is also the reliable Margaret Hamilton, who contributes her share of laughs as a sort of privileged companion, and Miss Westley, too, holds up her end with ease.

For the music lovers there are sequences from the operas "Traviata," "Manon" and "Madame Butterfly" in addition to the theme song that bears the same title as the film itself.

Commendable is Edward H. Griffith's direction of the story by George Oppenheimer and Jane Murfin.

Running time, 87 minutes. "G."

(Additional Review on Page 11.)

Odlum Starts West; Option Deal Is Near

(*Continued from page* 1)

negotiations are being continued by Peter Rathvon, Atlas associate, in Odlum's absence. A minor portion of the securities, according to present indications, will be picked up under the expiring option and a new one-year option is to be granted for the purchase of the remainder. The price of the securities under the new agreement is said to be still unsettled, with RCA asking an increase in the $6,000,000 option price specified in the expiring agreement.

Plan Charity Opening

HOLLIDAYSBURG, Pa., Dec. 20.—The Blair here will open on Thursday with a special performance under the auspices of the Kiwanis Club, the proceeds to go to their fund for underprivileged children. Silverman Brothers of Altoona are the operators. The opening attractions will be "Thin Ice" and "The Man Without a Country."

M. Samuelson Promoted

CLEVELAND, Dec. 20.—When Warners' new 2000-seat Colony opens in Shaker Square Dec. 28, the manager will be Maurice Samuelson, who has been promoted to the job from Warners' Theatre in Portsmouth. Samuelson started with the Warner organization as usher at the uptown.

R. V. Anderson Quits Universal Newsreel

(*Continued from page* 1)

Warners for two years, but returned to Universal when Jack Schlaifer, then sales manager, sent for him to reorganize the business end of the department.

Interstate Bonuses Set

DALLAS, Dec. 20.—Employes of the Interstate Circuit are to receive Christmas bonuses this year as usual, it was made known today. The statement was issued in reply to a report from Houston that no payments would be made.

Levoy Leaves Republic

HOLLYWOOD, Dec. 20.—Albert E. Levoy has resigned as a Republic producer effective Jan. 1. Levoy produced six films including "Portia on Trial" and "Lady Behave." He has no immediate plans.

To Open in Cleveland

Warners will open the Colony, Cleveland, last of a number of new theatres constructed by the circuit this year, on Dec. 28. The policy will be straight films.

Guy Holmes Recovering

KANSAS CITY, Dec. 20.—Guy Holmes, city censor, is recuperating from a major operation at Menorah Hospital.

"Truth" Big As Chicago's Grosses Fall

CHICAGO, Dec. 20.—"The Awful Truth" moved from the Chicago after two weeks, continued strong at the Apollo to gross $6,600, which was slightly over average. Other houses were below normal in all instances, with the Christmas slump hitting a new low.

The Chicago, with "I'll Take Romance," failed to pull, as did "52nd Street" at the Oriental. "Dinner at the Ritz" was just fair at the Palace and "Thoroughbreds Don't Cry" at the Roosevelt opened to mediocre business.

The weather was the worst for holiday time in years with rain, sleet and snow making travel difficult.

Total first run business was $100,300. Average is $118,000.

Estimated takings:

Week Ending Dec. 16:

"I'LL TAKE ROMANCE" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Continental Varieties" Revue. **Gross:** $25,000. (Average, $33,000)

"DANGER; LOVE AT WORK) (20th-Fox)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $5,600. (Average, $6,500)

"52ND STREET" (U. A.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $15,000. (Average, $18,000)

"DINNER AT THE RITZ" (20th-Fox)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Ethel Waters and Revue. **Gross:** $16,000. (Average, $19,000)

"THE GIRL SAID NO" (G. N.)
SALT-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Vaudeville Revue. **Gross:** $12,800. (Average, $13,000)

Week Ending Dec. 17:

"THE AWFUL TRUTH" (Col.)
APOLLO—(1,400), 35c-55c-75c, 7 days. Gross: $6,600. (Average, $6,500)

"THOROUGHBREDS DON'T CRY" (M-G-M)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $10,000. (Average, $11,000)

"CONQUEST" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $10,700. (Average, $15,000)

Only 13 Films Are Banned by Legion

(*Continued from page* 1)

as unobjectionable for adults. In other words, 1,160 out of the 1,271 were approved by the Legion.

Of the total of 1,271, 228 were foreign films and 1,043 American. The 228 foreign films were in 13 different languages.

In a breakdown of the classification, the report showed that of the 13 films condemned by the Legion, six were American features and seven were foreign.

In the Class B, or objectionable in part division, of the 98 features thus list, 74 were American and 24 foreign productions.

Press Plea on Quota

LONDON, Dec. 20.—Producers have launched a new effort to obtain Parliamentary protection during the consideration of the new Films Bill. The attempt took the form of an amendment demanding an increase in the minimum cost for the distributors' quota to £40,000 and which would encourage reciprocity.

DEC. 21

The SHORTEST day in the year

destined to live LONGEST in motion picture memory

WORLD PREMIERE

TONIGHT

CARTHAY CIRCLE

LOS ANGELES

•

WALT DISNEY'S

FIRST FULL LENGTH FEATURE PRODUCTION

SNOW WHITE

AND THE SEVEN DWARFS

In the marvelous MULTIPLANE TECHNICOLOR

Distributed by RKO RADIO PICTURES, INC.

Warner Zone Heads End Sessions Here

Warner theatre zone managers and home office personnel who attended the quarterly meeting at the home office yesterday got together last night for an informal dinner in the Terrace Room of the St. Moritz. Some of the out-of-town men left for their headquarters following the affair and others will depart today.

Among those who attended were: Joseph Bernhard, James Coston, Nat Wolf, I. J. Hoffman, Don Jacocks, Moe Silver, Ted Schlanger, Harry Kalmine, John Payette, Herb Copelan, Howard Waugh, Clayton Bond, Ed Hinchy, Frank Phelps, Stewart W. McDonald, Harry Goldberg, Nat Fellman, Leonard Schlesinger, Harry Rosenquest, Frank Marshall, Maurice Henry, Dan Triester, Mort Blumenstock, Byron F. Moore, Abel Vigard, Jim Brennan, Lou Kaufman, Harry Kaplowitz, Frank Cahill, Herman Maier, Harry Mayer, Don Sherwood, Jules Levey, Max Blackman, Rudy Weiss, Lou Brager and Ben Wirth.

Cooper Going to Frisco

SEATTLE, Dec. 20. — Roy Cooper, who resigned as general manager of John Danz's Sterling circuit here effective Jan. 1, will go to California after a brief vacation.

Early in January he will become San Francisco division manager for the Golden State Amusement Co.

Citizens Seek Theatre

MEXICO CITY, Dec. 20.—Craving for film entertainment has prompted a citizens' committee of Tlalnepantla, a prosperous town in the state of Mexico near here, to petition the Federal Government to exert its good offices toward inducing establishment of at least one theatre in the community.

Della Lind Assigned

HOLLYWOOD, Dec. 20.—Della Lind's American film debut will be in the Laurel and Hardy musical, as yet untitled, now in preparation at the Hal Roach studios. The singing actress was imported from Europe by M-G-M, and a loan deal has been signed.

Dickinson Takes House

KANSAS CITY, Dec. 20.—The Glen W. Dickinson circuit has taken over and will operate W. A. Weaver's Ritz, Leavenworth, Kan. This gives the circuit 30 units which it operates: one in Iowa, 10 in Missouri and 19 in Kansas.

Louisville Hearing Set

LOUISVILLE, Dec. 20.—Judge N. C. Cureton, Federal referee in bankruptcy, has set Dec. 28 for a hearing on the petition of Morris W. Jones, trustee, to sell the real estate and personal property of Abe Bass, owner of the National Theatre Building here.

Publish Book on Sound

The Research Council of the Academy has published a book, "Motion Picture Sound Engineering," which was prepared by a group of studio sound engineers. The book, of 525 pages, includes the lectures before the council's sound course classes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Every Day's a Holiday"

(*Paramount*)

HOLLYWOOD, Dec. 20.—Mae West turns lightly from lechery to larceny at this point in her life's work and the result is louder and funnier than any of her sultrier exhibitions. A preview audience composed of seasoned guinea pigs indicated by lustier laughter than the titterish snickerings accorded her earlier outgivings that the turn is definitely for the better. The picture has its full quota of Westian double entendre, to be sure, but unlike its predecessors it also contains other and untainted humor dispensed by such competent comedians as Walter Catlett, Charles Butterworth, Herman Bing and Charles Winninger, who repeatedly steals the show from all hands.

Although in no sense to be construed as inspirational material for the growing child, nor even as an instrument of moral uplift for adults, the production is a consummately compounded document in the mode and manner of the John Held, Jr., woodcuts and quite likely to click off substantial box-office returns in theatres and communities where sophisticates figure importantly in the commercial scheme. In this enterprise Miss West exercises her wit more and her wiles less than usually. She enters the picture as a Manhattan confidence woman of 1899, selling the Brooklyn Bridge to Herman Bing, and leaves it as a triumphant fugitive from justice after selling New York City as mayor the honest policeman who has declined to serve any of the 25 warrants duly issued for her arrest. In the course of this blithe spoofing of the Production Code General Principle No. 3 she burglarizes a department store and the New York Police Dept. archives in hilarious violation of Part A, Rule 2, Section 1 of the same document and commits enough anachronisms, linguistic and musical, to prove almost positively that it's all condonable in the name of good and relatively clean fun.

Edmund Lowe is the honest policeman who doesn't serve the warrants and Lloyd Nolan is the dishonest politician who discharges him because he doesn't. George Rector appears briefly as himself and Louis Armstrong is himself leading a battalion of trucking Harlemites in the 1900 torchlight parade. Four song numbers used with telling effect are the work of Sam Coslow, Hoagy Carmichael, Stanley Adams and Barry Trivers. Miss West sings one of them first in French and again in English, with different gestures.

A. Edward Sutherland turned in a finely measured direction job and Producer Emanuel Cohen may be said to have "shot the works." The net result of all of these individual contributions is a picture admirably qualified to determine by test whether the market for Mae West is still there.

Running time, 80 minutes. "A."

Argentine Business Active—Cammack

Theatre construction and film production in the Argentine are continuing at a steady pace, Ben Cammack, Latin American general manager for RKO, stated yesterday.

Luiz Seeveriano Ribeiro, who operates about 30 houses in Rio de Janeiro, has completed a 3,000-seat theate, the Sao Luiz, which will be ready for opening Dec. 22, according to Cammack.

This year the Argentine will produce about 50 pictures and Mexico a similar number, he said. Brazil will make five and Peru one.

Cammack said Hollywood productions are "still tops and the most popular" in the country. They comprise about 75 per cent of the total number of pictures shown in South America.

The Italo-Chilena circuit of 30 units in Santiago and Valparaiso and suburban towns; The Ideal, Rex, Ambassador and Florida, Buenos Aires, operated by Lauteret, and Caballo have signed for RKO product, Cammack asserted. This is his first trip here since last June, when he attended the company's sales convention in Hollywood.

Creditors Give Conn Assent to Continue

LOS ANGELES, Dec. 20.—Creditors unanimously agreed today to permit Maurice Conn to conduct the affairs of Ambassador Pictures, Inc., and Conn Prod., Inc., pending reorganization of the companies under Section 77B of the Bankruptcy Act. Federal Judge George Cosgrave approved Conn's status after a long conference of the producer with his creditors.

Open Mexican Studio

MEXICO CITY, Dec. 18.—Film facilities will be increased here with the establishment of a studio-laboratory by Gabriel Garcia Moreno, who has acquired equipment in the United States worth $50,000. The studio staff is to include two American technicians, George Fallon and Douglas Winnie.

New Company Formed

ALBANY, Dec. 20.—French American Prod., Inc., has been chartered here, with directors listed as Kurt Robitschek, Ilse Bois and Sylvia J. Stander, all of New York.

Election Restores Harmony to Writers

HOLLYWOOD, Dec. 20.—Peace and harmony reigns between various factions of the Screen Writers' Guild of the Authors League of America, as a result of a surprise move in which the officers and board of directors were unanimously reelected by acclamation last night.

The officers are: Dudley Nichols, president; Charles Brackett, vice-president; Frances Goodrich, secretary; John Grey, treasurer, and Sheridan Gibney, Albert Hackett, Dashiell Hammett, Lillian Hellman, Brian Marlow, Jane Murfin, Dorothy Parker, Samson Raphaelson, Morrie Ryskind, Donald Ogden Stewart and Edwin Justus Mayer, directors; Philip Dunne, Boris Ingster, Ring Lardner, Jr., Frank Partis, Tristram Tupper and Anthony Veiller, alternates.

Veiller, chairman of the membership committee, reported that the Guild now has 470 active voting members and 75 associates.

Close Deal on Songs

Hollywood Songs, Inc., has completed a deal with Principal Pictures to publish two songs from "Hawaiian Buckaroo." They are "Hawaiian Memories" by Albert von Tilzer and Eddie Grant and "Ridin' to the Rhythm of the Round-Up," by Albert von Tilzer and Harry McPherson. The same music publishers handled the songs for "Roll Along Cowboy." Both films will be released by 20th Century-Fox.

Donate Teaching Film

A six-reel film designed to train teachers in progressive educational methods has been donated to the Board of Education of New York by the Metropolitan Branch of the Visual Instruction Dep't of the National Education Ass'n. The film was made in 16 mm. and produced and directed by H. Threlkeld Edwards.

Wall Street

Gains Dot Board

	Open	High	Low	Close	Net Change
Col.	14½	14⅝	14½	14½	+ ½
Col., pfd.	28½	28½	28½	28½	.....
Cons.	1⅜	1⅜	1⅜	1⅜	.....
Cons., pfd.	7¼	7½	7¼	7⅜	— ⅛
E. K.	165	167	165	166	+3
G. T. E.	12¾	13	12¾	13	+ ⅜
Loew	49½	50½	49½	49⅞	+ ⅜
Loew, pfd.	103¾	103¾	103¾	103¾	— ¼
Para.	10¾	11	10¾	10⅞	.....
Para. 1	92	92	92	92	+6
Para. 2	11	11	10¾	11	+ ⅜
Pathe	6⅜	6⅜	6⅛	6⅛	— ⅛
RKO	4⅛	4¼	4	4¼	.....
20th Fox.	21⅜	21¾	21¼	21¾	+ ½
20th, pfd.	27⅜	28	27¼	28	+1
W. B.	6⅞	7	6⅞	6⅞	.....

Curb Moves in Fractions

	Open	High	Low	Close	Net Change
G. N.	15/16	15/16	⅞	⅞	.....
Monogram	1⅝	1⅝	1⅝	1⅝	+ ⅛
Sonotone	1⅞	1⅞	1¾	1¾	— ⅛
Tech.	18½	18½	18	18⅛	— ⅜
Trans-Lux	3	3	2⅞	2⅞	.....
Univ. Pict.	3¾	3¾	3¾	3¾	+ ⅛

Light Bond Activity

	High	Low	Close	Net Change
Loew 3½s '46	97½	97½	97½	— ¼
Para. Pict. 6s '55	89½	89¼	89¼	+ ¼
Para. Pict. '47	73⅝	73⅝	73⅝	— ⅜
RKO 6s '41	87	87	87	.....
W. B. 6s '39	74½	74	74½	+ ½

(Quotations at close of Dec. 20)

NBC Receives FCC Request On West Show

(*Continued from page* 1)

program that a skit on it last Sunday offended the religious sensibilities of some of our listeners. Our hope is to make each and every hour spent with us both entertaining and edifying. We pledge ourselves to that purpose and sincerely regret any unintended offense that may have been given."

It is believed that this is the first instance of a sponsor assuming guilt for having offended listeners to its program, and acknowledging that guilt on the air by broadcasting an apology.

In asking for a full report on the Mae West broadcast, including a copy of the script, a copy of the contract of Chase & Sanborn and the names and locations of the programs carrying the program, McNich explained that the commission has received a great many letters protesting the broadcast.

Letters Emphatic

"If the writers of the many letters were correct in referring to the Mae West skit as profane, obscene, indecent, vulgar, filthy, dirty, sexy and insulting to the American public, then I have no hesitancy in saying that the licensees of the stations over which it was broadcast have been derelict in the discharge of their duties," said McNinch in his letter.

He stated, however, that the commission had not prejudiced the case, holding its decision "until all the facts are before it."

Regarding the number of stations which carried the broadcast, the Chase & Sanborn network comprises 61 stations of the Red network.

With public apologies offered by all concerned with the broadcast, the Rev. Dr. Maurice S. Sheehy, head of the Dep't of Religion of Catholic University, who earlier in the week had called for extension of the Legion of Decency drive to cover radio, declared yesterday that he was satisfied and would pursue the matter no further. Dr. Sheehy characterized the whole episode as "a mistake."

Demands License Be Revoked

WASHINGTON, Dec. 20.—Addressing the F. C. C. by letter, Representative Connery (Dem., Mass.), demanded today that the F. C. C. revoke the license of the radio station from which Mae West's broadcast on the Chase & Sanborn hour originated last week. He declared that broadcast was "indecent."

[The Chase & Sanborn program does not originate in any one station. The program is aired from the NBC studios in Hollywood, and is piped to 61 stations of the Red web.—Ed.]

Connery said that the "commission was derelict in enforcing the Communications Act." He announced he would demand a Congressional investigation of the commission at the next session of Congress. "It is time," he wrote, "the commission either functioned in the interests of the American people or admitted incompetence and permitted the President to place men on the commission who will function in the interests of the American people, rather than satelites acting for the additional enrichment of a private few." He inquired if it were true that the president of NBC (Major Lohr) had personally authorized the broadcast of the program.

Representative Donald L. O'Toole (Dem., N. Y.), joined in the demand for a probe, declaring radio quality has lowered recently. He revealed that he had filed a complaint with the F. C. C. on the program shortly after it ended.

Carol Campaign

Cincinnati, Dec. 20.—Peter Grant, newscaster, has invited Paul Kennedy, radio editor of the *Cincinnati Post*, to tell the world why he objects to the unlimited playing and singing of the carol, "Silent Night." Kennedy will air his campaign to save the carol during Grant's program tomorrow. Kennedy, through his column, recently began a campaign to preserve the favorite Christmas song.

Weber Predicts 200 IRNA Station Pacts

Two hundred contracts from the I.R.N.A. stations will have been received by tomorrow, when the deadline for the documents will be reached, it was estimated yesterday by Joseph N. Weber, president of the A. F. of M.

Weber appeared optimistic over the outlook, and he indicated that it was only a question of a comparatively short time before his plan to bring about a re-employment in radio of hundreds of musicians now unemployed, would be declared operative.

In all probability, the A. F. of M. head and the I.R.N.A. committee will meet tomorrow at the office of the Federation.

New Child Air Show To Be Heard on NBC

A new children's dramatic series, "Dick Tracy," based on the newspaper comic strip, will be inaugurated over the NBC-Red network Jan. 3. The contract is for 13 weeks. Quaker Oats Co. will sponsor over 12 stations. The schedule is for Mondays through Fridays, from 5 to 5:15 P. M. Fletcher & Ellis of Chicago is the agency.

Morrell Will Have New Series on NBC

John Morrell Co. will sponsor a new series over the NBC-Red network starting Jan. 9 from 2 to 2:15 P. M. and Sundays thereafter at the same time for 26 weeks. The show will feature Bob Becker and guests and Irma Glen at the organ. The program will originate in Chicago and will be offered over 18 stations. Henri, Hurst & McDonald is the agency.

Higgins Executive Of Fizdale Agency

Don Higgins, formerly director of publicity for CBS, has been appointed vice-president and news director of Tom Fizdale, Inc. Higgins will assume his new duties today, and will operate from the New York office of the publicity firm.

Radio Personals

MARY MARGARET McBRIDE, CBS commentator, will fly to Florida Dec. 23 to spend the Christmas holidays with her family. Her broadcasts will emanate from that state during her stay there . . . Dorothy Gordon will present her twice annual "Children's Carnival" from the stage of the Windsor Theatre, beginning Christmas day and continuing twice daily to Jan. 2 . . . Her CBS "Children's Corner" programs during that period will be presented from the theatre . . . Fernand Gravet and Florence Rice will be presented on the final "Silver Theatre" program Dec. 26 in a vehicle as yet to be selected.

✚

San Francisco Town Pump

SAN FRANCISCO, Dec. 20.—Vocalist Grayce Joyce (KPO), stricken shortly before a broadcast, was rushed to a hospital for an ear operation. She will return to the air Jan. 1. . . Roger Burke's band will follow Harry Owens at the Sir Francis Drake (MBS) Dec. 30, with Roger Pryor's orchestra opening there Jan. 20. . . Hal Burdick, former Seattle newspaperman whose "Night Editor" stories are aired each Sunday night over KPO and the coast Red network, will fly to Seattle during Christmas week to "em cee" a charity frolic. . . After six months on NBC's coast Red network, "Dr. Kate," a country doctor serial, leaves the air Jan. 1.

Court Upholds Sale Of KTHS, Arkansas

LITTLE ROCK, Ark., Dec. 20.—Removal of KTHS from Hot Springs National Park to Little Rock and increase of power from 10,000 watts became a possibility today when the Arkansas Supreme Court upheld the right of the board of Governors of the Hot Springs Chamber of Commerce to sell the station to Col. T. H. Barton of Eldorado.

The board contracted early in 1936 to sell the station to Barton and Radio Enterprises, Inc., for $75,000. Members of the chamber contested the sale in court.

Col. Barton, through his representative, G. E. Zimmerman, vice-president and general manager of Radio Enterprises, Inc., today said that approximately $200,000 would be expended on the station if the F. C. C. approves its removal to Little Rock. Zimmerman is in charge of KARK, Little Rock NBC outlet.

Paul Crowley to Handle Art

HOLLYWOOD, Dec. 20.—Paul Crowley has been signed as art director to arrange the scenery for the "Good News of 1938" broadcasts at the El Capitan Theatre.

Miss Carroll, Aherne on Lux

Madeleine Carroll and Brian Aherne will be starred in the Lux "Radio Theatre" presentation of "Beloved Enemy" to be broadcast over CBS Dec. 27.

Federal Promotes Robinson

D. E. Robinson, director of research and personnel, has been appointed general manager of the Federal Advertising Agency, Inc.

Radio Treaty Ratification To Be Delayed

(*Continued from page* 1)

eliminated with one exception. The United States will not lose any stations by the pact, which, however, will require the shifting of stations from a number of frequencies to higher channels, some as much as 40 kilocycles. Increases in power also will be required for stations suffering from interference, with clear channel stations divided into two groups, one having minimum power of 50,000 watts. A dozen stations will be put into the band between 1,500 and 1,600 kilocycles, not long ago set aside for broadcasting.

Pointing out that the agreement will assure better reception in the future, Craven said, "The price paid by the United States for this improved service and the prevention of chaotic radio conditions is remarkably small because not one of its 700 broadcasting stations is seriously affected."

The favorable terms were reached, he explained, in the face of demands from the other three countries for many channels additional to those they now use, the granting of which would have forced many American stations off the air.

Prepare Disc Show For Mutual Airing

COLUMBUS, Dec. 20.—Under the direction of Abram Ruvinsky, a 16-piece string ensemble is making the first of a 26-week series of transcribed quarter-hour programs, under the title of "Vanity Box," sponsored by the House of Del Van, Ft. Wayne, Ind. They will be aired over WHKC, local Mutual outlet, Monday through Saturday, with WOWO, Ft. Wayne, carrying the broadcast concurrently.

The recordings are being made in the local studio under supervision of Edward Anderson, chief engineer, from scripts prepared by the WHKC continuity staff. Robert French, production manager, is producing the show, and Charles V. Lutz will be the announcer.

Colgate Renews Two Programs Over CBS

Colgate - Palmolive - Peet yesterday renewed two of its current programs on CBS. Extensions are for a year.

The "Myrt & Marge" series, heard Mondays through Fridays, from 10:15 to 10:30 A. M., is renewed, effective Jan. 3. The series is broadcast over 60 stations.

"Gang Busters," broadcast Wednesdays from 10 to 10:30 P. M., over a 57-station hookup, is renewable, effective Jan. 12. Both programs are handled through Benton & Bowles.

Report Ruffner Quitting R & R

Well founded rumors last night had it that "Tiny" Ruffner, Ruthrauff & Ryan vice-president and producer of that agency's west coast network productions, had handed in his resignation and that it had been accepted.

According to the same report, Ruffner will shortly become identified with Young & Rubicam.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 147 NEW YORK, WEDNESDAY, DECEMBER 22, 1937 TEN CENTS

Federal Move In RKO Setup Is Withdrawn

Action Due to Ending of Hickey's Objections

Edward J. Hickey, an RKO stockholder of Washington, D. C., informed Federal Judge William Bondy in U. S. District Court here yesterday that he was withdrawing his objections to the RKO reorganization plan which Hickey had advanced on the grounds that Section 77-B of the Bankruptcy Act was unconstitutional.

On the basis of Hickey's contentions, Lamar Hardy, U. S. Attorney for the New York district, had filed a petition with the Federal court here for leave to intervene in the RKO reorganization proceedings in order to answer Hickey's allegations of the unconstitutionality of the Federal reorganization statute. The Government's petition was to have been returnable today, but as a result of Hickey's withdrawal of his objections Hardy will not pursue the application to intervene at this time. The

(*Continued on page 7*)

Congress Adjourns; Mileage Bill Voted

By BERTRAM F. LINZ

WASHINGTON, Dec. 21.—The special session of Congress adjourned tonight, its most important legislative contribution being the appropriation of mileage allowances for its members.

Of the important matters on the President's program, the Hour and Wage Bill was sent back to committee, probably to die; the Farm and Housing Bills were passed by both houses and sent to conference.

Nothing was done during the session with respect to motion picture, radio or tax legislation, all of which were deferred until the January session.

O'Toole Urges Radio Censor in Statement

WASHINGTON, Dec. 21.—Representative O'Toole of New York, in a statement for the *Congressional Record,* denounced Mae West's skit on the recent Chase & Sanborn program as an "all-time low" in radio entertainment.

Proposing that Congress investigate radio, he said, "Few people in this country like censorship, but if a company has not sufficient sense not to allow such a program as that of Dec.

(*Continued on page 8*)

Dismiss Gary Suit Against Paramount

INDIANAPOLIS, Dec. 21.—The Gary Theatre Co. today asked and was granted dismissal of its suit in U. S. District Court here for an injunction compelling Paramount to deliver 10 feature pictures allegedly under the 1936-1937 contract but not delivered.

The request asked that the suit be dismissed without prejudice and this also was granted by Judge Robert C. Baltzell. The plea came just as the judge sat down to begin work on a stack of briefs totaling several hundred pages filed by both sides.

Perry E. O'Neal of the law firm of Dailey, O'Neal, Dailey and Efroymson, legal representatives in Indianapolis, for Paramount, asserted that he knew of no settlement in the case. However, informed sources here believe that the plaintiffs have reached an agreement satisfactory to them with the producer and that there is a strong possibility of friendly relations hereafter. Plaintiffs in the action were the Gary Theatre Co., Young Amusement Co. and Theatrical Managers, Inc. V. U. Young of Gary is president of all three.

The action was begun in September

(*Continued on page 10*)

California Banning Every Chance Game

SAN FRANCISCO, Dec. 21. —Bank Night, Screeno and all similar games today were declared illegal by State Attorney General Webb in a letter to all district attorneys and police heads.

"Such schemes are illegal, however played," said Webb. He added that those who followed the game by standing in the lobby without paying admission are also participating in illegal gambling.

No U. S. Pressure

London, Dec. 21.—Oliver Stanley, president of the Board of Trade, declared in the House of Commons today that the British Government has received many communications from Washington concerning films but none referring specifically to separate quotas or a film commission, and no attempt has been made to impose pressure in any regard.

Ted Healy Is Dead; Heart Attack Cause

HOLLYWOOD, Dec. 21.—A comparatively few hours after preview audiences had acclaimed his work in Warners' "Hollywood Hotel," Ted Healy early today was stricken with a heart attack and died at 11 A. M. Death came at his home in Westwood. He is survived by his widow, the former Betty Hickman, whom he married in 1936, and by an infant son, John Jacob, born last Friday, to Mrs. Healy who is in University Hospital and has not been informed of her husband's death.

Healy was born in Houston, Tex., Oct. 1, 1896, and was educated at Holy Innocents School in that city and at De La Salle Institute in New York. Following seven years of successful stage and vaudeville experience he entered films in 1930 and since that time has appeared in many of the leading productions of 20th Century-Fox, Warners and M-G-M, to whom he was under contract at the time of his death.

Services for Healy have been tentatively set for Thursday at St. Augustine's Catholic Church in Culver City. Meanwhile, the body is at the Noice, Smith & Salisbury funeral chapel.

CBS Has Highest Business Volume of Any Air Network

CBS, for the second consecutive year, has the highest business volume of any network in radio history, the annual figures reveal. A breakdown for 1937 shows a business total of $28,828,058 for 1937, an increase of 24.4 per cent in gross billing, or $5,659,910 over 1936, when the billings totaled $23,168,148. The December billings are estimated.

The breakdown also shows increases in total billings for 13 different industries, and a 25.9 per cent greater average expenditure per client. It shows also that the $8,728,312 spent for daytime gross billings in 1937 almost doubles the amount spent for morning and afternoon advertising in the previous year.

In the way of classifications, soaps and household supplies accounts gained

(*Continued on page 8*)

Additional Radio Developments—Pp. 8-10

Universal to Group Shorts, Feature Sales

Plan No Successor for Edward Bonns

Universal's short subject sales department will be consolidated with the feature sales under the plans being inaugurated after the first of the year, when William A. Scully takes over the post of Universal general sales manager. In line with these plans no successor to Edward Bonns, who resigned as short subject sales manager this week, will be named.

Present indications are that no assistant to Scully will be named to fill the post for which Lou Weinberg, Columbia circuit sales manager, had been slated. Division sales managers were advised by Scully during their meeting here last weekend that no promotions would be made except from the ranks. While the post of assistant sales manager may not be created, the post of western division manager may be filled by Scully after the first of the year.

Selection Plan on Awards Meets Delay

HOLLYWOOD, Dec. 21.—The shaping of final plans for the selection of nominees and the final voting for the four acting awards of the Academy today were held up pending additional conferences among leaders of the Screen Actors' Guild, which has been asked to determine the method of balloting.

The guild representatives on the awards committee, which last night proposed that only guild members nominate and determine final winners, agreed to confer with guild leaders again after it was pointed out that in the writers' and directors' awards, all writers and directors will nominate in their respective classifications while the final balloting will be thrown

(*Continued on page 7*)

Examination Ordered In Raw Stock Action

Herbert J. Yates, president of Consolidated Film Industries, Inc., and R. I. Poucher, vice-president, were directed to appear for an examination before trial on Jan. 4 by Justice Charles B. McLaughlin in the N. Y. Supreme Court yesterday. Consolidated, Universal, Eastman Kodak, J. E. Brulatour, Inc., Print Stock Corp., Jules E. Brulatour, Carl Laemmle and

(*Continued on page 7*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hollywood Hotel"

(Warners)

HOLLYWOOD, Dec. 21.—Warners' entry in the film musical sweepstakes, "Hollywood Hotel," serves to hold for the company a leading place in that phase of film fare. Public reaction to the preview indicated that the picture should be headed for top grosses everywhere, and among all types of audiences. It provides exhibitors with a wealth of exploitation material, the value of which appears only limited by the extent of its use.

The advance information that the film would top anything the studio has turned out in musical and related glamor and magnitude, appears to be borne out. Lavishly produced, it tells a Hollywood success story that sparkles with romance and comedy and moves swiftly to the tune of eight or 10 catchy melodies. It is a picture of Hollywood via the radio program of the title name.

Romantically it is the story of a country boy who has won a Hollywood contract and an extra girl who is the image of a temperamental star. The comedy angle concerns the star and a handsome "ham." The combination makes for drama and comedy, with the laughs dominating. Dick Powell hits the heights when he is asked to accompany Lola Lane, leading star, to a premiere. But she balks and Rosemary Lane is hired as a substitute. Their hour of glory is short, as Hugh Herbert and Ted Healy add to the merriment.

The couple end by working in Edgar Kennedy's drive-in restaurant. A sensation as a singer there, Powell is hired to sing for Alan Mowbray, and the latter's expert mimicking sent the preview audience into stitches. Mowbray is engaged to sing on Louella Parson's radio program, and the secret is out. With Mowbray's reputation at stake, Powell disappears, but is found by Healy. Again Rosemary Lane simulates the star and Mowbray is taken for a ride. The tuneful and highly effective finale features Raymond Page and his orchestra and the combined playing and singing of swing numbers in which Benny Goodman and his band join, while Powell and Rosemary are assured of their coveted picture contracts.

Listing all those entitled to credit would mean noting the entire cast. Besides those named, Allyn Joslyn, Glenda Farrell and Curt Boris deserve special mention. Jerry Wall and Maurice Leo, who did the story, and Richard Macauley, who collaborated on the screenplay, touched on everything that can or has happened in Hollywood, yet maintained a continuity. Richard Whiting and John Mercer did the music and lyrics, and Busby Berkeley, in his direction, took a few liberties, but gave the film a showmanship flair. It is a picture for the exhibitor to push for all it is worth.

Running time, 110 minutes. "G."

(Additional Reviews on Page 7)

Board of MPPDA In Routine Session

The quarterly meeting of the board of the M. P. P. D. A. was held yesterday with 10 directors or their representatives in attendance. Only routine business was transacted by the meeting, according to a Hays office statement. Attending the session were Barney Balaban, Paramount; Harry Buckley, United Artists; R. H. Cochrane, Universal; Jack Cohn, Columbia; E. W. Hammons, Educational; E. B. Hatrick, Cosmopolitan; Will H. Hays, president; Sidney R. Kent, 20th Century-Fox; Nicholas M. Schenck, M-G-M; Albert W. Warner, Warners; Carl E. Milliken, M. P. P. D. A. secretary; George Borthwick, assistant treasurer, and Joseph Hazen, Warner legal aide.

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ADOLPH POLLAK General Mgr.

Music Hall Expects $83,000 on the Week

"I'll Take Romance" is expected to finish with $83,000 at the Music Hall tonight. According to the management, the business on the first week of the picture is 25 per cent better than any year for pre-Christmas Week.

Postpone Dietrich Film

HOLLYWOOD, Dec. 21. — "French without Tears," Paramount's forthcoming Marlene Dietrich starring vehicle, has been postponed and Miss Dietrich will be permitted to make a picture elsewhere before resuming work on the current film. Paramount stated that the postponement was caused by "story difficulties and casting problems" and that the decision was reached amicably between the actress and Adolph Zukor.

Doyle En Route Here

LONDON, Dec. 21.—Stuart F. Doyle, former managing director of Greater Union Theatres, Australia, left England today on the *Berengaria*, en route to New York, Hollywood, Australia and South Africa.

Wide Publicity Goes To Disney's Feature

HOLLYWOOD, Dec. 21.—An unusual number of publicity "breaks" have been obtained for the Walt Disney cartoon feature, "Snow White and the Seven Dwarfs," in national magazines of general circulation.

The "breaks" include three pages in *Life*, two pages in *Stage*, the cover and a Disney article in *Time*, an article in *Collier's*, another in *Liberty*, "Snow White" stories in *Good Housekeeping*, an article in *Town and Country*, considerable space in *McCall's*, with color plates; articles in *This Week*, *Country Home Magazine*, *Better Homes and Gardens*, four pages in *Popular Science* and an elaborate article scheduled for *Popular Mechanics*. The publicity material was handled through Gregory Dickson, in charge of Disney studio publicity.

Knighters to Lunch

The Monday Knighters will hold a Christmas party tomorrow at the Tavern during lunch hour. It's an annual affair with the local exhibitor-exchange men.

Arthur Loew Gives Presents to Staff

Arthur Loew, head of the M-G-M foreign department, yesterday gave out personal bonuses to approximately 60 employes in the home office and New York exchange of the international department. The gifts from Loew amounted to a week's salary and an extra $25 for Christmas dinners for employes' families.

Exclusive of this annual gesture by Loew, all employes of the company who earn $100 a week, or less, will be given two weeks' salary.

Loew will sail Sunday on the *Normandie* for a five-month tour of foreign offices under his jurisdiction.

Coast Dinner Swells Jewish Charity Fund

Contributions by members of the theatrical and film industries to the New York-Brooklyn campaign of the Federation for the Support of Jewish Philanthropic Societies reached a total of $134,200 as a result of an additional $37,050 raised at a dinner in Hollywood Monday night.

The dinner on the coast was held at the Hillcrest Country Club and the contribution figures were phoned by Chairman Louis K. Sidney to amusement division headquarters at the Hotel Piccadilly here.

The Federation is seeking to raise a grand total of $6,250,000 for 116 affiliated welfare agencies.

Warners-Stanley Officers Renamed

Directors of Warners and Stanley Co. of America, theatre subsidiary, yesterday reelected all officers at an annual meeting held at the home office. Harry M. Warner is president of the parent company; Jack L. and Albert Warner, Sam E. Morris and Herman Starr, vice-presidents; Albert Warner, treasurer; Samuel Carlisle, W. Stewart McDonald and Paul A. Chase, assistant treasurers; Robert W. Perkins, secretary and general counsel; Harold S. Bareford and E. K. Hessberg, assistant secretaries; Carlisle, comptroller.

The meetings held yesterday were routine and were not attended by the president, who is on the coast.

Organizer Opposes CIO in Hollywood

HOLLYWOOD, Dec. 21.—The C. I. O. will not attempt to organize Hollywood workers, if its leaders follow a report and recommendations of R. W. Kohl, director of film organization, who, upon completing a survey of the field, resigned to return to his former A. F. of L. local membership.

Kohl withdrew from the M. P. Painters' Local 644 some time ago to become C. I. O. organization director for the film industry. His resignation took effect yesterday.

In his report he said: "It would be ill advised to start a C. I. O. organization drive in Hollywood."

Ampa to Present Gifts

Gifts will be distributed to guests and members of the Ampa tomorrow at the Christmas luncheon at the International Casino. The entire proceeds of the annual festivities will go to the *Film Daily* Relief Fund.

ROSALIE

Nelson Eddy
Eleanor Powell

M-G-M's happiest holiday gift of all!







Merry Christmas!
Happy New Year!

ROSALIE

starring

NELSON EDDY
ELEANOR POWELL

featuring:

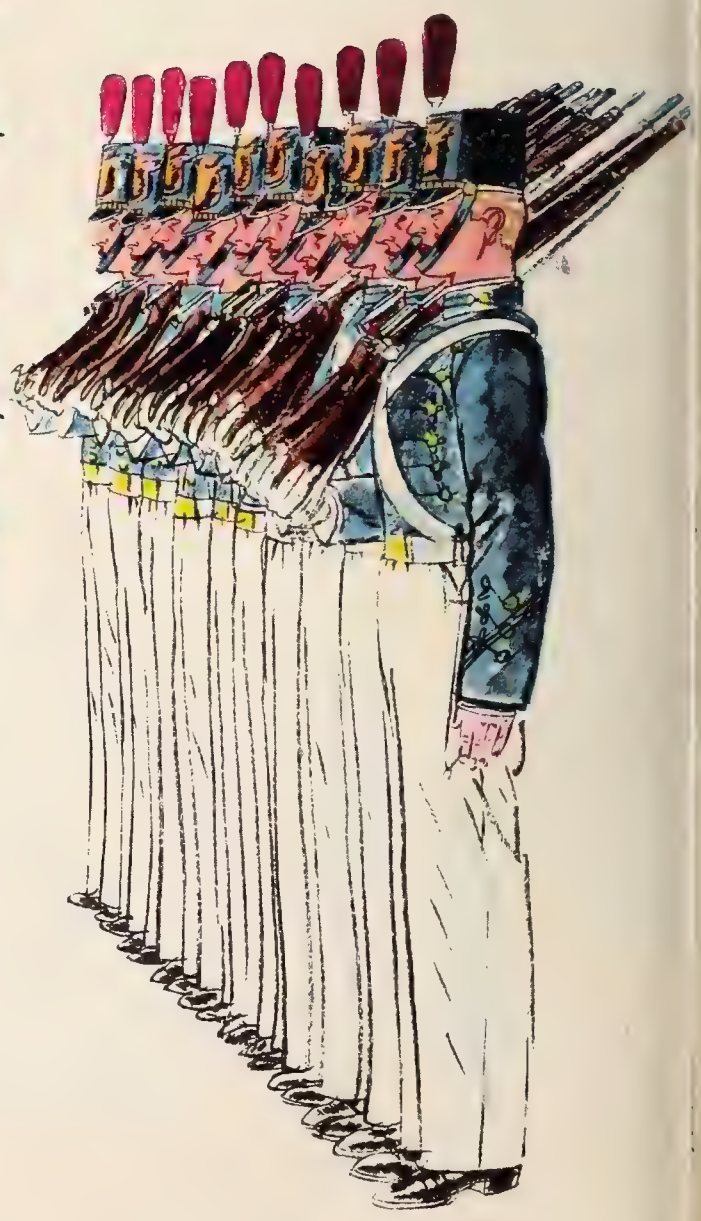
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Reginald Owen • *Screen Play Written and Produced by William Anthony McGuire*

COLE PORTER SONG HITS!

Directed by W. S. VAN DYKE II







LITHO U.S.A.

Purely Personal

SHIRLEY TEMPLE is now on vacation prior to starting work in "Little Miss Broadway," her next film.

•

CHARLES STERN, U. A. district manager, is back from a tour of Boston, Buffalo, Washington and New Haven exchanges.

•

PHILLIPS HOLMES, who was scheduled to arrive tomorrow on the *Normandie,* missed the boat at Southhampton.

•

LOIS CAMPBELL, Paramount player, will leave the coast by plane Friday for Chicago, where she will spend the holidays with her family.

•

TYRONE POWER will arrive here on the Century Dec. 30 to attend the world premiere of "In Old Chicago."

•

GEORGE J. SCHAEFER and JAMES MULVEY will return from the coast today.

•

LOUIS WEBER has left N. Y. Hospital and is recuperating at this home from a second operation.

•

PEGGY GOLDBERG of G. B. will leave on the *Georgic* holiday cruising in the West Indies.

•

A. W. SMITH, JR., general sales manager for United Artists, will leave today by train for Miami.

•

ANATOLE LITVAK, European director under contract to Warners, is due tomorrow on the *Normandie.*

•

URSULA PARROTT's story, "Infidelity," has been purchased by M-G-M.

•

MORT NATHANSON flew to Boston yesterday.

Rogers Named Producer

HOLLYWOOD, Dec. 21. — Bogart Rogers, who recently has been a story aide for William LeBaron, managing director of Paramount production, today was named a producer.

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• Only American takes you by the comfortable all year route, through southern sunshine, to the coast. Overnight through service. No change of planes. The Mercury leaves 5:10 pm. The Southerner leaves 9:00 pm.

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AMERICAN AIRLINES, INC.

The Newsreel Parade

Movietone News

Vol. 20, No. 29

(20th Century-Fox)

The review of 12 different sports at the tail end of this issue is easily the most interesting sequence. The roster of activities from aquatics to yachting is paraded with a number of "in action" scenes. Ed Thorgersen reels off the statistics connected with each event.

For the rest of the reel there are scenes of army movements in China, Russian parachute jumping, personalities aboard the new Union Pacific streamlined train en route to Sun Valley, Idaho, and Lew Lehr pulls a fast one on Floridian braggadocio when scenes of bathing girls lampooning the state's balmy climate are shown. The girls picket the Chamber of Commerce and do a sit down on account of the chilly weather. They are routed by a water hose.

Running time, 10½ mins. P.

News of the Day

Vol. 9, No. 227

(M-G-M)

A good assortment of current events, sports, style, trains and anniversaries are included in this issue, and they generally are pleasant and newsy.

First place is filled with scenes of the Chinese affair. The exodus of civilians from Nanking and Japanese troops parading in Shanghai are shown. "The "break" from Alcatraz is covered with shots of the island and the vigil of the pursuers. The new streamlined train, "The City of Los Angeles," is shown speeding along a section of the New York Central system. The Russians descend in parachutes on Moscow while Josef Stalin looks on and in the same vein, the ceremonies at Kitty Hawk in honor of the Wright brothers are offered.

The Woman's Page presents bathing suit styles modeled by shapely beauties and a family portrait of a Framingham, Mass., couple who have 13 children, six of them twins born in the past 36 months. This department closes with interesting shots of a "Gay Nineties" bicycle party in Central Park. The reel concludes with eye-opening shots of a basketball game in New York.

Running time, 8 mins. P.

Paramount News

No. 40

(Paramount)

Most of the release is comprised of scenes of war stricken China with the camera focussed on events leading to the bombing of the *Panay,* the tense excitement at the International Settlement, the sudden break-up of a Japanese parade in Shanghai when a Korean hurls a bomb, killing one of the soldiers, the capture of Nanking and flight of homeless victims, Japanese air raids and refugees taking to the Yangtse River, unmindful of the fate ahead of them.

Then there is Russia's proud aerial maneuvers with mass parachute jumping and sham battles before Stalin, a picturesque sight.

Two other items show collegiate basketball with Illinois University downing St. John's of New York for a score of 6[illegible]-45; and Giovanni Martinelli, opera star, entertaining unfortunate children in a pre-Christmas festival.

The war scenes are vivid and a stark picture of the scenes behind newspaper stories of Japan's invasion of China. It is the best feature of the reel and worth seeing.

Running time, 9 mins. O.

RKO Pathe News

Vol. 9, No. 44

(RKO)

The nine items in this reel are interesting. The degree of interest varies but on the whole they should completely engage attention.

The Alcatraz jailbreak is the lead. It is followed by shots of a clever invention that serves tennis balls. The Navy Air Corps honors the Wright brothers at Kitty Hawk. Pennsylvania's war on pneumonia is briefly but effectively documented. Philadelphia society parading about a ballroom in the oddest of headgear should draw laughs. There are scenes near Versailles of the villa where Jean de Koven, the American dancer, was murdered by a "bluebeard." Thrilling scenes of iceboat racing on Greenwood Lake in New Jersey, a rodeo in Los Angeles and a Russian parachute jumping stunt conclude the issue.

Running time, 8 mins. P.

Universal Newsreel

Vol. 9, No. 625

(Universal)

The makeup of this issue maintains a good balance of news that is pictorially fresh and it also injects a bit of holiday atmosphere.

The lead is occupied by the Sino-Japanese affair. The Rising Sun troops are seen in a victory parade in Shanghai which was marred by a bomb, thrown by a Chinese. It is gruesome.

The rest of the material includes Christmas music sung by the choir of St. Lukes Church in Evanston, Ill.; scenes about Alcatraz Island and stills of the two escaped convicts, the ceremonies at Kitty Hawk on the 34th anniversary of the flight of the Wright brothers, a Marshall, Mo., man named Santa Claus, bathing suits on attractive girls at Miami Beach, a rodeo in Los Angeles and a military demonstration of mass parachute jumping in Moscow. The last is graphically filmed with a number of effective closeups of the jumpers sitting on the planes waiting for the signal.

Running time, 8 mins. P.

"Dwarfs" in Opening

HOLLYWOOD, Dec. 21.—Film personalities turned out en masse last night for the opening of "Snow White and the Seven Dwarfs" at the Carthay Circle. The affair was broadcast over an NBC nationwide hookup.

Take Over the West End

Max A. Cohen and Harry Shiffman have taken over the West End. No policy has been set. Cohen is head of Cinema Circuit and Shiffman operates Isle Theatres with units in New Jersey and Staten Island.

Three-Reel Subject On Panay, "U" Plan

A special three-reel release to be known as "The Bombing of the Panay" will be compiled by Universal from 5,000 feet of film photographed aboard the ship by Norman Alley, Universal Newsreel cameraman, who is scheduled to arrive in San Francisco on Sunday by China Clipper from Manila, the company stated yesterday.

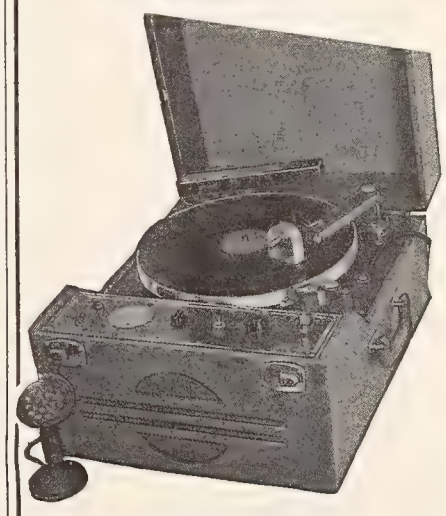
Alley was said to have been the last passenger to be taken aboard the *Panay* and the last to leave it after the attack by Japanese bombing planes which sent it to the bottom of the Yangtze River. With the incident still the subject of international discussion by the American and Japanese governments, and with Japanese official accounts of the incident contradicting those of eye-witnesses, Alley's films have a significance unusual in newsreel material. A complete, un-edited print of his negative will go direct to Washington for the use of State Dep't, Navy and other Government officials, Universal stated.

The reel is expected to be ready for release to theatres by Dec. 28.

After a trans-oceanic telephone conversation with Alley in Manila, Charles Ford, Universal Newsreel editor, reported that the cameraman not only caught most of the happenings aboard the *Panay* during the bombing, but also the subsequent shore events, including shots of wounded survivors and Japanese Army patrols.

Alley was forced to take special precautions in order to retain his film, which also includes considerable footage on the burning and bombing of Nanking. The film was insured by Universal for $250,000 on Alley's arrival in Manila.

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The amazing little instrument that makes a phonograph record of your voice—then plays it right back to you.

A unique and original gift—extremely useful to the young actress or musician for voice training and—a riot of fun at any party.

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"Merry" Good As Frisco's Takes Slide

SAN FRANCISCO, Dec. 21.—With four holdovers and shoppers staying away from box-offices, grosses were in a bad way for the week. The only attraction to get into the profit column was "Merry-Go-Round of 1938," on a dual with "Murder in Greenwich Village" at the Orpheum. The $8,500 take was over par by $500.

"52nd Street" and "Action for Slander" were off to $4,000 in a second week at the Embassy, "Submarine D-1" and "Sh, the Octopus" took a weak $4,500 in the third downtown week at the St. Francis, and "Prisoner of Zenda" had only $5,500 in the fourth week at the United Artists.

Total first run business was $73,200. Average is $86,000.

Estimated takings:

Week Ending Dec. 14:

"VICTORIA, THE GREAT" (RKO)

GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage, band. **Gross:** $13,000. (Average, $16,000)

"BARRIER" (Para.)
"THIS WAY, PLEASE" (Para.)

PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $11,800. (Average, $13,000)

Week Ending Dec. 15:

"52ND STREET" (U. A.)
"ACTION FOR SLANDER" (U. A.)

EMBASSY — (1,400), 15c-35c-40c-65c, 7 days, 2nd week. **Gross:** $4,000. (Average, $6,000)

"IT'S LOVE I'M AFTER" (W. B.)
"BIG TOWN GIRL" (20th-Fox)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $17,000)

"MERRY-GO-ROUND OF 1938" (Univ.)
"MURDER IN GREENWICH VILLAGE" (Col.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $8,500. (Average, $8,000)

"SUBMARINE D-1" (W. B.)
"SH, THE OCTOPUS" (W. B.)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 3rd downtown week. **Gross:** $4,500. (Average, $7,000)

"PRISONER OF ZENDA" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 4th week. **Gross:** $5,000. (Average, $7,000)

Week Ending Dec. 16:

"FIREFLY" (M-G-M)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $8,000. (Average, $13,000)

Week Ending Dec. 17:

"LETZTE ROSE" (Vienna Films)

CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $900. (Average, $1,000)

Showmen's Club Elects

CLEVELAND, Dec. 21.—Showmen's Club, composed of theatre managers and members of affiliated businesses, has elected the following officers for the coming year: President, Bert Diener, manager of the Imperial; vice-president, Jack Sliney, manager of the Norwood; treasurer, Roy Gross, Cedar Theatre; financial secretary, Louis Swee, Knickerbocker; recording secretary, W. J. Banks, Detroit.

Inauguration of new officers will take place Jan. 12 with a luncheon at the Allerton Hotel.

To Show New Speed Film

HOLLYWOOD, Dec. 21.—Demonstration of the two new fast negatives introduced by Agfa-Ansco is being arranged by the papers and program committee of the Technicians' Branch of the Academy for a special meeting early in January.

Out Hollywood Way

HOLLYWOOD, Dec. 21.—KATHARINE HEPBURN'S next RKO vehicle will be "The Mad Miss Manton," from the story by WILSON COLLISON. JOHN MONKS, JR., and FRED FINKLEHOFFE are adapting the story, which PANDRO S. BERMAN will produce.

DOROTHY LAMOUR goes from a sarong to a serape in "Ensenada," her next Paramount picture. RAY MILLAND will appear opposite her, with MARTHA RAYE, BOB BURNS, TITO GUIZAR supporting . . . "Song of Hell," tentative title for M. JEAN'S French story of Devil's Island, will be one of GEORGE RAFT'S future vehicles at Paramount . . . M-G-M is giving another musical number to FANNY BRICE in "Everybody Sing," reopening shooting. The number, written by KALMAR and RUBY, is titled "Snooks."

MADELEINE CARROLL has returned to Hollywood after four months' absence. Her next will be "The River Is Blue" for WALTER WANGER . . . A new contract extension has been given to SPENCER TRACY by M-G-M . . . FRED MACMURRAY draws the top role in Paramount's "Cocoanut Grove" . . . JERRY SACKHEIM, Universal story head, is back after four weeks in New York . . . Among busy BRYAN FOY'S production schedules at Warners is a picture, "When Were You Born," dealing with astrology . . . HAL ROACH has put back start of shooting on "Swiss Miss," LAUREL and HARDY feature, to Dec. 27, because of the illness of DELLA LIND . . . "Blondie White," which Warners will make from the London stage play, has been re-titled "Footsteps in the Dark."

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Casting—JOSEPH CALLEIA and HENRY STEPHENSON in "Marie Antoinette," M-G-M . . . CHARLES JUDELS and GRETA MEYERS in "Swiss Miss," Roach . . . JAMES STEWART opposite MAUREEN O'SULLIVAN in M-G-M's "Madelon" . . . VIRGINIA GREY in "Test Pilot," M-G-M . . . ERIC BLORE and PHYLLIS KENNEDY in "The Joy of Loving," RKO . . . GENE LOCKHART and KATHLEEN LOCKHART in "Penrod's Double Trouble," Warners . . . KENNETH HARLAN in "Saleslady," Monogram . . . KATHLEEN ELIOT signed for the feminine lead in "West of the Rainbow's End," Monogram . . . GAIL PATRICK will play DEANNA DURBIN'S mother in "Mad About Music," Universal . . . WARREN HYMER in "Bluebeard's Eighth Wife," Paramount.

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Contracts—OLIVER HINSDELL, Paramount talent coach, given a new contract . . . Warners take up options of JAMES STEPHENSON and BRUCE LISTER, English players . . . HARRY FISCHBECK, cinematographer, given a contract extension at Paramount . . . RKO gives HELEN MEINARDI, film writer, a contract . . . M-G-M extends the pact of SIGMUND ROMBERG, composer . . . Paramount gives new term deal to MICHAEL BROOKE, player . . . 20th Century-Fox retains J. EDWARD BROMBERG for a new option period.

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Story Buys and Writers—M-G-M buys "Baby Face," by GEORGE BRUCE . . . LEONORE COFFEE draws the screenplay assignment of "Unfit to Print," Warners . . . SETON I. MILLER is working on the script of "You Can't Escape Forever," same lot . . . Paramount assignments: FREDERICK H. BRENNAN on "Four Leaf Clover;" KEN ENGLUND on "Give 'Em the Axe;" VIRGINIA VAN UPP on "Are Husbands Necessary?," scheduled for CLAUDETTE COLBERT; C. GARDNER SULLIVAN on "Lady in the Tropics;" THOMAS MONROE and KURT SIODMAK on an untitled original; FRANZ SCHULZ and BOBBY BERNON to "Artists and Models of 1938."

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Directors—LEW SEILER assigned to direct "Crime School" for Warners . . . JOHN FARROW draws "The Singing Cop," same lot . . . LAMBERT HILLYER has been signed by Monogram to guide "My Old Kentucky Home," E. B. DERR production for Monogram . . . RAY ENRIGHT draws the assignment on Warners "Gold Diggers in Paris."

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Music—IRVING MILLS has signed a deal to publish the entire score of "Rangers Roundup," which JED BUELL is producing for Stan Laurel Pictures, Inc. Spectrum will release.

Reade to Open Two Theatres This Week

Walter Reade will open two new theatres this week, the third and fourth in his new circuit American Community Theatres. The Community, Morristown, N. J., seating 1,500, will open Thursday, and the Community, Hudson, N. Y., which will seat approximately 1,600, is due to open the following day.

The first two theatres in the new group are the Community, Toms River, N. J., and the Community, Saratoga, N. Y.

Ask Censor Exemption

VANCOUVER, Dec. 21. — The National Film Society, a self-named "non-commercial body organized to promote the study and use of motion pictures as educational and cultural factors," has appealed to the Provincial Government for exemption from censorship.

New York Girls Get Air Trip to Opening

Elizabeth Stone and Lillian Wheeler of this city, who have expressed a desire to attend a Hollywood premiere for many years, will have that wish come true. Mrs. Stephen Fish, who is related to them, asked them to pick the picture and she would attend to the transportation as a Christmas gift.

On Dec. 26, Mrs. Fish will accompany the two girls, leaving here that day on an American Airline sleeper for the opening of "Love and Hisses" at Grauman's Chinese in Hollywood Dec. 27.

"Holy Oath" to Open

"The Holy Oath" (Di Heilige Shevue), Yiddish film with Morris Strassberg. Lucy Levin, Anna Appel, Lazar Fried, Anna Weissman, and Murray White, will open Friday night at the Radio Theatre, Southern Blvd. and Jennings St., the Bronx.

"Truth" High In Pittsburgh For 3rd Week

PITTSBURGH, Dec. 21.—The worst weather of the year, with rains and sleet, hit first run business here. Only the Alvin managed to stand up, netting a nice $8,000 on the third and last week of "The Awful Truth."

At the Penn, "A Damsel in Distress" turned in a miserable $9,700 and "First Lady" and Henry Busse's band couldn't better $15,500 at the Stanley. "Portia on Trial" and "Hollywood Round-Up" tumbled the Fulton to $2,400, with the Warner getting around $4,100 in eight days with "This Way Please" and "She's No Lady."

Total first run business was $39,700. Average is $45,000.

Estimated takings for the week ending Dec. 16:

"AWFUL TRUTH" (Col.)

ALVIN—(2,000), 25c-50c, 3rd week, 8 days. **Gross:** $8,000. (Average, $6,500)

"PORTIA ON TRIAL" (Republic)
"HOLLYWOOD ROUND-UP" (Col.)

FULTON—(1,750), 25c-40c, 7 days. **Gross:** $2,400. (Average, $4,500)

"DAMSEL IN DISTRESS" (RKO)

PENN—(3,300), 25c-50c, 7 days. **Gross:** $9,700. (Average, $11,000)

"FIRST LADY" (W.B.)

STANLEY — (3,600), 25c-60c, 7 days. Stage: Henry Busse's band, Ray and Trent, the D'Ivons. **Gross:** $15,500. (Average, $18,000)

"THIS WAY, PLEASE" (Para.)
"SHE'S NO LADY" (Para.)

WARNER—(2,000), 25c-40c, 8 days. **Gross:** $4,100. (Average, 7 days, $5,000)

"Flight" and Show $6,500, New Haven

NEW HAVEN, Dec. 21.—The Paramount, with "Flight from Glory" and "The Cafe Internationale" stage show, was the only downtown house to lift receipts out of the worse-than-usual pre-holiday slump. The gross was $6,500, over par by $1,700.

"Nothing Sacred" and "Women Men Marry" was just average with $8,000 at Loew's-Poli. The College took $3,000, slightly over average at lower prices, with the second week of "Stage Door" and "Annapolis Salute."

Total first run business was $20,700. Average is $20,200.

Estimated takings for the week ending Dec. 17:

"STAGE DOOR" (RKO)
"ANNAPOLIS SALUTE" (RKO)

COLLEGE — (1,499), 35c-50c, 7 days. **Gross:** $3,000. (Average, $2,800)

"NOTHING SACRED" (U.A.)
"WOMEN MEN MARRY" (M-G-M)

LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $8,000. (Average, $8,000)

"FLIGHT FROM GLORY" (RKO)

PARAMOUNT—(2,348), 35c-50c, 7 days. Stage: "Cafe Internationale." **Gross:** $6,500. (Average, $4,800)

"THE GREAT GARRICK" (W.B.)
"SATURDAY'S HEROES" (RKO)

ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $3,200. (Average, $4,600)

Open Foreign Branches

Columbia has opened new offices in Alexandria, Egypt, and in Prague, Czechoslovakia. J. H. Seidelman, foreign manager, supervised.

"Hurricane" Out Jan. 2

"The Hurricane" will bow out of the Astor, Jan. 2, after a run of nine and a half weeks at two-a-day.

Federal Move In RKO Setup Is Withdrawn

(Continued from page 1)

Government, however, will reserve the right to reinstate its petition to intervene in the RKO proceedings in the event the unconstitutionality of the statute is attacked subsequently by other RKO creditors.

The constitutionality question may be raised by Fabian Operating Co. or Copia Realty Corp., whose guaranteed lease claims against RKO have been disallowed by Special Master George W. Alger. The claimants contend that if they cannot be compensated under the reorganization statute, they will be deprived of their property without due process of law in violation of the Fifth Amendment to the Constitution.

After a brief preliminary hearing yesterday on the RKO reorganization plan Judge Bondy adjourned the proceedings to Jan. 24 at the request of counsel for the independent stockholders' protective committee which sought additional time to prepare financial data in support of its claim that stockholders are entitled to a greater equity in reorganized RKO than the 50 per cent of their present holdings which is accorded them under the plan. Their motion for an adjournment was not opposed by H. C. Rickaby, attorney for Atlas Corp., proponent of the RKO plan, who advised the court that he would devise an order of procedure to be followed in hearing the objections to the plan when the sessions resume next month.

Selection Plan on Awards Meets Delay

(Continued from page 1)

open to all creative groups. There is no indication of strife, the matter merely being one of discussion over the best way to determine the award winners. Alan Mowbray, Regis Toomey and Larry Steers are the Actors' Guild representatives.

The committee has decided that all persons qualified to vote in the awards would nominate and ballot finally on the best production. Ten nominations are to be made, while five nominations will be made for the best original story, five for the best screenplay and five for direction. Frank Capra, president of the Academy and chairman of the awards committee, next week will name the members of the board of judges to select the producer candidate for the Irving Thalberg Memorial Award to be given for the first time.

Get Recording Patent

A patent has been allowed and will be issued shortly on a new optical system for recording sound directly on 16mm and 35mm film. The system uses a spherical concave mirror which utilizes ultra-violet rays. George H. Callaghan will market the patent.

To Revive N. O. Allied

NEW ORLEANS, Dec. 21.—A movement to revive the local Allied unit was launched quietly here today. President Henry Lazarus plans shortly to issue a call to independents to join the reorganization.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Lady Behave"

(*Republic*)

HOLLYWOOD, Dec. 21.—A good story, well produced, in which dialogue, action and situations are well blended to enable Sally Eilers, Neil Hamilton, Joseph Schildkraut, Marcia Mae Jones, George Ernest, Patrica Farr, Grant Mitchell and Robert Greig to give appealing characterizations establish "Lady Behave" as first class family entertainment. Combining a refreshing romantic love interest plot with a wealth of humor, both of which take many surprising twists, the film moves speedily and the interest that is stimulated in the opening sequences continues and increases.

Actually the story has two plots which result in a third. One is devoted to the experiences which befall Miss Eilers when she poses as the wife of Hamilton whom her scatter-brained sister, Patricia Farr, already married to Schildkraut, married during a Mardi Gras celebration. The other concentrates on the antics of Hamilton's two children, Ernest and Miss Jones, to drive Miss Eilers out of the family domicile. Playing for time in order to secure an annulment and save Miss Farr from being a bigamist, meantime making it appear that she is carrying on an affair with Schildkraut, Miss Eilers finds herself falling in love with Hamilton and he with her. The children also undergo a change of heart and when it is discovered that there were certain circumstances in the Schildkraut-Farr marriage that made it illegal, the way is paved to procure a quiet annulment of that as well as a divorce from Hamilton and the stage is set for Miss Eilers to marry him.

Tasteful handling of the theme discounts any question of its moral value. Based on a story by Joseph Krumgold which he and Olive Cooper adapted, the yarn never goes overboard in any way. Much credit for the lively entertaining show is due to the manner in which Lloyd Corrigan has directed. With intriguing title, story content and name value to serve as spring boards for exploitation campaigns, it seems that word of mouth advertising will serve "Lady Behave" in good stead.

Running time, 70 minutes. "G."

"Mama Runs Wild"

(*Republic*)

HOLLYWOOD, Dec. 21.—Using verbiage and gags sufficient for half a dozen short slapstick comedies, "Mama Runs Wild" actually is a combination of about half a dozen slapstick comedy ideas. The general idea of the film is to show that a domineering woman, even though she is a comedy character, has no place in politics. Before that point is made, however, demonstrations are made to show how a husband becomes henpecked. A few minutes are devoted to satirizing the buying of a house in the suburbs. Then the woman, accidentally, foils a bank hold-up and newspapers, newsreels and radio give her the idea that she's a civic leader. There follows a campaign for mayor on a cleanup platform which causes all the town's husbands to go on a sit-down strike and an election that gives the husband the mayor's office by a vote of something like 396 to 2. Finally it dawns upon the woman that she has been barking up the wrong tree. Injected into all the rest is a little comedy threat of vampire menace and, of course, a boy and girl romance.

Mary Boland is the mama who runs wild and Ernest Truex is her henpecked husband. Other participants are William Henry, Lynn Roberts, Max Terhune, Joseph Crehan, Dorothy Page, Dewey Robinson, Julius Tannen, Sammy McKim, John Sheehan and James C. Morton.

Gordon Kahn conceived the story and he and Hal Yates concocted the screenplay. Ralph Straub was both associate producer and director. There's plenty in the picture for audiences to laugh at if they choose the right moments to laugh.

Running time, 60 minutes. "G."

Transfer N. Y. Houses

ALBANY, Dec. 21.—The Strand at Schroon Lake, leased and operated by Mrs. Clara Richardson, has been sold to Rossi Brothers of Hoboken.

The Photoplay in Keeseville, N. Y., at present owned and operated by Peter Gordon, will be taken over March 1 by Kingsley Ryan, Ausable Forks exhibitor.

Shuttee to Oklahoma

LINCOLN, Neb., Dec. 21.—Walter B. Shuttee has been moved from here to be city manager of the J. H. Cooper Regal Theaters, Inc., in Oklahoma City. Shuttee was top man with Cooper's Lincoln Theatres Corp. here.

Bob Huffman, formerly assistant city manager here with Shuttee, is at the helm temporarily.

Examination Ordered In Raw Stock Action

(Continued from page 1)

Maurice Fleckels were named defendants in the $600,000 "conspiracy" suit brought by John D. Tippett, Inc., in July.

The plaintiff contends that the defendants "conspired" to induce Universal to breach an alleged contract to purchase half of its raw film stock from the plaintiff in 1931.

Denies Dismissal Motion

Federal Judge Robert Inch denied a motion to dismiss the complaint of Abe Felt, a real estate broker, against Trans-Lux Movies Corp., Trans-Lux Daylight Screen Corp., and Percy N. Furber in the U. S. District Court here yesterday at the end of the plaintiff's testimony before a jury. Felt asks $42,900 commission for allegedly negotiating the purchase of a theatre site in Washington. He charges that he offered Trans-Lux a site in 1934 which the defendant subsequently leased in 1936 for 40 years. Leslie E. Thompson, president of Trans-Lux, James M. Brennan and Hardie Meakin, managers for RKO, and Furber testified for the defense. The trial will continue today.

Technician Proposal On Film Bill Beaten

By AUBREY FLANAGAN

LONDON, Dec. 21.—An effort was made by the quota committee to obtain support for a proposal that not more than one foreign technician be employed on quota films. The sponsor of the proposal alleged that in one production unit all the technicians were American, but that British technicians are as good as anybody else.

Oliver Stanley, president of the Board of Trade, in opposing the plan, said it was necessary that British films be as good as possible and the amendment was withdrawn. A bid to impose a viewing test on films for the distributors' quota also was defeated. The House of Commons Films Act Committee will meet Feb. 3.

Sound City Unit Buy In England Official

LONDON, Dec. 21.—Official confirmation was forthcoming today of the acquisition by the Independent Exhibitors' Distribution Co., Ltd., cooperative producing and distributing organization which was formed recently, of Sound City Distributors, distributing unit connected with the Sound City Studios.

Norman Loudon, managing director of Sound City Studios, has joined the board of directors of the exhibitor combine, and fresh capital is said to be assured for the organization. Five pictures are planned.

Film History in Panels

Virtually a panoramic history of the screen is contained in a series of photo-murals, prepared by National Studios, on the walls of the lobby of the Selwyn on 42nd St. The six panels, measuring from 52 feet square to 84 feet square, contain outstanding scenes from silent films, montages of famous personalities, scenes from Academy Award winning films, outstanding talking films and the like.

Radio Personals

BILL ROBINSON will talk about his favorite subject, Shirley Temple, in an interview with Radie Harris over Mutual tonight . . . The cast of "Having Wonderful Time" will be the guests on Jay C. Flippen's "Broadway Melody Hour" tonight over WHN . . . Ginger Rogers and her mother will be on the "Bakers Broadcasts" session this Sunday . . . Phil Spitalny's girl orchestra will start a new vaudeville tour Jan. 21 when they open for a week's engagement to Chicago . . . Rubinoff (and his violin) are en route to Hollywood for a conference with Darryl Zanuck . . . Jeanette Nolan and her husband, John McIntyre, once noted players on the "March of Time," return to the program this week . . . As a promotional piece, NBC has reprinted Leonard Liebling's story in *Radio Guide* on Toscanini.

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Sudden thought: Kate Smith is the only member of her sex represented among the first 10 "champions of champions" in this publication's poll, a unique honor for the popular songbird . . . Rosaline Green has been invited to work out of Hollywood by J. Walter Thompson, but she won't go . . . Again on the subject of the poll: Jimmie Lunceford's name should have been listed under that of Marek Weber's in the popular orchestra division.

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Jimmy Shields has been signed for another appearance on the Schaefer beer program with Leo Reisman Dec. 23, his fourth appearance within five weeks on this program. Frank Cooper of Curtis & Allen set the deals . . . Talent now featured on "Canada 1937," sponsored by Imperial Tobacco Co. over the Canadian national network and directed by Ken Sisson, now includes Russ Titus, Pauline Winters, Leo Lesieur chorus and Sisson's band . . . Jerry Livingstone's band opened at Laurel-in-the-Pines, Lakewood, over the weekend, and the band will air regularly over Mutual.

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Rose Marie, formerly "Baby," is now under the management of Gale, Inc. . . . Chick Webb's band will leave tomorrow for a 10-day Christmas tour of one-nighters through the midwest . . . Segar Ellis, Standard Radio Corp. bandleader, is recovering from an operation at his home in Texas. When well he will return to New York and rebuild his band.

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Chicago Town Pump

CHICAGO, Dec. 21. — Marian Crutcher, Shakespearean player, has joined the cast of "Court of Missing Heirs" under the direction of Fritz Blocki. . . . Glenn Snyder, manager of WLS, was reelected president of A Company, 365th Infantry, at the annual reunion held in St. Joseph, Mo. . . . May Robson will be the guest of Bauer and Black, her sponsors, at a pre-Christmas party here. . . . William Pugh has been added to the sales staff of the Ray Linton concern. Pugh comes here from Hollywood to join the Linton company which is now located in the London Guarantee Bldg. . . . Harry Kogen is back from a 10-day visit in New York. Rex Maupin took over Kogen's duties while he was away. . . . Helen Heinz is back at her former position as secretary to E. C. Cunningham at NBC. . . . Ted Weems will leave the Fibber McGee show for a tour starting Jan. 10. He will play the Chicago Theatre the week of Jan. 7.

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New Haven Town Pump

NEW HAVEN, Dec. 21.—Vera Cruse WELI singer, has returned from Havana, where she was crowned "Queen of the Radio Party." . . . WBRY has added Arthur Cronan to its announcing staff. . . . All three local stations have scheduled elaborate Christmas Day programs. . . . Perry Lafferty, WBRY music director, will spend a two-week Christmas vacation at his home in Davenport, Ia.

Blackstone Gets Casino

The Blackstone Co. has been retained by Billy Rose to serve as advertising agency for the French Casino. Blackstone served similarly for the Casino prior to its recent closing.



CBS Has Highest Business Volume of Any Air Network

(*Continued from page* 1)

83.6 per cent over 1936; cigars, cigarettes and tobacco, 64.6 per cent; automotive accounts, 54.6 per cent.

CBS advertisers in 1937 numbered 89, two more than were represented on the company's books in 1936. The average expenditure per client in 1937 was $323,911, compared to the average last year, which was $257,292.

The gross CBS billings by months, with the percentages showing the increase or decrease over 1936, follows:

January, $2,378,620, 25.1 per cent; February, $2,264,317, 18.6; March, $2,559,716, 17.8; April, $2,563,478, 31.4; May, $2,560,558, 46.4; June, $2,476,576, 64.8; July, $1,988,412, 53.8; August, $1,955,280, 58.6; September, $2,028,585, 10.3; October, $2,505,485, 9.1 loss; November, $2,654,473, 9.2.

The detailed classification by industry is as follows:

Industry Classification	1936	1937	% Increase
Automotive	$2,533,971	$3,918,775	54.6%
Tobacco	3,052,924	5,026,376	64.6
Candy, Soft Drinks	1,191,366	1,490,810	25.1
Drugs, Toilet Goods	4,885,770	5,037,070	3.1
Financial, Insurance	100,009	450,105	350.1
Foods, Food Beverages	5,216,744	6,441,120	23.5
Home Furniture	395,146	422,555	6.9
Lubricants, Fuel	1,599,034	2,048,354	28.1
Machinery	82,365	113,780	38.1
Radios	774,010	817,520	5.6
Soaps, Home Supplies	1,308,098	2,401,237	83.6
Stationery, Publishers	76,060	158,235	108.0
Travel	15,850	37,708	137.9

Early Rising

Washington, Dec. 21.—Lloyd Dennis opens WJSV every morning. In order to be on the air at 7 A. M., he has to arouse himself at 5:15.

The other morning he heard what he thought was the alarm, reached out into the blackness, shut off the clock, and dashed into his clothes. He did not find out until he took the clock out into the kitchen (to time the breakfast eggs) that it was 1:30 instead of 5:30 and that he had been the victim of a hallucination.

O'Toole Urges Radio Censor in Statement

(*Continued from page* 1)

12, then censorship must be exercised."

Inflection Is Blamed

HOLLYWOOD, Dec. 21.—Don Gilman, NBC vice-president in charge of west coast operations, blamed Mae West's inflection for criticism of her skit. "This same skit has been played over radio networks on three different occasions without causing criticism," he said.

Fizdale Takes Over 5 Agency Accounts

Tom Fizdale, president of the publicity firm bearing his name, returning to New York from Chicago yesterday, revealed that he has been retained to service five additional major radio accounts from his New York, Chicago and Hollywood offices. All of the business is of the agency variety, and includes "Attorney at Law," sponsored by Johnson's Wax; "Woman in White," Pillsbury Mills; "Mickey Mouse Theatre of the Air," Pepsodent; "Double Everythng," Wrigley, and Dale Carnegie's show, sponsored by Colgate. The new agency business supplements acquisition of personal accounts of Jack Daly, Phil Baker and Gina Cigna.

Charter Alabama Radio Firm

HUNTSVILLE, Ala., Dec. 21.—Listing full-time contracts with stations in Huntsville, Sheffield and Decatur, the Alabama Mutual Broadcasting System, Inc., was organized here last week with J. S. Allen, president; John R. Hughes, secretary-treasurer, and W. H. Pollard, vice-president.

Menkin, Hill Join CBS Artist Bureau

Lawrence Menkin and Joseph Hill have been signed by CBS as members of the recently inaugurated writer and director division of the network's artists' bureau.

Menkin has been identified with the writing and producing of such network programs as "First Nighter," "Grand Hotel," "Eno Crime Clues" and others. His previous station connections have been with WXYZ, Detroit; WLW, Cincinnati, and WMCA, New York.

Hill comes to CBS from the Federal Advertising Agency, where he recently resigned his post as radio director. His programs there included the "Sinclair Minstrels," and the Babe Ruth and Red Grange sports series. Previously he had been with Lord & Thomas.

Barbasol Signs for New Show on CBS

The Barbasol Co., for its shaving cream, has signed for a new CBS series to start Jan. 24. The series will feature Arthur Godfrey, the Washington "em cee" and announcer.

The program is to be heard Mondays from 7:15 to 7:30 P. M., over 24 stations, and Fridays, at the same time, over 31 stations. Erwin, Wasey & Co. is the agency. Godfrey currently is heard locally over WABC in an early morning period.

Baird Television Is Called Big Success

LONDON, Dec. 21.—The Baird television system was demonstrated again today at the New Gallery, Gaumont's West End theatre, with the board of directors in attendance. The demonstration was declared to be a definite success by observers at the secret preview.

A large screen was used, with the British Broadcasting Corp. offering assistance. All technical details are said to be set, but Baird is awaiting the final decision of the B.B.C. for the use of regular programs.

New Sound Material Ready

CHICAGO, Dec. 21.—Don Allen, production man at Standard Radio, is preparing a new release of sound effects to be on the market shortly. Among them are band arrangements of "Star Spangled Banner," "America" and "Dixie" for theme songs and effects.

WHIO Appoints Cull

DAYTON, Dec. 21.—Richard Cull has been appointed managing editor of WHIO's newsroom. Cull served as editorial director of the *Dayton Daily News* for 13 years. He spent 12 years in Cleveland in the newspaper business. Since the initial broadcast of WHIO Cull has been a daily news broadcaster over the station.

Extend "University" Series

SAN FRANCISCO, Dec. 21.—Dr. Seth Maker's "Radio University," sponsored over KFRC by Parker Dental System, has been extended for 47 additional broadcasts, brining the contract to Nov. 30, 1938.

More Radio—P. 10

HERE IT IS!

Showmen's BOOKING CALENDAR

The annual 1938 Booking Calendar of Quigley Publications with handy special tie-up dates is now available. You've been waiting for it and here it is. Send for it today.

•

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MOTION PICTURE HERALD
ROCKEFELLER CENTER - NEW YORK

Kindly send me one Booking Calendar for 1938. I enclose 25c to cover cost of calendar and postage.

Name .....

Theatre .....

Address .....

City ..... *State* .....

Radio

ARTA Begins Drive Among CBS Workers

The American Radio Telegraphists Ass'n, soon to be known as the American Communications Ass'n, and a C. I. O. affiliate, yesterday began a drive to unionize white collar employes in radio, selecting CBS in its initial effort. Delegates of the union all day yesterday were posted before entrances to 485 Madison Ave., distributing pamphlets to the WABC employes as they entered and left the premises.

Harold Katam of A.R.T.A. yesterday informed this publication that the Radio City premises would be phamphleted today, with WOR following the next day. He said that his organization would not post representatives before the premises of the New York independent stations, stating that A.R.T.A. had found other means of reaching employes in those places.

The pamphlet blazoned on its cover the information that radio engineers, actors, musicians and announcers had been unionized with benefit to them. On its inside pages it stated that now it was possible for everyone working in any capacity in radio to join a union and achieved all advantages gained by those elements already within the union fold. A mass meeting for radio broadcasting employes will be held shortly, with speakers of national importance, the pamphlet stated. Membership blanks were inserted between the pages of the pamphlet.

Lady Tweedsmuir's Play Will Be Aired

MONTREAL, Dec. 21.—The wife of Government General Lord Tweedsmuir will break into the ranks of radio writers Christmas Day when Canadian Broadcasting Corp., as a special feature, will present the play, "Reindeer Christmas," written by Lady Tweedsmuir. The radio adaptation and production have been handled by Rupert Lucas. It will originate at Toronto, 8.15 P.M. to 9 P.M.

Toronto will also feature on that day's C.B.C. programs at 10 A.M., when the Ontario Regional Transmitter is officially opened with the call letters CBL. Officiating at the ceremonies will be C. D. Howe, Federal Minister of Transport, and Gladstone Murray, Chairman of the C.B.C.

Arrange Musicians' Meet

TAMPA, Dec. 21.—Harry E. Trenton, international treasurer of the A. F. of M., and Fred W. Birnbach, international secretary, conferred here with officials and members of the local, making arrangements for the federation's convention which will be held here June 13 to 19, inclusive.

The Floridan Hotel has been selected as delegate headquarters and the business meetings will be held in the municipal auditorium.

Special Events on KTOK

OKLAHOMA CITY, Dec. 21.—KTOK key station of the Oklahoma network, has established a new special events department.

Million in Sales

George A. Schmidt, WOR salesman, who sold more than $1,000,000 in radio time sales during the past three and one-half years, yesterday was given a watch by Theodore C. Streibert, vice-president and general manager of WOR, at the weekly sales meeting.

Schmidt's total sales were $1,004,337, believed to be a record for non-network sales.

Atlas Party Opens Office in Chicago

CHICAGO, Dec. 21.—Official opening of the Chicago office of Atlas Radio Dist. Corp. was celebrated yesterday, with the arrival of Herbert R. Ebenstein, president of the company, from New York, Claude C. Ezell, director of the southern division, from Dallas, and Ray Coffin, director of the western division, from Los Angeles. Dan Blank, director of the central division and in charge of the Chicago office, played host to the visitors.

The meeting in Chicago also took the form of an executive conference, and plans were completed for the transferring to the Chicago office of all detail of supervision of Atlas activities for the 13 central states, to be supervised from this office. Ebenstein, at this meeting, announced that offices were soon to be opened in Detroit and Minneapolis.

Atlas has concluded station franchise deals with WTCN, Minneapolis; WHB, Kansas City, and KSO and WRNT, Des Moines. Each of these stations has secured the exclusive right for two years to Atlas product in their territory. Under this arrangement sponsors wishing to use Atlas programs in these markets must buy the time from these stations. The deal involves 28 releases announced in the Atlas 1938 product.

Shift "Pilot" Show To KHJ, Los Angeles

SAN FRANCISCO, Dec. 13.—Following a change in agencies, KFRC's "Phantom Pilot," five-day-a-week skit, heard over 26 Don Lee-Mutual stations in the west, will originate at KHJ, Los Angeles, starting Dec. 27.

The $300,000 annual account, which started two months ago, has been switched from McCann-Erickson to Young & Rubicam by the sponsor, Langendorf United Bakeries. Only the lead actors and actress will be taken south, other roles being filled by KHJ bit players.

Enforce Radio License Law

TORONTO, Dec. 21.—Hundreds of tax-evading radio users have been put on the run by the Royal Canadian Mounted Police who have rounded up many owners of receiving sets who had neglected to take out an operating license required by the Dominion Government at an annual fee of $2. The delinquents are being brought to the Toronto Police Court where fines as high as $50 have been imposed.

Dismiss Gary Suit Against Paramount

(*Continued from page* 1)

and briefs and replies were filed with the Federal court at Indianapolis during November by both the theatre company and Paramount. The court's decision was expected to be handed down during January. The action paralleled the complaints advanced by exhibitors in other sections of the country during the "buyers' strike" against Paramount.

Denies Locke Suit Dismissal

A motion to dismiss the $250,000 libel suit brought by Charles O. Locke, Ohio radio commentator and script writer, against Benton and Bowles, advertising agency, was denied by Justice Salvatore A. Cotillo in the N. Y. Supreme Court yesterday. A similar suit by Locke against Floyd Gibbons was dismissed several months ago. Locke alleges that Gibbons interpolated descriptions of Ohio flood scenes in the script which Locke wrote. He claims damage to his reputation as a result.

Gets Thibault Judgment

Harry Hollander, theatrical agent, was awarded a $7,500 judgment against Conrad Thibault, radio performer, by Justice Louis A. Valente and a jury in the N. Y. Supreme Court yesterday. Hollander sued for an alleged balance due under a three-year contract for 20 per cent commission made in 1932. He charged that he obtained employment for Thibault on an NBC sustaining program but received only 10 per cent of the earnings. Thibault contended that the plaintiff failed to perform his duties properly.

Appeal Filed on Song

TORONTO, Dec. 21.—Twentieth Century-Fox Film Corp., of Canada and Famous Players Canadian Corp., have entered appeals from the judgment imposing damages of approximately $1,700 for alleged infringement of title of the song "The Man Who Broke the Bank at Monte Carlo."

Judgment was granted against Famous Players because the picture had played in its theatres across the Dominion.

Ed Finney Going West

HOLLYWOOD, Dec. 21.—Ed Finney Grand National publicity and advertising director, as well as producer of the Boots and Saddles western series, will move his office to Hollywood from New York after the first of the year to enable him to supervise personally the musical westerns.

Lindsley Parsons, who had been supervising the series which stars Tex Ritter, resigned several weeks ago to join Sol Lesser's Principal Producers. Tex Ritter will return Jan. 20 from a personal appearance tour to start in "Rollin' Plains."

"Zola" Hit in Greece

"The Life of Emile Zola," opening at the Orpheus Theatre in Athens, Greece, has created a new all-time attendance record at that house, according to the Warner home office. The turnout on the first day required police assistance and the use of a fire hose to disperse the crowd.

Hanson Starts Two Houses in Ontario

TORONTO, Dec. 21.—Hanson Theatres Corp., operating a circuit in Ontario, has started the erection of two new houses, one at Bloor and Jane Sts., in the West End of Toronto at a cost of $60,000 and with a seating capacity of 750 and the second in St. Catharines, Ont., where the company already operates the Granada. Plans have been drawn by Kaplan and Sprachman, Toronto architects.

An opposition theatre is also under way at Bloor and Jane Sts., Toronto, only a few steps from the projected Hanson house, the second structure being a unit of Kingsway Theatres, Ltd. The Kingsway will also represent an investment of $60,000 and will seat 900 persons. Both projects are being rushed for early opening.

Taft, Cincinnati, to Reopen

CINCINNATI, Dec. 21.—"Portia on Trial," with "Waikiki Nights" on the stage, will open the Taft New Year's Eve for two performances at 85 cents and $1.25, with all seats reserved. The scale for the grind policy, starting New Year's Day, will be 42 and 60 cents, including tax. This will be the only house here with this policy.

Open at Salt Lake City

SALT LAKE CITY, Dec. 21.—The new Center Theatre will be given a preview showing to an invited audience, Thursday night, with "True Confessions" as the feature. The public will be admitted the following night. Fox Intermountain Theatres build the house. Harry David is manager.

To Build at Lancaster, O.

LANCASTER, O., Dec. 21.—A new $100,000 house, to be known as the Lancaster, will be built here by the Palace Theatre Corp., of which Leo Kessel is president. Construction is expected to start shortly after Jan. 1.

Wall Street

Board Fluctuates Fractionally

	Open	High	Low	Close	Net Change
Col.	14¼	14½	14¼	14½	+ ¼
Col., pfd.	28½	28½	28½	28½	.....
Cons.	1¼	1¼	1¼	1¼	— ⅛
Cons., pfd.	7⅜	7⅜	7¼	7¼	— ⅛
E. K.	167	167¾	167	167	+1
G. T. E.	13½	13½	12	12⅞	— ⅛
Loew	49¼	49¾	49¼	49⅝	— ¼
Loew, pfd.	104	104	104	104	+ ¼
Para.	10⅞	10⅞	10⅜	10⅜	— ½
Para. 1.	93¾	93¾	92¾	92¾	+ ¾
Para. 2.	11	11	10⅜	10⅜	— ⅝
Pathe	6⅛	6⅛	6	6	— ⅛
RKO	4¼	4⅝	4¼	4⅜	+ ⅛
20th Fox	22	22	21⅝	21⅝	— ⅛
20th, pfd.	28	28	27¾	28	.....
W. B.	6⅞	6⅞	6⅝	6⅝	— ¼
W. B., pfd.	34	34	34	34	— ½

Recessions General on Curb

	Open	High	Low	Close	Net Change
G. N.	⅞	⅞	¾	¾	— ⅛
Sonotone	1¾	1¾	1¾	1¾	— ⅛
Tech.	18⅜	18⅜	17⅝	18	— ⅛
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	— ⅛
Univ. Pict.	3⅝	3⅝	3⅝	3⅝	— ⅛

Paramount Bonds Advance Slightly

	High	Low	Close	Net Change
Loew 3½s '46	97½	97½	97½	.....
Para. B'way 3s '55	59½	59½	59½	+ ½
Para. Pict. 6s '55	89¼	89¼	89¼	.....
Para. Pict. '47	73½	73	73½	— ⅛
W. B. 6s '39	75⅛	75	75	— ¼

(Quotations at close of Dec. 21)

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 148 NEW YORK, THURSDAY, DECEMBER 23, 1937 TEN CENTS

Wanger Gets Finance for Six to Eight

Arrangements Completed With U. A., He Says

Financing of six to eight Walter Wanger pictures this season has been completed with United Artists, the independent producer told MOTION PICTURE DAILY yesterday. The first in the new group will be "The River Is Blue," which will have Madeleine Carroll and Charles Boyer in the cast. Boyer will arrive from London today on the *Normandie* and will proceed to the coast immediately.

"The River Is Blue" will be placed in production sometime next month, Wanger said. Last season the producer made six, the final of the group being "Stand-In."

Wanger asserted yesterday that the reason for his trip to New York at this time was to confer with his attorney, Charles Schwartz of the Schwartz & Frohlich office. He will leave for Hollywood Monday.

Fairbanks Will Not Sell, He Declares

With the Samuel Goldwyn-Alexander Korda option deal for the purchase of his stock in U. A. falling through, Douglas Fairbanks, one of the five owners, yesterday stated that he had no intention of selling his interest in the company. The statement was made in answer to a query made by a MOTION PICTURE DAILY reporter on Fairbanks' arrival on the *Bremen* from a two and a half month vacation in Italy.

"I haven't the slightest idea of selling," he said.

Asked if he would give Goldwyn and

(*Continued on page 6*)

Air "Code" Control Predicted by Weber

HOLLYWOOD, Dec. 22.—Imposition of a self-regulatory code governing the entire radio industry by methods similar to the film Production Code Authority will be one of the principal topics of the National Ass'n of Broadcasters at its February convention in Washington, Fred Weber, general manager of the Mutual network,

(*Continued on page 8*)

Radio—Page 8

Hollywood Throws Its High Hat Into Air for "Dwarfs"

HOLLYWOOD, Dec. 22.—A Hollywood hardened to the uncommonplace and steeped in the spectacular threw its high hat into the air and spread its ermine as a rug for Walt Disney to march again into the laurel horseshoe of cinema immortals wearing a brand new bar dexter for dwarfing with his "Snow White and the Seven Dwarfs" the unstinted expectations of the experts and thrusting the motion picture art some seven leagues forward into new and thrilling territory.

Tuesday night's turnout for the premiere at the Carthay Circle surpassed in distinguished attendance any similar ceremony in memory of the veteran George Arliss, who posed for the photographers, and in dreams of the enchanted Shirley Temple who couldn't restrain her impatience that long. Every top row personality in the cinema register between those ages came, saw and was conquered by the Disney magnus opus.

The premiere, which was also a preview, came at the crest of a publicity and advertising campaign as notable in its fashion as the film. For weeks the pages of the nation's ranking magazines and front line news-

(*Continued on page 3*)

Trade Treaty May Hit N.S.W. Quota

A possibility that the drastic revision of the quota regulations in New South Wales, Australian state, which lowers the quota percentage, but closes loopholes in the legislation currently in effect, may be sidetracked by the proposed British-American trade treaty now under discussion, was suggested in informed circles here yesterday.

The new legislation reduced the dis-

(*Continued on page 6*)

Anti-Dual Campaign Starts in Evanston

EVANSTON, Ill., Dec. 22.—A petition containing over 200 names expressing opposition to double bills has been presented to Jack Sampson, district supervisor for B. & K. theatres. The petition, which is the first step in a campaign against duals generally, is directed particularly at the Varsity, a B. & K. house.

Among those participating in the anti-dual drive are Carl Skinrood,

(*Continued on page 6*)

G. B. Board Answers Circular of Nordon

LONDON, Dec. 22.—The board of directors of Gaumont British today sent circulars to all stockholders, embodying a reply to the circularization by the Nordon Committee of shareholders last week, in which a Board of Trade investigation of the company was urged.

The circular from the board makes no reply to the Nordon charges respecting the handling of the company, and warns signatories to the application forms for a Board of Trade inquiry that they will be responsible for misleading and inaccurate statements.

Dropping Stadium Favored by Court

Federal Judge William Bondy granted approval to the dissolution of Stadium Theatres Corp., an RKO subsidiary, and the transfer of its assets to RKO Orpheum Corp., a newly organized Maryland corporation, in U. S. District Court yesterday. The petition of the Irving Trust Co., trustee in the reorganization of RKO, revealed that a net income "substantially in excess of $200,000" for 1937

(*Continued on page 6*)

More Fees in Roxy Action Disallowed

The petition of George M. Garrson and Roemer-Kenny Co., Inc., real estate brokers, for an allowance of $58,692 brokerage commission in the Roxy reorganization was denied by Judge Francis G. Caffey in the U. S. District Court here yesterday. A prior petition of Carl Erikson for $50,952 brokerage fees was denied by Judge Caffey several weeks ago.

It was also learned that the appli-

(*Continued on page 6*)

Discuss Theatre for Chicago's Big Mart

CHICAGO, Dec. 22.—Development of the Merchandise Mart, one of the world's largest structures, along lines somewhat similar to Rockefeller Center are being considered. A 400-seat film theatre in the Mart is one of the new enterprises.

At the present time Mart officials are conferring with theatremen here regarding leasing arrangements. The Mart will build the theatre and furnish it for the one who gets the lease. It is understood that several large circuits have been approached on the subject.

J. J. Milstein Resigns Post With Republic

Settlement of Contract Effective Saturday

J. J. Milstein, general sales manager of Republic, yesterday resigned after differences with H. J. Yates. His contract, which had eight months to go, has been settled and he will leave the post Saturday. No successor has been named.

Edward M. Schnitzer, eastern district manager, recently resigned to join Warners in a similar post.

Milstein has no plans at the moment, but is considering offers. The propositions made to him are in the east. Milstein desires to return to California as he prefers the climate there. He has been bothered with colds since he came east from Los Angeles, where he was M-G-M manager for 14 years.

While he has been in the east, Milstein has been staying at the Warwick. He returned last weekend from a three-week tour of Republic branches.

Tax Collections at New November High

By CLARENCE LINZ

WASHINGTON, Dec. 22.—Admission tax collections in November reached a new high at $2,242,573, it was reported today by the Bureau of Internal Revenue.

The month's collections were approximately $276,000 above the October receipts of $1,966,617 and were $637,000 above the $1,605,674 reported for November, 1936, it was stated. The previous high was $2,194,585, collected in December, 1936.

Records of the bureau show that admission tax collections for the 11 months ended with November aggregated $18,684,004, an increase of $2,-

(*Continued on page 6*)

Grand National Cuts Staffs by About 50

About 50 Grand National home office employes and men in the exchanges have been let out in the last few days, it was stated yesterday.

Reports that three directors had resigned from the board, including A. Pam Blumenthal, yesterday were denied by Blumenthal. He admitted, however, that a "substantial" number of home office workers had been discharged, as well as several in the field.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Loew's Sets Orphan Shows in 45 Cities

Loew's has arranged to invite 275,000 orphans and crippled children in 45 cities to attend special holiday shows in the circuit's theatres. In New York the children will see "Thoroughbreds Don't Cry," "Navy Blue and Gold" and a selected group of short subjects.

Special bookings have been lined up in Washington, Boston, Columbus, Cleveland, Louisville, Rochester, Syracuse, Atlanta, Nashville, St. Louis and a number of other cities. Last year 250,000 children attended the Christmas shows. In some cities theatres are collecting toys, food and clothing to add to the entertainment feature.

Six to U.A. in Far East

Far Eastern distribution rights to "Unusual Occupations," a series of six one-reel subjects in Cinecolor have been acquired by United Artists from Scientific Films, Inc., Hollywood producers. Arthur W. Kelly, U. A. vice-president in charge of foreign distribution, yesterday stated that the deal includes Japan, China, the Philippines, Malaya, Siam, India, Burma and New Zealand.

Insiders' Outlook

By A-MIKE VOGEL

IF for no other reason than that 20th Century-Fox deserves the break, it is good to know that Simone Simon has clicked in "Love and Hisses." For a number of seasons, the company has tussled with the heroic assignment of selling this unique importation. They did strike a promising vein in that "see-moan see-moan" business and exploited it to the full. When pay dirt did not pan out, Darryl Zanuck discovered that two-moan Simone could sing.

That she does, and well, in the new picture is gathered from our Hollywood review which reads: "As an actress she is considerably improved but it is her singing that handed the preview audience a wallop and provoked applause." . . .

▼ ▼

According to Gregory Dickson, the magnitude of the publicity campaign on "Snow White and the Seven Dwarfs" threatens to become slightly epochal. Impressive no end is the listing of slick-paper and other publications that have already used and are set to use layouts and such on the Walt Disney full-length which opened brilliantly a few nights back in Hollywood.

Further Disney feature-length pictures are said to depend upon how "Snow White" is accepted by the public. If the response is at all proportionate to the eagerness with which newspapers, magazines, radio and who not are calling attention to this new entertainment, Mr. Disney might do well now to start planning for the next. . . .

▼ ▼

Giving it the title "Snoop" and with obvious apologies to the picture magazine it follows, Paramount has issued a 36-page magazine size publication for exhibitor attention. It leans heavily upon star, scene, posed and unposed, candid and other shots to point up some of the top releases set for the first quarter of the new year.

Effective? Well, perusal of the job turned out by the Bob Gillham forces made this onlooker forget he was reading pure advertising. . . .

▼ ▼

It was the young woman in the next seat who emphasized the reason why the Margaret Hamilton characterization in "I'll Take Romance" brings more than a touch of unholy joy to many observers. During a scene wherein Miss Hamilton speaks up to Helen Westley, the audible and very elated female who sat adjoining exclaimed to her companion:

"I just love the way she tells 'em."

Evidently, the character actress has no need of Grace Moore glamour, Melvyn Douglas suavity, Stuart Erwin comicalities, Helen Westley eyebrow-liftings.

Miss Hamilton is of a vanishing race. She "tells 'em." . . .

▼ ▼

From accounts of store activities that accompany Christmas shopping, it would appear that merchants are salvaging forms of entertainment discarded by the theatre. Advertisements feature bargains, but attractions of one kind and another are billed with the same prominence and more.

Singing choruses, parades, acrobats, dancers, skaters, explorers, orchestras, players from the legitimate are gathered with lavish hand to "pull 'em in." These things cost a lot of money but the stores seem to know what they are about.

Theatre business is poor in the weeks before Christmas. It is our opinion that competition from merchant-showmen has more than a little to do with it. . . .

▼ ▼

May this editor express himself gratefully for the kind messages and season's greetings conveyed by so many thoughtful well-wishers?

It is our earnest wish that 1938 be the best year yet for you all.

Paramount to Hold New Orleans Talks

Paramount division sales managers will convene in New Orleans Jan. 5 for a two-day meeting in conjunction with the premiere there on Jan. 7 of "The Buccaneer. Neil F. Agnew, vice-president and general sales manager, will preside.

The company will also play host at New Orleans during that week to news and trade paper reviewers, who the being invited to attend the picture's premiere.

Deny Gary Settlement

No settlement of the Gary, Ind., Theatre Co. suit against Paramount, which was withdrawn by the plaintiff in Indianapolis Federal Court on Tuesday, was made or was even discussed, Louis Phillips of the Paramount home office legal department, stated yesterday. The denial referred to an Indianapolis report, published by MOTION PICTURE DAILY, that a settlement had brought about the withdrawal of the suit.

DeMille Sees "Buccaneer"

SALT LAKE CITY, Dec. 22.—A preview of "The Buccaneer" held here today was attended by Cecil B. DeMille, W. H. Pine, associate producer; C. Fluest, L. Mesinkop and Frank Bracht.

More Bonuses Given

Two more companies yesterday decided to give Christmas bonuses to employes. All Warner home office workers earning under $100 were given a percentage of their salaries, while Selznick International employes getting as high as $75 a week will get one-half week's pay.

New Pact to Allan Jones

HOLLYWOOD, Dec. 22.—M-G-M has signed Allan Jones to a new long-term contract. He has just finished work in "Everybody Sing."



Disney Hailed On Coast for "Snow White"

(*Continued from page* 1)

papers had been spreading the news of an imminent miracle before an astonished and willingly enchanted reading public. On Sunday Chase & Sanborn's Charlie McCarthy had chatted with the dwarfs in front of the most conspicuous microphone in the world and on Monday Cecil B. DeMille had whipped up a Lux lather of interest in the picture by playing host to their parent coast to coast. Packard had picked up the party early Tuesday evening and the NBC-Blue network carried the opening exercises to the nation for a scintillant half hour.

Hollywood's approach to the occasion was optimistic with fingers crossed in pockets. Nobody saw fit to voice a suggestion that feature length might be quite a stretch for even the Disney whose "Three Little Pigs" had made also-rans of bone and sinew million dollar pictures. Everybody knew he didn't need to expand his undisputed sovereignty of the cartoon province. Therefore everybody liked to think he was not just taking a chance in a spirit of daring. Everybody was loquaciously positive about it when the party broke up.

First to address the microphone from the Carthay premises was Leo Spitz, who robbed the nation's cinema, the nation's ranking magazines and front line newspaper critics of the perfect phrase for the film by calling it "a thing of beauty and a joy forever." Among the last was Disney, who reacted to the excitement by forgetting some of his characters' names, probably the last forgetting of these that anybody will ever be guilty of.

Critic's Praise Is High

Newspaper critics strove in Wednesday's editions to restate the Spitz appraisal in appropriate variation and with emphatic amplification. Louella Parsons told Hearst readers: "Walt Disney adds new laurels to his fame with this first cartoon feature. It is a revelation." Edwin Schallert informed subscribers to the *Los Angeles Times* that "a motion picture miracle has come into being." Harry Mines of the *Los Angeles Daily News* wrote: "It's a picture that will prove heaven on earth for children, an unforgetable experience."

James Francis Crow of the dignified *Hollywood Citizen-News* acclaimed the film "the most noteworthy motion picture event of 1937, a picture that taxes the time and space and vocabulary of the reporter," saying which he continued on for 17 inches of said time, space and vocabulary.

Harrison Carrol of the *Herald-Express* and Virginia Wright of the *Evening News* also contributed keen and complimentary analyses of the Disney production.

Denies Firms Combined

Charles L. Casanave, vice-president and general manager of National Screen Accessories, declared yesterday that Theatre Utilities Service, Seattle, has not been combined with National Screen Accessories of Seattle, as was reported in Motion Picture Daily recently.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Snow White and the Seven Dwarfs"

(RKO)

Hollywood, Dec. 22—All that the advertising copy writers have been saying about this picture is true in spades. It is a box-office natural in the most expectant interpretation of that loosely bandied term and what it achieves in the way of audience satisfaction is spectacularly the box-office's business. Men, women and children attending the premiere surrendered in concert to the delicate charm of the opening sequence and the Disney spell upon them was broken only by their irrepressible applause at half a dozen points in the narrative and the velvet crackle of recurrent laughter. It is an inescapable conclusion that a picture capable of making happy kiddies out of the bluebloods of Hollywood, who didn't make their fortunes out of animated drawings, will captivate the plain population as perhaps no other motion picture ever has or will.

In leaping the immense time chasm between his Silly Symphonies and upper bracket specials Walt Disney utilized every production device in his rich repertoire and some others the world has yet to learn about. The character of Snow White is in the finely modulated manner of his symphonies. The characters of the dwarfs are fashioned of the materials used in creation of "The Three Little Pigs" and Mickey Mouse himself, to neither of which any of the dwarfs bear the slightest resemblance. The Prince of the love story is as orthodox a lover as Robert Taylor, if Taylor could sing, but the villainous Queen is inducted directly and without veneering from the fantastic whimsy of the Grimm fairy tale. The handling of all, individually and in their collective interrelationships, is far and away superior to any technique ever displayed by Disney or any other cartoonist.

The story is, of course, the story of the Grimm heroine, the envious Queen who plots her destruction, the seven dwarfs and the friendly animals who give her refuge and the Prince whose kiss restores her when the Queen has had her way. It is a story that has enthralled children of all nations and generations, but it was not precisely to be expected that it would make a modern audience forget that the characters on the screen are but drawings and their adventures even less real than the normal Hollywood kind. Yet that is precisely what happens during at least three sequences of major pertinence to the narrative, a thing not even an audience devoted and addicted to Hollywood make-believe found it easy, although pleasant, to credit.

This Hollywood audience was, incidentally, no collection of starry-eyed children eager to be pleased. It was an audience of adults wise in the ways of cinema entertainment and pretty well satisfied with the way it has been set up and the wages it pays. It was an audience composed in large part of professionals not a whit above uttering hoot, hiss and catcall on what they might consider proper provocation. Disney's picture fascinated this ensemble of mature sophisticates completely. It is not to be classified or regarded, therefore, as a juvenile production, although it is in point of fact the greatest child's picture ever dreamed of.

The statistics of manufacture have been too widely and well presented to require repetition here. Likwise the technical credits, although there would be plenty of reason for hailing the inventor of the multiplane camera if it were indeed one man's invention instead of a studio development. It is used to obtain certain effects which are new in the cartoon medium and add tremendously to its power. The single statistic of pertinence to this report is the one appearing below, indicating running time. The picture seemed so much shorter that everybody in preview attendance suspected his watch of slipping a cog.

Running time, 82 minutes. "G."

Extra Time for "Truth"

A total of 65 "key" bookings have given holdovers to "The Awful Truth" for more than 800 days of additional playing time, Columbia Pictures reported yesterday. A number of the holdovers resulted in runs of from three to five weeks in individual situations, according to the company's statement.

Fair Opens Saturday

Ray Rhonheimer will open the Fair, the first local theatre to be named after the World's Fair, Saturday. The theatre seats 600 and is in Astoria. Joseph Hornstein equipped the theatre and Rhonheimer will manage.

Akerson Rites Today

Funeral services will be held today at the Dutch Reformed Church, Bronxville, for George E. Akerson, former secretary to President Hoover, and at one time an executive with Paramount, where he remained for two years. Akerson died Tuesday night at the Rockefeller Institute Hospital here.

"Confessions" at $52,000

"True Confessions" garnered approximately $52,000 in its first week at the Paramount. The picture is being held a second week and will make way Dec. 28 for "Wells Fargo," which will start an indefinite run.

Short Subjects

"March of Time No. 5"

(RKO)

There is a diversification of interest in this latest issue of March of Time which should make its subject matter acceptable to all audiences. The unusual success which Finland has had in rejecting various national "isms" and maintaining a high standard of economic activity, a glance at the industry which has arisen from the business of supplying laughs for screen, stage and radio, and a consideration of the shipping problem in the United States make up the reel.

Finland, celebrating its 20th anniversary of freedom from Russia, is pictured, with considerable pictorial effect, in its industrial and political life, having built an industrial basis for its economic stability to add to its fundamental agricultural activity. The development and maintenance of sound financing is indicated in its regular payments of the debt to the United States.

Such jokesters on screen and air, as Fred Allen, Eddie Cantor, Jack Benny, Phil Baker and the like are seen working over laugh material, in view of some of the highlight figures of the "laugh industry," whose business is the furnishing of "gags" to those who need them in the amusement field. It is a card-file, catalog activity, whose principal work appears to be supplying new twists to old lines.

The reel's consideration of the merchant marine situation in this country revolves about the extraordinary job of fact-gathering done by Joseph P. Kennedy, while head of the Maritime Commission pictures the discouraging appearance of the American merchant fleet as compared with other countries, and points to the labor situation as partly responsible for the conditions, which require immediate and drastic action, in Kennedy's frankly-expressed opinion. An interesting and timely subject.

Running time, 18 mins. "G."

Prosecutors Directed To Enforce Game Ban

Jefferson City, Mo., Dec. 22.—Attorney General Roy McKittrick, pursuant to the order of the State Supreme Court which last Friday declared Bank Night to be illegal under the State Lottery Law, has placed on the shoulders of the prosecuting attorneys throughout the state the responsibility for enforcement of the ban on the games.

McKittrick stated that the ruling of the high court must apply to chance games of every description.

Name Healy Pallbearers

Los Angeles, Dec. 22.—Pallbearers chosen to serve at the funeral of Ted Healy at St. Augustine's Catholic Church, Culver City, tomorrow are E. J. Mannix, Harry Rapf, Charles Foy, Ray Mayer, Dick Powell, Busby Berkely, Charles Riesner and Jack Marcus.

Healy will be buried in Calvary Cemetery beside the grave of his mother who died last April.

Parties at Exchanges

All local exchanges will hold Christmas parties tomorrow afternoon. The Warner home office will close at 1 P. M. Other home offices will also close early.

They'll Be Comin' R



They'll be comin' round in thousands when it comes
They'll be comin' round in millions when it comes
They'll be wearin' great big smiles, they'll be rollin' in the aisl
If you'll be playin'

SWING Y

When it comes
as the first genuine
novelty of the new year,
from Warner Bros.



ound the Mountain

(TO A PACKED HOUSE)

...hen the mighty Ozark philharmonic plunks into action



OUR LADY

with

HUMPHREY BOGART

And This Hand-Picked Line-Up Of Comedy Specialists

FRANK McHUGH · LOUISE FAZENDA · NAT PENDLETON
PENNY SINGLETON · ALLEN JENKINS

And The One And Only

WEAVER BROS and ELVIRY

{ *Some Stuff This*—wait'll you see 'em—and wait'll the mob sees 'em in pictures at last!



Directed by Ray Enright • Screen Play by Joseph Schrank and Maurice Leo
Adapted from the Play by KENYON NICHOLSON and CHARLES ROBINSON
Songs by M. K. Jerome and Jack Scholl

Purely Personal

LEWIS MILESTONE, BEN GOETZ, VICTOR SAVILLE, PAT PATERSON, SAM SMITH, PETER BULL, BEN MIGGINS, SAMUEL ENGEL, VICTOR MCLAGLEN, CHARLES BOYER, JUNE KNIGHT, ANTON LITVAK, BRIAN DONLEVY, HENRI DIAMANT-BERGER, FRANCIS L. HARLEY, GILBERT MILLER, PAUL BERCHERT, RICHARD RODGERS and WALTER O'KEEFE will arrive today from Europe on the *Normandie*.

•

ZORINA, young Norwegian dancer who was premiere ballerina of the Monte Carlo Ballet Russe, has finished her assignment in "The Goldwyn Follies" and will arrive in New York on the Century tomorrow.

•

WILLIAM A. SCULLY, new general sales manager for Universal, and JOSEPH SEIDER, head of Prudential Playhouses, sailed yesterday on the *Georgic* for a vacation cruise. They will return Jan. 2.

•

SIG WITTMAN, eastern Universal district manager, will leave Sunday night for Cleveland where he will hold a one-day sales meeting of the Cleveland, Pittsburgh and Cincinnati offices.

•

NICHOLAS NAYFACK, M-G-M production executive, and LYNNE CARVER, his wife, are due in New York tomorrow for a brief stay.

•

E. K. (TED) O'SHEA, eastern district manager for M-G-M, left for Buffalo yesterday to spend Christmas with his family. He will return Monday.

•

WALLACE FORD will play Santa Claus to his daughter, PATTY, when she arrives with her mother this morning from the coast.

•

MARGARET SULLAVAN and her husband, LELAND HAYWARD, arrived on the coast yesterday via American Airlines.

•

A. W. SMITH, JR., general sales manager for U. A., left yesterday for Miami and will get back Jan. 2.

DeVry Delays Plans For 16mm Newsreels

CHICAGO, Dec. 22.—Plans for the establishment of a 16mm national newsreel have been delayed by H. A. DeVry, equipment manufacturer, who has been active in establishing local 16mm newsreels throughout the country.

DeVry stated that until all arrangements for handling the film could be completed, production would be held up. According to DeVry, from 20 to 40 theatres in the Chicago area will start local newsreels late in January. These theatres will be serviced by DeVry.

Latest development in the plans DeVry has in the 16mm field is the establishment of a library of features which will be rented to schools and non-theatrical groups. At present DeVry officials are screening more than 100 features to secure the pictures which they feel are needed for their library. Many of the films are independent productions.

Dropping Stadium Favored by Court

(Continued from page 1)

is expected from the former Orpheum Circuit, Inc., which was purchased from the company in bankruptcy in February.

The transfer, it was stated, is to be made to avoid approximately $50,000 in Federal undistributed and excess profits taxes.

The order provides that Stadium notes to RKO, which total $2,644,655 with $673,000 in accrued interest and are the only liability of Stadium, will be cancelled in return for Stadium assets which consist almost exclusively of former Orpheum Circuit property.

RKO Orpheum will receive the assets and return a note for $2,644,655 and all its capital stock to RKO. Stadium's stock and notes are now on deposit under an indenture with the Central Hanover Bank & Trust Co. The order provides for the substitution of the RKO Orpheum stock and notes for the Stadium collateral. The dissolution of Stadium must be effected before the end of the year if the taxes are to be avoided.

RKO Orpheum will issue 10 shares of no par value voting common stock and 673 shares of no par value preferred stock redeemable at $1,000 per share.

More Fees in Roxy Action Disallowed

(Continued from page 1)

cation of Blumenthal & Blumenthal, attorneys for the Adler Bondholders' Protective Committee, for $12,500 fees; Hoffman & Hoffman, attorneys for Ernest G. Laubenheimer and other bondholders, for $2,500 fees, and Epstein & Goodman, attorneys for Campagnoli & Co., Inc., a bondholder, for $350 also were disapproved.

Judge Caffey stated that the intervention by these bondholders was unnecessary, as their interests were already protected by other bondholders' committees.

Drop Barrymore's Suit

The accounting suit brought by John Barrymore against Hochner-Finn, his former New York attorneys, was dismissed by Federal Judge John C. Knox in the U. S. District Court here yesterday when Barrymore withdrew his complaint and the defense consented to a dismissal of their counterclaim. The attorneys will receive $2,043 from the fund now deposited in a special account. The remaining $1,500 will go to Barrymore or Walter C. Durst as custodian in Barrymore's California bankruptcy.

Set Star Xmas Greetings

HOLLYWOOD, Dec. 22.—For the first time, film stars and other prominent personalities have consented to appear in National Screen Service trailers giving Christmas and New Year's greetings. Among those to be filmed are Cecil B. DeMille, Carole Lombard, Ginger Rogers, Gary Cooper, Gene Autry, John Boles and Bob Burns.

Fineman RKO Producer

HOLLYWOOD, Dec. 22.—Bernard Fineman has been made an associate producer at RKO under a term contract.

Fairbanks Will Not Sell, He Declares

(Continued from page 1)

Korda another option, Fairbanks said he hadn't the slightest idea what he would do. He added, however, that he was going to the coast to attend the special U. A. directors' meeting on Monday. He left for Hollywood yesterday on the Century.

Clarence Erickson, general manager for Fairbanks, came in from the coast especially to meet the U. A. director. He will return to Hollywood Monday or Tuesday.

Fairbanks stated his future plans were uncertain and that he was going to the coast to decide what he would do.

In addition to Erickson, those meeting Fairbanks at the pier were Arthur W. Kelly, foreign head of U. A.; Harry D. Buckley, Capt. Dennis F. O'Brien, Norris Wilcox and Meyer Beck.

Tax Collections at New November High

(Continued from page 1)

421,000 over the $16,262,907 collected in the same period last year.

Collections in the third New York (Broadway) district were at a high point at $682,113, a gain of nearly $78,000 over October, the Bureau reported.

Collections at the box-office jumped from $559,145 to $616,520. All other taxes also increased, as follows: free or reduced rate admissions, from $2,121 to $7,956; tickets sold by brokers, from $7,017 to $13,773; tickets sold by proprietors in excess of established prices, from $1,401 to $2,210; permanent use or lease of boxes and seats, from nothing to $35; admissions to roof gardens and cabarets, from $34,803 to $41,619.

Anti-Dual Campaign Started in Evanston

(Continued from page 1)

publisher of the *News-Index;* Mayor Henry Penfield, the Better Films Council, the P. T. A. and officials of Northwestern University. Their contention is that double features exert a bad influence by lowering the quality standard of films shown.

Open Ampa Meeting

Although it was originally intended to have today's meeting in the form of a closed session, the Christmas spirit has brought about a change in plans and now all and sundry can attend the annual festivities of Ampa at the International Casino. Gifts and favors will be distributed in addition to a raffle which will be held in connection with the *Film Daily* Relief Fund.

Cohen Coming East

HOLLYWOOD, Dec. 22. — Emanuel Cohen left for New York tonight by plane to arrange the world premiere of "Every Day's a Holiday" on Jan. 14.

Cokell En Route Here

HOLLYWOOD, Dec. 22.—Walter B. Cokell, Paramount treasurer, left for New York today by train after completing a month of study given over to the paring of studio expenses.

Trade Treaty May Hit N.S.W. Quota

(Continued from page 1)

tributor quota from the previous 10 per cent to three per cent, but made it virtually mandatory that the distributors meet the requirements of the quota legislation. At the moment distributing offices here are awaiting complete details by mail on the legislation from Sydney, before determining on a course of action. The law will cover 1938 and 1939. The exhibitor quota is 2½ per cent.

It was pointed out yesterday that the American trade treaty with England, now in the course of discussion preliminary to negotiation, calls for trade agreements between the United States and the United Kingdom, and not Great Britain alone. If the negotiations are successfully concluded, such a treaty, with respect to films as to all other products included, would be binding on Australia as well.

The legislation just enacted pertains to New South Wales alone, since quota laws there are made individually, by states, but it is feared here that the precedent may spread to the other five states which make up the Commonwealth of Australia.

The political implications of the new legislation also were emphasized here, in view of the fact that the Australian elections will be held next spring. The new law carries a 12½ per cent rejection privilege on foreign product for New South Wales exhibitors.

It was said that American firms may finance Australian production in order to comply with the provisions of the New South Wales quota, if that becomes necessary, but under no consideration would they produce there, since the cost of transporting production units would be prohibitive, despite the fact that Australia is an excellent market for American pictures. Whereas Australian product may be used for quota purposes in the English market, the New South Wales law permits the use only of Australian product, and not English.

Wall Street

Board Issues Recede

	Open	High	Low	Close	Net Change
Col.	13¼	13¼	13¼	13¼	—1¼
Cons.	1¼	1¼	1⅛	1⅛	— ⅛
Cons., pfd.	6½	6½	6½	6½	— ¼
E. K.	167	167	165	165½	—1½
G. T. E.	12⅞	12⅞	12⅜	12⅜	— ½
Loew	49⅝	49¾	49	49	— ⅝
Para.	10½	10½	10⅛	10⅛	— ¼
Para. 1.	87	87	86⅝	86⅝	—6⅛
Para. 2.	10⅝	10⅝	10⅛	10⅛	— ¼
Pathe	6	6	6	6	.....
RKO	4½	4½	4⅜	4⅜	.....
20th Fox	21	21¼	20⅞	21	— ⅝
20th, pfd.	27¾	27¾	27	27	—1
Univ., pfd.	31	31	31	31	—2
W. B.	6⅝	6⅝	6½	6½	— ⅛
W. B., pfd.	34¼	34¾	34⅛	34¼	+ ¼

"U" Gains on Curb

	Open	High	Low	Close	Net Change
G. N.	⅞	⅞	¾	¾	.....
Monogram	1½	1½	1⅜	1⅜	— ⅛
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	17⅝	18	17⅝	17⅝	— ⅜
Univ. Corp.	2	2	2	2	+ ⅛
Univ. Pict.	5	5	5	5	+1⅜

Bonds Decline Fractionally

	High	Low	Close	Net Change
Loew 3½s '46	98	97½	97½	.....
Para. Pict. '47	73	72⅝	73	— ½
W. B. 6s '39	75	74½	74½	— ½

(Quotations at close of Dec. 22)



A world shocked and questioning — nations in dispute — headline history in the making!

But **HERE'S THE PICTORIAL TRUTH!**

GET READY TO PLAY THIS THREE-REEL SPECIAL FEATURE FOR RELEASE DECEMBER 30TH!

UNIVERSAL *presents*

Norman Alley's

BOMBING OF THE PANAY

EXCLUSIVE!
The sinking of the boat!
EXCLUSIVE!
The crew jumping overboard!

The boat-side of the Panay destroyed!...The Panay desperately maneuvers to escape!... Japanese planes attack again...abandon ship!...the wounded ashore! ...Hiding from Japanese Army patrols!...

THE FULL BURNING AND BOMBING OF NANKING AND THE EVACUATION OF THE U. S. EMBASSY



The greatest screen attraction in the history of Special Attractions!

Radio Personals

WALTER O'KEEFE will return from Europe today aboard the *Normandie*. . . Maurice Gaffney, CBS trade news editor, will start a vacation Jan. 8, planning a West Indies cruise. . . Margaret Carlisle, soprano will arrive today on the *Normandie* from a year's stay in London. She will probably be signed by Columbia Concerts. . . John Jaeger, WNEW chief announcer, and Evelyn Hassemer, head of the station telephone operating division, were married last week. . . Jean Paul King has been signed as announcer for the forthcoming Rexall program. . . Rudy Vallee will bring Ethel Barrymore and Dudley Digges to his program tonight.

✚

Jim Sauter of Airfeatures has been named publicity director for the President's Birthday Ball . . . CBS publicity department will tender its annual party at the Ambassador this year. The event will be held tomorrow, and a two-man band, comprising Hal Davis and Les Lieber, both of the press staff, will supply the music . . .

✚

Cincinnati Town Pump

CINCINNATI, Dec. 22.—Francis Pettay, announcer on "The Freshest Thing in Town," script show aired daily except Saturday and Sunday over WKRC, is back at work after a minor operation performed at Bethesda Hospital. . . Lee Goldsmith, WCKY studio manager, pinch-hitting for Elmer Dressman, continuity editor, who is on a honeymoon, is doing his job via the sign language, having temporarily lost his voice. . . Rosalyn Ross, Cincinnati Conservatory of Music student, who recently joined WLW, has just made her debut on the air with "Vocal Varieties," under direction of William Stoess. . . Clarence West of the WLW-WSAI research department has returned from a vacation in New York.

✚

Oklahoma City Pump

OKLAHOMA CITY, Dec. 22. — Bill Simpson is a new KTOK announcer. He has been with KNOW, Austin, and KABC, San Antonio . . . Clifford Easum has gone from KTOK to KFXR here as engineer . . . Bill Cunningham, formerly of WBBZ, Ponca City, Okla., is relief announcing at KOMA here. Cunningham formerly worked for KFXR here. Lester C. Harlow, formerly of KVOA, Siloam Springs, Ark., has joined the engineering staff of KTOK here replacing Easum.

Renew Sullivan Newscasts

CINCINNATI, Dec. 22.—The Capitol-Barg Cleaning Co. for the third consecutive time has renewed its sponsorship of Paul Sullivan's newscasts over WSAI. The contract was placed by Frederick W. Ziv, Inc.



Air "Code" Control Predicted by Weber

(Continued from page 1)

said here today. Weber, now on a short visit to Southern California, addressed the press at a luncheon given him by Lewis Allen Weiss, general manager of the Don Lee network, Mutual west coast affiliate.

Weber, in answer to a question by a MOTION PICTURE DAILY reporter, said that an attempt at unity of action for all broadcasters regardless of the power of individual stations will be attempted at the forthcoming convention through the election of president and secretary with paid salaries and augmented powers.

Weber disclosed that leading broadcasters of the midwest and east will attempt to put through a measure which in effect will establish trade policies, such as educational and social ideas, as well as formulate labor and other policies. He said one of the important points of the program would have to do with a regulatory code governing decency and morals in broadcasts but indicated that no penalties could be inflicted upon members violating such a code if set up. Penalties for violations of self-governing rules on morals and decency may result only through cooperation of all broadcasters, he indicated.

Touch Lightly on West

Although the NBC Mae West broadcast was discussed facetiously, no actual mention of the program which met public disapproval was made by Weber who said that promoters of the self-regulatory code had been at work on proposals for about sixty days.

Weber was introduced by L. M. (Bud) Rutherford, publicity director for Don Lee, and declared that three or four men not directly connected with the radio industry may be suggested by N.A.B. delegates as "czar" of the industry. He predicted that 1938 would be the best year for Mutual, telling of improved facilities for educational and special events, sports and sustaining features through systems of cooperative broadcasting on which Mutual has gained great favor by establishing a reputation for fine dance bands. He said that this factor would be the opening wedge in new campaigns.

Among features to be presented by Mutual during 1938 will be the first regular weekly international program to be aired from France and/or England.

A Shoe Loose

San Francisco, Dec. 22.—Vic Paulsen has signed off his "One O'Clock Review" on KJBS, with the sound effect of a galloping horse. A thick voice on the phone insisted the right front shoe was loose!

Heatter's Contract Continued 26 Weeks

The contract of Gabriel Heatter has been renewed for 26 weeks by Rogers, Peet Co. through the WOR Artists Service. It is effective Feb. 28 and stipulates that Heatter will confine his commentary activities exclusively to Rogers, Peet broadcasts. Marschalk & Pratt is the agency.

The renewal squelches reports that Heatter would sign with another sponsor.

Michaels Store to Air Brooks in News

Michaels Department Store has signed Richard Brooks for six quarter-hour news commentary periods a week, beginning Dec. 27, over WNEW. The contract is for 13 weeks, through the Schillin Advertising Corp.

A. W. Pickett, Inc., has signed for 50 live announcements over the same station. Riverbank Canning Co. has signed for six 10-minute periods a week of "The Joymakers" on WNEW, through the Klinger Advertising Corp.

P. & G. to Present "Goldbergs" on WHN

Procter & Gamble will present "The Goldbergs" on WHN starting Jan. 3 through a contract just effected. The series will be presented Mondays through Fridays from 7:15 to 7:30 P. M. Blackett-Sample-Hummert is the agency.

Renewed for 52 weeks over WHN is the "Voice of Experience," the renewal starting Dec. 27. Erwin, Wasey is the agency. Also, the B. C. Remedy Co. has received its daily spot announcements over WHN for another 52 weeks, beginning Jan. 3. Charles W. Hoyt Co. placed the contract.

I. J. Fox will start a five-week period of spot announcements over WHN Dec. 25, through the Schillin Advertising Corp.

New Shows on the Air

"Continental Varieties"

A fair idea of the scope of this program may be gleaned from the initial announcement which is uttered in six languages, including English. Its title is a familiar one and its significance strikes an obvious note to listeners as to what they may expect.

As the minutes tick past listeners become aware of a lively afternoon program that pleasantly stimulates the imagination with more or less familiar romantic music. The numbers are popular and the orchestrations bring out the rich tone values of Latin songs from abroad and South America. The few done in the French manner went off well, too. A modern German ballad also clicked.

Carmen Del Rio, a singer from Buenos Aires, was featured on yesterday's program. She has a rich voice and delivers her numbers in French and Spanish. Her rendition of the tricky "Clavelitos" stood out. Spanish influence overshadows the period, but the rich rhythms are always satisfying. Joseph Honti manages to get the most from the orchestra. The program features guest stars each week. It is heard on Wednesdays over WJZ and the NBC-Blue network from 3 to 3:30 P. M. P.

KFEL Writ Sought On Transcribed Show

DENVER, Dec. 22.—An injunction to restrain KFEL from broadcasting a transcribed program and stating it was being broadcast for Olinger Mortuaries, Inc., is being sought in a suit filed in the District Court here. The complaint alleges KFEL has presented a "canned" music program on Sunday afternoons, immediately following a program sponsored by the mortuaries over KLZ.

KFEL maintains that it has a signed contract for the programs, and had previously started suit for the first month's bill, which the mortuaries had refused to pay. The KFEL suit is against the mortuaries, the Hower Advertising Agency and W. W. MacGruder, who was employed by the Hower agency, but who now, since the death of C. M. Hower, has his own agency.

RCA-Victor Canada Records Explained

MONTREAL, Dec. 22.—Radio entertainers of Canada got a slight case of the "jitters" the other day when RCA-Victor opened a new studio in St. Henry Ward, for the manufacture of transcriptions. Their attack subsided, however, when company officials announced that transcriptions made there will not be used for commercial purposes in large metropolitan stations of the Dominion, but will be shipped to the small-power stations in remote corners of the provinces, stations too isolated to become an integral part of the regular network of the Dominion.

It was pointed out that Canadian talent would be used.

Radio Men Wrestle With AF of M Pacts

At a late hour last night the A. F. of M. and the I.R.N.A. committee still were wrestling over the content of the mass of contracts sent in by the I.R.N.A. stations. The deadline expired last night, but it is believed that it will not be found necessary to set another. Word of the outcome of yesterday's session is expected to be available today.

KFBK Jumps Power, Will Expand Station

SACRAMENTO, Dec. 22.—Station KFBK, owned and operated by the *Sacramento Bee*, has increased power from 5,000 to 10,000 watts, necessitating increased facilities and quarters. Plans are being drafted for a new building.

Air Group Plays Stage Dates

CINCINNATI, Dec. 22.—Schneider's Texans, a hillbilly vocal and instrumental ensemble, heard on an early morning spot over WLW, is playing a stage engagement at Keith's, Indianapolis, with other Indiana dates to follow.

Miss Pickford on Air Sunday

HOLLYWOOD, Dec. 22.—Mary Pickford will be the first Chase & Sanborn guest to make a general appearance when she participates in the coffee company's show this Sunday. Rubinoff and his violin also will be heard.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 149 NEW YORK, FRIDAY, DECEMBER 24, 1937 TEN CENTS

Union Extends Deadline for Music Pacts

New Date Jan. 3—About 200 Contracts Signed

I.R.N.A. stations were notified by wire yesterday that the A. F. of M. deadline has been extended until Jan. 3, 1938, to permit them more time to negotiate with the local chapters of the Federation, in accordance with the Plan of Settlement.

The messages bore the signatures of Samuel Rosenbaum and Emile J. Gough of the I.R.N.A. committee, and read as follows:

"All but a few dozen affiliates have either signed contracts with locals or are actively negotiating and contracts are practically assured. Owing to the holiday season it is impossible to expect completion this week (of the pact with the A. F. of M.) and in fairness to the vast majority of affiliates who are showing good faith, Weber (A. F. of M. president) has agreed at the request of the committee to close the meetings finally Jan. 3, 1938. Please cooperate by completing your contracts before that date if you have not yet closed with your local."

Close to 200 contracts are now on file with the Federation, it was said yesterday.

Claim 405 Stations Can Use New Discs

A nationwide survey recently completed indicates that 405 United States radio stations are now specially equipped to broadcast vertical-cut wide range transcriptions, according to World Broadcasting System. Vertical recording, a Bell Laboratories development, is described as providing "four-color" quality reproduction on the air.

Additional developments in radio on pages 8-9

What, No Knitting?

Hollywood, Dec. 23.—The M-G-M Studio Club, according to a publicity release, now boasts a bowling league, swimming and water polo team, basketball squad, tennis team, horseshoe outfit and a baseball league.

Zukor Status At Studio to Be Continued

Litigation Is Preventing Option Renewal

Adolph Zukor's employment status as Paramount studio head will continue unchanged after the first of the year, it was stated emphatically by a high company official yesterday.

At the same time, it was explained that due to the fact that Zukor's contract is still involved in litigation initiated by a company stockholder last summer, no action is scheduled to be taken on the option for renewal which otherwise would be exercised by the company prior to Dec. 31, as provided for in the contract. Due to the legal status of the pact, it has not been formally placed in effect, but will be retroactive to Jan. 1, 1937, if and when its legality has been asserted by the court, it was said.

The company official pointed out, also, that Zukor was officially without

(*Continued on page 9*)

Supply of School Films Faces Delay

There is little likelihood that the more than 1,000 films which were approved in whole or in part for school use by the M.P.P.D.A. educational films committee will be available to classrooms for many months to come, it was learned yesterday.

Individual producer-owners of the

(*Continued on page 9*)

Ban West Name

A. H. Morton, manager of NBC-managed and operated stations, yesterday issued an order to all stations under his supervision prohibiting the use of Mae West's name in script or song until further orders.

Yates Sees Republic Gross at 10 Million

Republic will gross approximately $10,000,000 on the current season's product, H. J. Yates, stated yesterday in commenting on the company's sales policy in view of the resignation of J. J. Milstein, general sales manager.

Yates pointed out that there was no immediate need to replace Milstein as the company's product was being handled by franchise holders throughout the country. However, he is considering some men for the post. No decision is expected for some time.

Milstein officially will step out of his Republic job today. He is considering several offers in the east.

To Sell "U" Panay Picture as Special

Universal's release of the bombing and sinking of the U. S. gunboat *Panay* by Japanese planes will be sold as a special, rather than being issued as a regular newsreel release, company officials stated yesterday. Preferential treatment, however, will be accorded theatres which have contracts with the newsreel, it was said.

Norman Alley, Universal newsreel cameraman, who was a passenger on the *Panay* during the bombing, is aboard a Pacific clipper en route

(*Continued on page 10*)

UA Board to Take Up Korda Release Plea

Understood His Original Request Modified

HOLLYWOOD, Dec. 23.—The United Artists board of directors is scheduled to consider Alexander Korda's request for a release from his contract commitments calling for exclusive production for that company at a special meeting to be held here probably on Monday, it was learned from authoritative sources today. The meeting was to have been held tomorrow but was postponed because of the inability of Douglas Fairbanks to be present at that time.

Korda, originally, is reported to have sought a complete release from his contractual obligations with United Artists but modified this subsequently to a request for the right to engage in outside production. It is this request which the board is scheduled to consider.

Korda is understood to have represented to United Artists that only by engaging in additional production, and for principals other than United Artists could his company, London Films, continue to be maintained. It was reported in reliable quarters here that Korda has received overtures from both M-G-M and 20th Century-Fox to handle production of a part of the indicated British quota requirements of both companies.

United Artists is reported to be wary of the precedent which may be established by granting Korda's request and for that reason the board's action is said to be unpredictable.

Meanwhile, United Artists' negotiations for the retention of David O.

(*Continued on page 10*)

Naming of Blumberg Successor Deferred

There is a strong likelihood that RKO will not name a successor to Nate Blumberg as head of theatre operations for some time to come, officials of the company stated yesterday. In this event, Major L. E. Thompson, Blumberg's aide in RKO theatre direction, and John O'Connor, head film buyer for the circuit, would

(*Continued on page 10*)

No Paper Tomorrow

***Motion Picture Daily* will not publish tomorrow, which is Christmas Day.**

Film Squadron, 21 in All, In on Normandie for Xmas

By BILL ORNSTEIN

The *Normandie* arrived yesterday from England with 21 film and theatrical personalities aboard, some returning from work in Paris and England, others en route to Hollywood to start work in pictures and another group vacation-bound.

Heading the list was Ben Goetz, in charge of M-G-M production in England, en route to Hollywood for conferences with Louis B. Mayer. He said that the company is preparing five productions to start early next year in London. They are "The Citadel," "And So Victoria," "Goodbye Mr. Chips," "Finishing School" and "Shadow of the Wing." He was optimistic about M-G-M's plans in England and said that at the coast meetings it will be decided what studio will be used permanently for production. "A Yank at Oxford" was made at Denham. He stayed over last night to attend the wedding of Ann Dawson, his sister's child, before flying to Hollywood today with his brother, Harry. He also asserted the company had taken an option on Dr. A. J. Cronin's next novel, as yet unnamed.

Victor Saville, who accompanied Goetz, said he will produce three of

(*Continued on page 4*)

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Warner Men Capture Ampa Party's Prizes

Two Warnerites yesterday won a case of rye and a case of scotch which were raffled off at the Ampa on behalf of the *Film Daily* Relief Fund. K. Gray of the Blaine Thompson Agency and Bryon F. (Dinty) Moore, metropolitan manager of Warner theatres in New York, were the lucky men.

Mitzi Green, who appears in "Babes in Arms," picked the winners out of a hat just before she left for Philadelphia for the opening of the show there.

Jack Alicoate, sponsor of the *Film Daily* Relief Fund, and Louis Nizer, executive secretary of the New York Film Board of Trade and a member of the legal firm of Phillips & Nizer, spoke on the accomplishments of the fund. Paul Lazarus, Jr., acted as chairman of the meeting in the absence of Ralph Rolan, who is in Hollywood.

Barron Holds Party

WASHINGTON, Dec. 23.—Carter T. Barron of Loew's tossed his annual Christmas party for his cohorts and the press. The Willard Hotel's Cabinet Room and the rooms of the Variety Club were the scene.

Purely Personal

ARTHUR LOEW will sail on the *Normandie* Sunday for England, the first lap on his five-month tour of foreign countries.

•

WALTER O'KEEFE, radio comedian, returned from abroad yesterday on the *Normandie*. HENRI DIAMANT BERGER, French producer and director, also was among the passengers.

•

IRVING REIS, former writer and producer of "Columbia Workshop," will arrive in California on the *Santa Elena*, Jan. 7, when he will begin his new Paramount contract.

•

PETER COLLI, Warner district sales supervisor for Cuba, Mexico, Panama, Peru, Puerto Rico and Central America, has arrived to spend a 10-day vacation here.

•

ARTHUR WAKOFF, booker for the Walter Reade circuit, has become a father. The boy, weighing seven pounds, saw the light at Brooklyn Jewish Hospital.

•

BILL SHIFFRIN of the HAWKS-VOLCK agency in Hollywood arrives Sunday for a combined business-pleasure trip. He will be here about a month.

•

REG WHITELY, film critic of the *London Daily Mirror*, who arrived on the *Bremen* Wednesday, left yesterday for the coast by train.

•

JOCK LAWRENCE, publicity head for SAMUEL GOLDWYN, left the coast for New York yesterday. He will leave for England Saturday.

•

JEAN HERSHOLT will arrive from the coast Monday. He will be tendered a cocktail party at the Park Lane the same day.

•

SOL LESSER is due from Philadelphia today. Yesterday he attended an engagement party for his daughter in the Quaker City.

•

FRANCHOT TONE has arrived here from the coast to join his wife, JOAN CRAWFORD. They are at the Waldorf-Astoria.

•

ZORINA, who has completed a role in "Goldwyn Follies," will arrive from Hollywood today.

•

WILLARD C. MCKAY, general counsel of Universal, is back from a quick trip to the coast.

•

D. A. DORAN, former eastern story head for Columbia, returned from the coast yesterday.

•

JAMES A. FITZPATRICK is due to arrive in Hollywood today from New York.

•

JOE HORNSTEIN will leave today for Memphis on a 10-day vacation trip.

•

CHARLES RUGGLES arrived from the Paramount studios yesterday.

•

PAT CASEY has arrived from the coast to spend a month here.

•

J. ROBERT RUBIN of M-G-M left for the Hollywood yesterday.

Ornstein Is Named Head of Score Club

Bill Ornstein of the editorial staff of MOTION PICTURE DAILY yesterday was elected president of the Score Club, formerly known as the Monday Knighters, and composed of local circuit heads and exchange managers. The election took place at the annual Christmas luncheon at the Tavern.

Each member of the club has been in the film business for 20 years with the exception of Ornstein, who has been in the industry for 17 years. However, the members decided to waive the three-year difference in favor of Ornstein, the only trade paper man identified with the organization.

Meetings will be held bi-monthly at a prominent hotel. Today, the members will gather at the Paddock for an informal session. Other officers of the Score Club will be named at a later meeting.

Attending yesterday's session were Harry Shiffman, Joe Hornstein, Max A. Cohen, Roy H. Haines, Edward M. Schnitzer, Nat Cohn, Moe Morris, Frank Elridge, Charles Moses, Louis Frisch, Sam Rinzler, Herman Gluckman, Jack Bowen, Louis Geller, William Saal, Moe Sanders, Harry H. Buxbaum, Joe Lee, Moe Sanders, Irving Wormser and Charles Stern. Bob Wolff did not attend due to a Christmas party given in his honor by employes of the local RKO exchange at Sardi's. Mitchell Klupt also was absent, being occupied with legal matters pertaining to the Century circuit.

Sets $250,000 Guarantee

On his return from Hollywood, George J. Schaefer said that a minimum guarantee of $250,000 against percentage are the terms set by United Artists for the initial New York run of "Goldwyn Follies." The figure demanded is said to top the previous high guarantee obtained by the company for the London showing of "City Lights."

Tobias Takes Over Rex

Lester S. Tobias, Inc., on Monday will take over Rex Premiums, Inc.

I. A. Poll to Sound Autonomy Sentiment

HOLLYWOOD, Dec. 23.—Sentiment among members of the I. A. T. S. E. is being sounded through the medium of elections to determine whether the international organization or individual locals shall have autonomy. The result of the vote will have no legal significance but will serve merely as an indication of members' preference toward an issue made capital of by intramural political factions and recently the subject of a legislative committee investigation.

Local 695, composed of studio sound men, was the first unit to vote. They balloted overwhelmingly in favor of a continuance of international supervision. Headquarters of the I. A. T. S. E. stated that only four out of 400 votes asked local autonomy. George Browne, president of the I. A., who arrived in town this week with William Bioff, his personal representative, addressed the group on the benefits of international supervision over local antonomy.

Other locals which will vote shortly are: International Photographers, Local 659; Laboratory Workers, Local 683, and Studio Technicians, Local 37. I. A. T. S. E. leaders are confident that the majority of the members in the four locals will favor retention of international supervision.

Sunday Vaude Approved

BRIDGEPORT, Dec. 23.—Sunday vaudeville has been approved by the Board of Aldermen and will become effective in 14 days. Loew's Lyric and Globe are affected by the new ordinance.

Filmarte Gives Bonus

Employes of the Filmarte have received a Christmas bonus of one week's salary and increases effective with the new year. Jean Lenauer operates the house.

Bonus at Paramount

Paramount yesterday paid a bonus of one week's salary to all employes earning less than $40 per week.



TWENTY-SIX PAGES—OKLAHOMA CITY, FRIDAY,

6, NO. 343.

ALCATRAZ CONVICT PAIR ESCAPES

Is It Escape Proof?

Photo-Diagram Alcatraz

Discipline Chains Convicts in Alcatraz; Treacherous Water Balks Prison Flight

6TH YEAR—NO. 251. TEXAS' OLDEST NEWSPAPER

TWO CONVICTS VANISH FROM ALCATRAZ

GALVESTON, TEXAS, FRIDAY, DECEMBER 17, 1937.

ALCATRAZ HUNTS CONVICTS' BODIES

island sided searching Co... and police boats early to...

One Boasted He'd

The escape recalled Jess Dunn of Oklahoma Penitentiary that ordered to Alcatraz fellow convicts:

"I don't think ... like the island ... and doubt if ... there long ... to be ...

FELONS FROM STATE VANISH IN HEAVY FOG

...d Ted Cole May Have Die...
...ph Roe and ... Treacherous Bay...
...tempting to Swim ...

SAN FRANCISCO, ... 16.—(AP)—Two long-ter... escaped Thursday from su... from Alcatraz island federal penitentia... officials said neither could have s... swimming to the mainland, a n...

...fog near ...

...ESTABLISHED 1842

...Convicts Crime?

VOL. XLII. NO. 5.

2 PUBLIC ENEMIES ...MAKIN... SEARCH ...ELUDE

Complete Associated Press Reports Every Day

Attack Stiffens Warden Says Men Could Not Survive ...cherous Swim

BEAUMONT, TEXAS, FRIDAY, DECEMBER 17, 1937.

Full Daily International News Service Leased Wire Reports

2 THUGS FLEE 'ESCAPE PROOF' ALCATRAZ PEN

San Francisco, Dec. 16 (AP). Two ... convicts ... ished today from the sup... edly escape-proof Alcatraz ...and Federal Penitentiary. ...hey apparently staked their ...es on an attempt to swim a ...e and a quarter to shore ...ough cold, fog-shrouded ...rs.

...prisoner ever has been know... ...ape from the dreary ... ...co Bay island by swimmi... ...h trained distance swi... ...mpanied by boats, have ...ough, tide-swept chan...

James ..., commander of the ... grounds at ... the men ...

FLEE ALCATRAZ PRIS...

Daring Dash F... Made During ...

Alcatraz Prison...

...om 'Roc... ...nse Fo...

Have you seen the papers lately?

Have you seen the figures lately on Warner Bros. Exploitation Explosion?

Flee Alcatraz Fog Veils ...rch

Convicts Flee Island; Dense Fog Escape, Hampers Search

Scores of Boats Comb Bay, but Both Thought Drowned

NO TRACE

SAN FRANCISCO, Dec. 16.—(INS)—Two comparatively unknown Oklahoma convicts appeared tonight to have performed "the impossible"—an escape from grim Alcatraz Federal prison, which rises, like a medieval fortress, on a 12-acre island out of the swirling tides of San ...isco Bay.

...searched the entire ...hours and can't find ... Warden James ... this first pu...

...ed Cole, the ... the Wilbur Underhill gang, disappe... ...oof Alcatraz island prison, federal department of ... announced. ...Cole, serving a 50-year kidnaping ... ...-year bank robbery ...

Inmates Call It Worse Than Devil's Island; Robots Foil Gun Smuggling PINS

SAN FRANCISCO, Dec. 1... Big Rock" on which ... a rigid discipline, ... last two or three yea... ...lized their ... slim, ...

...sex and crime stories are deleted ... Letters from ... are ... and ... another ... to the prisoner. ... each cell rest ... which can ...

Did Impossible

RALPH ROE
Jack McCarty
Associated Press Photo
Acme Photographic Service

TULSA TERRORIST FLEES ALCATRAZ

TULSA, OKLAHOMA, FRIDAY, DECEMBER 17, 1937

30 PAGES—2 PARTS

PRICE FIVE CE...

...of Coast Guard Boats Pierce ...se Golden Gate Fog While ...olice Guard Shoreline

...the Golden Ga... ...No one has ...escaped from Alca... at ... ...has designated a fed... ...1934 and there ... ...ds of any ... previous ...

...2 LIFERS ESCAPE FROM ALCATRAZ

...adline on Page 2

TED COLE MISSIN... IN PRISO... ON ISOLATED 'ROCK'

America's Gre...

Alcatraz Mi...

Alcatraz Island
A First National Picture
A Cosmopolitan Production

Escaped

With Ralph ...

SAN FRANCISCO, ... News

Many Arrive On Normandie For Christmas

(*Continued from page* 1)

the five films scheduled, namely, "The Citadel," "And So Victoria" and "Goodbye Mr. Chips." Michael Balcon will produce the other two.

This is his first trip to America since 1929, he stated. He expects to begin work on "The Citadel" in February. Both Goetz and Saville plan to be on the coast a week or 10 days. He will leave today by plane for the coast with the Goetzes.

Commenting on M-G-M's plans abroad, Saville declared that the company has set down as many films as can be made. "We have some very fine subjects," he said, "and we will make the kind of pictures demanded of M-G-M." He was not optimistic on making million-dollar pictures, holding that films should not cost more to make in England than in Hollywood.

Sam Smith, who handles Republic product in England, said that British Lion's four-year deal expires the end of 1939. Negotiations for renewing the pact will be held here with H. J. Yates, he added.

Smith Leaves for Toronto

"Very little production is now going on in England," Smith stated, because of the uncertainty of the quota law, but as soon as this is settled production will have a new spurt. He left for Toronto last night to spend Christmas with N. L. Nathanson and will return Monday.

Francis L. Harley, managing director for England, and Benjamin Miggins, managing director for Continental Europe, represented the 20th Century-Fox sales contingent.

Harley said that distribution and exhibition in England are "marvellous." Business in England is much better this year than last, he said, "and our business is outstandingly good." The sales executive would not comment on the company's production plans in England, adding that Robert T. Kane will come over soon to discuss the situation with Sidney R. Kent, president. He will remain three to four weeks.

Says Dutch Building Decreases

Miggins declared there is little theatre building and that Holland and Switzerland are now going through "adjustment." He added that theatre business on the continent was good and everyone was making money.

One of the purposes of his trip is to see "In Old Chicago" at the Astor on Jan. 6. The second is to discuss plans for next season. Next Tuesday both Harley and Miggins will attend the cocktail party at the Savoy Plaza being tendered by Kent for Darryl F. Zanuck. Joseph M. Schenck also will attend.

Gilbert Miller said he brought his wife home for Christmas and that he is planning to do a play by Frederick Lonsdale, tentatively titled "Once Is Enough," with Ina Claire. He added he had no film tieups and did not plan any. He left for England Oct. 1, and will return there the end of February.

Lonsdale, who also was on the boat, left yesterday for Florida to spend the holidays with Lord Beaverbrook.

Anton Litvak, who has three more years to go under his Warner contract, asserted he will make two a year for the company. However, he has one picture to make for Walter Wanger, "Wuthering Heights," which he hopes to complete this year. He left yesterday for Chicago, where Miriam Hopkins, his wife, is appearing in "Wine of Choice." He will accompany her to Philadelphia in two days and then come on to New York, where he will spend three to four weeks before proceeding to the coast to start work on "The Amazing Dr. Clitterhouse." Miss Hopkins, Litvak stated, has two years to go under her Samuel Goldwyn contract, and she will be back at the studios in May or June.

Charles MacArthur, playwright, wrote a play, tentatively titled "Holy Bible," while in Egypt and Budapest. He said it was a story about a New York girl and he didn't know who would produce it. He left here Oct. 30.

One M-G-M for MacArthur

Committed to M-G-M for one picture, MacArthur said he may do a story in the "Get Rich Quick Wallingford" series. He may write it here or go to the coast in January. Helen Hayes, his wife, has no picture plans, according to MacArthur, who is now writing another untitled play.

June Knight, who just finished "Break the News," for Rene Clair with Maurice Chevalier in Paris, left for Hollywood last night. She said she had several offers for films, but was anxious to do a play first.

Samuel Engel, who produced "He Was Her Man" for 20th Century-Fox in England, said Gracie Fields has three more films to do for the company regardless of the quota. He is Hollywood-bound after three months abroad.

Victor McLaglen and Brian Donlevy, who appeared in the picture with Miss Fields, also returned on the *Normandie*. Both were in England three months and said they were glad to get back. McLaglen said his contract with 20th Century-Fox has four more years to run and that he will appear in three a year. He left for the coast by plane last night. Donlevy will leave Saturday. He said he will be in the next McLaglen film as soon as he reaches the coast.

Arthur Tracy returned after spending 19 months in England, where he made "Follow Your Star." He said he produced this on his own, that General Film Distributors would handle it in England and that Universal probably will distribute in this country His company is known as the Bell grave Films. He said he is discussing three deals to make quota pictures in England and plans to leave for Hollywood shortly.

Peter Bull, English actor, arrived to appear in "Marie Antoinette." He said he had never been in Hollywood, although he has visited New York. He left for the coast by plane last night.

Lewis Milestone, director, returned from a two-month vacation abroad. He visited England, France, Austria, Hungary and Roumania. He also departed for the coast yesterday and will direct "Roadshow" for Hal Roach. After that he has no commitments, he said.

Moss Hart and Richard Rodgers returned from their first vacation in six years. They spent considerable time in Naples, Paris, Rome and London. Hart was away four weeks and Rodgers a week longer. Their next play will be "I Married an Angel," on which M-G-M has an option. Dwight Wiman will produce it on Broadway. Their last film effort was "Food for Scandal," for which they did the music, lyrics and book. Hart and Rodgers stated they are concentrating on the theatre and have no further film plans.

Boyer and Wife Debark

Charles Boyer and his wife, Pat Paterson, came back from England and France, where they spent three months, the former working on a film in Paris and the latter vacationing. Boyer made "Storm" for Daven Prod., and under the terms of his Walter Wanger contract, which has two years to go, he will appear in two a year. Miss Paterson also is under contract to Wanger. Both left for Hollywood last night by train. Both Boyer and his wife stated they had not been advised of their next picture.

Hayes Goetz accompanied his father. Mrs. Goetz arrived two weeks ago. Also on the boat was Terris Ivens, director of "The Spanish Earth."

Poundage Down

Kansas City, Dec. 23.—Western Missouri and Kansas exhibitors are using about 15 per cent less poundage of film than they did a year ago at the same time. At Film Delivery, where they weigh out film for transport, poundage is down about that much in comparison with the same period in 1936, according to Sam Abend, treasurer.

While there have been half a dozen or more theatre closings in the area recently, much more important are the number of exhibitors cutting down program changes.

Greeting 20th-Fox Men



Spyros Skouras, operating head of National Theatres, yesterday went down the bay to meet several incoming 20th Century-Fox sales and production executives arriving on the Normandie. He is shown in the center as he met Brian Donlevy, extreme left, Ben Miggins, Francis L. Harley and Samuel Engel.

Spanish Film to Start

Shooting on "Castles in the Air," first production of LeBaron Prod., will start on the coast Jan. 3, it was stated yesterday by Edward LeBaron, now in New York. The film will star Blanquita Castejon, Raphael Alvir, Andres DeSeguralo, who was Deanna Durbin's singing teacher, Jose Pena and Consuelo Mendizabal. LeBaron plans to produce 15 all-Spanish films in 1938.

Form New K. C. Firm

KANSAS CITY, Dec. 23.—A new firm, Consolidated Film Co., has been organized here by W. L. Norris and W. P. Humston to distribute Chesterfield and other independent product. They formerly were associated with Monogram Pictures of Kansas City, Inc., from which Monogram Film Distributors, Inc., recently purchased the Western Missouri-Kansas franchise for Monogram product.

Plan "Holiday" Drive

"Every Day's A Holiday" will be accorded a special national advertising campaign similar to that of "Ebb Tide," according to Robert M. Gillham, publicity and advertising director of the company. One feature of the exploitation will be full page ads in color in publications whose circulation totals 20,000,000. Newspaper ads will include space for the insertion of local theatres name and dates.

Drew to Motiograph

CHICAGO, Dec. 23.—Thomas P. Drew has been appointed Motiograph representative covering the eastern states. He has worked with Western Electric, General Register and operated a theatre.

Paramount's Christmas Carole



• America's favorite comedienne star of the Wesley Ruggles comedy hit—"True Confession"



"TRUE CONFESSION"

"I confess that 'TRUE CONFESSION' has brought the best pre-holiday trade to the Paramount Theatre in years. Audience reaction is terrific."
—*Robert M. Weitman, Paramount Theatre, N.Y.*

"I must confess that 'TRUE CONFESSION' is knocking them over at the Sheridan in Miami Beach, even bettering last year's holiday records of 'COLLEGE HOLIDAY' and 'THE PLAINSMAN' although playing in pre-holiday time. Audience reaction is tremendous."
—*Will Lynch, Paramount Enterprises, Miami, Fla.*

" 'TRUE CONFESSION' is a highly polished, smoothly grained Yule log which deserves to crackle right merrily at the Paramount. It is witty, clever, highly amusing. Santa will have to be generous indeed to give us a merrier show."
—*Frank Nugent, New York Times*

Variety Club

Cleveland

CLEVELAND, Dec. 23.—Dave Miller, Universal branch manager, has been elected chief barker of Variety Club. He succeeds M. B. Horwitz.

Other officers elected were: First vice-president, Col. Nat Wolf; Second vice-president, J. S. Jossey; treasurer, I. J. Schmertz; Secretary, Frank Boyd.

Columbus

COLUMBUS, Dec. 23. — Columbus Tent No. 2 treated approximately 200 children to a turkey dinner at the new quarters of the tent in the Grand Theatre Bldg. A Mickey Mouse and one Popeye picture were shown, and a revue was staged by a local dancing school. Each guest was given a Christmas gift and tickets to all local theatres. The children attending the party were selected by principals of 20 local schools. Those unable to attend were visited at the children's hospitals and Nightingale Cottage by officials and members of the tent, who distributed gifts and delicacies.

DUKE CLARK, chief barker, was in charge of the program, and ROSS ANDERSON doubled as Santa Claus. Others participating were: MAX STERN, chairman of arrangements committee; LEO HAENLEIN, gifts; HARRY SCHREIBER, entertainment; JAKE LUFT, finance; WALTER MILES, films; MATT REIGLER, decorations; RUSSELL CANTER, master of ceremonies; JACOB E. SANDUSKY and ROBERT FRENCH, transportation.

Kansas City

KANSAS CITY, Dec. 23.—The Variety Club has arranged a New Year's Eve party in the clubrooms on Film Row here, and is limiting reservations to 30 couples. The fee will be $5.

Approximately 1,300 Kansas Citians participated in the fourth annual Variety Club-Kansas City *Star* bowling tournament at the Pla-Mor alleys in Kansas City, Mo., and at the Grindel-Lembke alleys in Kansas City, Kan. This is the biggest participation of the series.

FRANK HENSLER was in charge for the club, ERNIE MEHL for the *Star*.

Omaha

OMAHA, Dec. 23.—Variety Club raised $249.75 at the anual charity supper-dance recently for a local newspaper's shoe and milk fund. About 200 persons attended.

EDWARD SHAFTON, SOL FRANCIS, HARRY SHUMOW, E. R. CUMMINGS, RED EMERSON and BILL MISKELL were in charge of the party.

WALTER GREEN, new chief barker, bought the club membership put on the block.

Pittsburgh

PITTSBURGH, Dec. 23.—The Pittsburgh Tent will hold its own New Year's Eve party this year, with a band and everything.

The goal for the 1937 *Press*-KDKA-Variety Club Milk Fund broadcasts is $30,000.

TONY STERN came up to the club the other night with a load of cigars celebrating the arrival of a daughter.

A charter has just arrived for the American Legion branch of the local tent.

JAKE SOLTZ was first to kick in for the Milk Fund, contributing $100.

JOHN MCGREVEY will take over his duties as the new president the first of the year.

Gifts are piling in for GEORGE VARIETY BARKER, the club's adopted boy.

Looking 'Em Over

"Boss of Lonely Valley"

(Universal)

LINCOLN, Dec. 23.—Buck Jones has been in much better and faster paced films than this, but it'll do the average business for Jones' flickers without much trouble.

It brings G-men into the western field, a thing quite odd viewing the time, place and setting. It's about a clever mobster, Walter Miller, who imports a crew of yeggs, among them a forger, Matty Fain, to a peaceful ranching valley, where he slicks widows and orphans of their lands by showing bills-of-sale with phoneyed signatures. He tries the deal on Buck Jones' girl friend, Muriel Evans, which brings Buck into action. The G-man is Harvey Clark, roaming the countryside like a bum gaining his evidence.

The film has an elaborate plot, with a whole town tunneled, even from the church to the gambling hall. This fact will intrigue the kids no end.

For the hinterlands, one incident surely will provide quite a bit of laughter—the scene wherein Muriel Evans in her best Sunday dress and her white, high heeled shoes invades the cowlot with a milk bucket to pail the Jerseys. The dress is bad enough, but the idea of white shoes in a cowyard is slightly out of reason.

Buck Jones is the producer, with Ray Taylor directing. It was taken from the novel by Forrest Brown, with screenplay by Frances Guihan.

Running time, 60 minutes. 'G."

"Sacred" on Dual Top in Milwaukee

MILWAUKEE, Dec. 23.—"Nothing Sacred" and "Missing Witness" collected $8,500 at the Warner in eight days to top first run grosses in a sickly week. This was $3,500 above average. Other business was off.

"The Last Gangster" and "Borrowing Trouble" was held over for a second week at Fox's Wisconsin, not because it proved a sellout in the first week but because of a shortage of good product, it was reported. The film grossed $6,000. Average for the house is $8,000.

Total first run business was $27,200. Average for five houses is $26,500.

Estimated takings:

Week Ending Dec. 14:

"FEDERAL BULLETS" (Monogram)
"THANKS FOR LISTENING" (A.C.)
GARDEN—(1,200), 25c-35c, 3 days. **Gross:** $600

"NAVY BLUE AND GOLD" (M-G-M)
"BIG TOWN GIRL" (20th-Fox)
STRAND—(1,400), 35c-50c, 5 days. **Gross:** $1,500. (Average, $4,500)

Week Ending Dec. 16:

"SWING IT SAILOR" (G.N.)
"LOVE TAKES FLIGHT" (G.N.)
GARDEN—(1,200), 25c-35c, 2 days. **Gross:** $400

"ALCATRAZ ISLAND" (F.N.)
"THE PERFECT SPECIMEN" (F.N.)
STRAND—(1,400), 35c-50c, 2 days. **Gross:** $700. (Average, $4,500)

"HOLD 'EM NAVY" (Para.)
"THE BARRIER" (Para.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $4,500. (Average, $5,000)

"HOLLYWOOD ROUNDUP" (Col.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Vaudeville. **Gross:** $5,000. (Average, $5,000)

"NOTHING SACRED" (U.A.)
"MISSING WITNESS" (F.N.)
WARNER—(2,400), 35c-50c, 8 days. **Gross:** $8,500. (Average, $5,000)

"THE LAST GANGSTER" (M-G-M)
"BORROWING TROUBLE" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days, 2nd week. **Gross:** $6,000. (Average, $8,000)

"Navy Blue," Show Beat Buffalo Lull

BUFFALO, Dec. 23.—With the city still in the grip of snow and ice, first runs took it on the chin. "Navy Blue and Gold," helped by a stage show called "St. Moritz Revue," turned in the best showing, $16,300, at the Buffalo. This was $2,300 over par.

The only other house to get into the profit division was the Century which had "The Last Gangster" and "She Asked for It." The gross of $6,600 was $300 over normal.

As a counter attraction in this sad pre-holiday stretch, the six-day bike riders, always a good attraction here, were whirling around Broadway Auditorium.

Total first run business was $39,300. Average is $42,300.

Estimated takings for the week ending Dec. 18:

"NAVY BLUE AND GOLD" (M-G-M)
BUFFALO—(3,000), 35c-60c, 7 days. Stage: "St. Moritz Revue" with Kit Klein. **Gross:** $16,300. (Average, $16,000)

"FIRST LADY" (W. B.)
"DANGER, LOVE AT WORK" (20th-Fox)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $7,100. (Average, $8,000)

"LOVE ON TOAST" (Para.)
"LANCER SPY" (20th-Fox)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $3,900. (Average, $7,500)

"THE LAST GANGSTER" (M-G-M)
"SHE ASKED FOR IT" (Para.)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $6,600. (Average, $6,300)

"THE MAN WHO CRIED WOLF" (Univ.)
"THE LADY FIGHTS BACK" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days **Gross:** $5,600. (Average, $6,500)

Heads Bill Posters

CINCINNATI, Dec. 23.—Walter Thompson has been elected president of the Bill Posters and Billers' Local No. 11. William Guckin has been named vice-president; Edward J. Norton, secretary and treasurer, and Al Linneman, sergeant-at-arms. Trustees are: Albert Lane, William Watke and William Kennedy. Norton and Thompson were selected as delegates to the Central Labor Council.

Short Subjects

"Rhythm Wranglers"

(RKO)

Cowboy and hillbilly music is arranged and presented in this short to be nicely entertaining. There is also the semblance of a plot. It revolves around the competition between two dude ranches. The photography and recording are good. Assisting in the unfoldment are Ray Whitley, Jane Walsh, Lloyd Ingraham and Georgia Simons. It should please. Running time, 19 mins. "G."

"Porky's Poppa"

(Vitaphone)

Another cleverly executed cartoon featuring the comical and sometimes ingenious pig character. Here he pits his cow, Bessie, against a mechanical milk-producing monster and the encounter is really good novelty. Bes sie wins out to save the farm from ruin. Worth while. Running time, 7 mins. "G."

"September in the Rain"

(Vitaphone)

A color cartoon fantasy that utilizes various articles in a grocery story for its effect. The theme is set to modern music and a number of caricatures of prominent entertainers are worked into the action. It is pleasant but doesn't seem to get anywhere. Running time, 7 mins. "G."

"One on the House"

(Vitaphone)

The famous vaudeville act known as Willie, West and McGinty serves as the hub around which revolves a meager plot concerning newlyweds and an assortment of turns performed by The Merry Macs, Floria Vestoff, Diane Denise and Al Tucker. The result is diversified entertainment which should manage to please all around. Running time, 20 mins. "G."

"Henry King & Orchestra"

(Vitaphone)

This familiar band is introduced with a novel story idea. The plot offers King as a correspondence school musician who gathers a band from neighborhood talent. They go to New York for commencement exercises and mistakenly drop into a night club where their music is an immediate success. The idea hits off well enough and the music and singing by Betty Allen rounds out the entertainment. Running time, 10 mins. "G."

"Alibi Mark"

(Vitaphone)

Floyd Gibbons delivers another of "Your True Adventures" here. It lacks the punch and realistic thrills of earlier numbers, but gets around to a good dramatic climax. Gibbons relates his yarn in a C.C.C. camp setting. It concerns a down and out youth who rides freight trains into a near-lynching party when he hops off in a town where a man has just been murdered by a hobo. Only identification by a railroad detective who hit him with a blackjack saves his neck. The real life character is on hand again to receive his check. Running time, 13 mins. "G."

Westinghouse Given Government Contract

WASHINGTON, Dec. 23.—A contract for radio transmitting and coupling equipment to be used in modernizing communications stations at 50 points, has been awarded by the U. S. Dept. of Commerce to the Westinghouse Electric Corp. The equipment will cost $246,500.

The new material will replace obsolescent apparatus and will provide simultaneous radio range and communication transmission at existing stations now equipped for this type of service.

Dunville Assistant To Shouse at WLW

CINCINNATI, Dec. 23.—Robert Dunville has been appointed assistant to general manager James D. Shouse of WLW. Dunville joined the Crosley organization Dec. 1.

Retention of Chester Herman as program consultant of WLW and WSAI also was made known yesterday. Herman, stage manager of the St. Louis Municipal Opera Co., will serve in an advisory capacity.

Presbrey Named on Allen Air Selling

The Frank Presbrey Co. has been appointed advertising agency to handle radio advertising for the Mark W. Allen Co. of Detroit on 2-Drop Hand Lotion. Starting the first of the year a campaign of spot broadcasting will be released.

Start Song Contest on KTUL

TULSA, Okla., Dec. 23.—The Midwest Chevrolet Co. is sponsoring a new type of program over KTUL daily except Saturday at 6 P.M., titled "Melody Mystery." It is a contest to test knowledge of song titles. Two announcers dramatize the title of each piece played. Transcriptions without vocals are used. Automobile service goes daily to the five persons guessing all the correct song titles and giving the best comments on the programs.

KMOX Has New Department

ST. LOUIS, Dec. 23.—A new department for the handling of all educational, cultural and religious programs has been created at KMOX and will be directed by Harriet Edwards. Miss Edwards joined the station last summer. Van Woodward has been named program analyst for KMOX. He will preview all programs and make suggestions for possible improvements in structure and production.

Has "Popeye" Show on WJTN

JAMESTOWN, N. Y., Dec. 23.—Walter League, formerly manager of the Palace and Winter Garden and now commercial manager of WJTN, is conducting the "Popeye" program over that station. The program is a juvenile amateur show and the broadcasts emanate from the Palace. The Ferndale-Nelson Creamery sponsors.

General Foods Extends Show

General Foods Corp. has extended the contract for "On Broadway" four weeks, taking the program up to April 24, 1938. The series is an NBC-Blue presentation. Benton & Bowles is the agency.

Radio Personals

JIMMIE LUNCEFORD returned from Pittsburgh and Hollywood yesterday . . . Sylvia Froos has been booked into the Earle, Philadelphia, during the week beginning Dec. 31, through Henry Frankel of the WOR artists' bureau.

✚

Bill Green, press agent for Rubinoff, left last night for Sioux City, Ia., where Rubinoff will open a concert tour New Year's Day. The tour will last until February . . . Rubinoff, incidentally, will guest appear on the Chase and Sanborn show this Sunday, and on Eddie Cantor's program Dec. 29 . . . News—and big news: Jack Kelly, of the Air Features publicity staff, emerged with a new hat yesterday, and it wasn't a Christmas present.

✚

Ozzie Nelson has been renewed on the Bakers Broadcasts for the sixth consecutive year . . . Sylvia Clyde, soprano, has had her contract renewed by WOR . . . Bob Emery's "Rainbow House" program plans a new program formula over WOR after the first of the year . . .

✚

Albany Town Pump

ALBANY, Dec. 23.—Death of Royden N. (Doc) Rand, WOKO ace announcer, hit Albany hard. Rand, a former clergyman, did a grand job for Wheaties in broadcasting baseball games of the local Senators all last spring and summer. His son, Grenfell Rand, who pinch-hit for him during the Doctor's illness last fall, will carry on the "Quik Qizz," etc. . . . Gene O'Haire, WGY sportscaster, has terminated his contract with Kentucky Club and is seeking a winter sponsor. . . . Betty Roberge Weir, wife of Snedden Weir, studio manager of WOKO and WABY, is one of the best concert pianists in the section. . . . Harold E. Smith, WOKO and WABY executive, is ill.

✚

Hollywood Town Pump

HOLLYWOOD, Dec. 23.—Jean Hersholt has gone to New York with Mrs. Hersholt. He will broadcast "Dr. Christian of River's End" dramas from the east for three weeks. . . . Pennzoil has started a spot announcement campaign on KNX. . . . Pacific Columbia network stations, starting Jan. 2, will hear Joe Penner at a new time—8 to 8:30 P.M., P.S.T. . . . Starting Dec. 27, "The In-Laws," script show, will switch from KHJ and the Don Lee chain to KNX and the Columbia Pacific network. It will be heard Mondays through Fridays from 3 to 3:30 P.M., P.S.T. A sponsorship deal is being negotiated. . . .

D. J. Dunlap, audio man of WBBM, Chicago, is in town visiting. . . . "Hollywood Hotel" next week will present Gene Raymond, Anne Sothern, Victor Moore and Helen Broderick in RKO's "She's Got Everything."

✚

Omaha Town Pump

OMAHA, Dec. 23.—Keith Wilson radio editor of the *Omaha World-Herald,* and Mrs. Wilson are parents of a seven-pound son. . . Harriet Cruise Kemmer, former featured KFAB vocalist, is now on a west coast network. . . Norval Schneringer is now on the KOIL continuity staff. He's a former agency man. . . Larry Krell, script show artist, is handling Ralph Wagner's sports column over WOW. . . Jack Wells, former KFOR singer, is now with Anson Weeks. . . Don Kelley of KOIL got a fan letter asking for a budget book from inmates of the county jail. . . Had Hughes' four-year-old daughter said Santa Claus over KOIL sounded just like "Daddy," which was right.

✚

Philadelphia Town Pump

PHILADELPHIA, Dec. 23.—The Harry Feigenbaum Agency has bought six quarter hours weekly over WIP for M. Simon & Co., credit jewelers. . . . The Jerry Crowley Agency has bought six quarter hours weekly over WIP for Rev. George A. Palmer. . . . The D. Malkal Agency of Boston has bought time at WIP for a series of spot announcements on "Alyce Chase Chocolates." . . . Joseph Fisher, former local bandsman, has joined the KYW singing staff and is being spotted in thrice-weekly broadcasts.

Jack Stewart, WFIL salas manager, will fly to the coast around Christmas Day to look over ground for opening of a WFIL office in Los Angeles. . . . Polly Willis, wife of John Clark, WFIL program director, is now singing with Anthony Candelori's orchestra over the station. . . . Stuart Williams, columnist on *Radio Press,* air weekly, is now doing a thrice-weekly Hollywood gossip show, sponsored by Lichty's Jewelry Co. over WFIL. . . . Angelo Palange, erstwhile Gotham sports announcer, is handling fight broadcasts from local clubs over WPEN. . . . Harold Davis, WDAS program chief, is doubling by doing a nightly sponsored sports talk under the name of "Buzz" Davis.

KGB Starts Men's Program

SAN DIEGO, Dec. 23.—"Man of the House" is the title of a new shopping program over KGB, Mutual-Don Lee outlet. Sponsored by Marston's Department Store, the program features George Putman and Lewis Hall in a series of 15-minute skits dealing with shopping problems from the man's angle. Written by George Putman and produced by Dave Young, the series is aired five times weekly at 9:30 A.M. The deal was a direct account.

Forbearance

Albany, Dec. 23.—Disdaining proferred automobile and bus transportation, 35 friars from the seminary of St. Anthony's - on - the - Hudson walked 10 miles to present their annual Christmas broadcast over WABY.

In accord with their mode of living, the friars walked five miles to the station, sang carols for a half-hour and then retraced their steps to the seminary. Father Adrian Brennan, O.M.C., directed the singing, with Father Dominic Rapp, O.M.C., master of clerics, announcing the program. Response to the program was enormous, according to WABY officials.

Kirkman Signs for WOR Disc Program

Kirkman Soap Co. has signed for a new five time weekly, five-minute transcribed series over WOR. Beginning Jan. 3, the program, titled "Musical Interludes," will be presented Mondays through Fridays at 4:45 P. M.

Also signed for representation on WOR is the Richardson Mint Co., which will begin participation in the Martha Deane series Dec. 27. N. W. Ayer & Son is the agency in both instances.

KSL Signs Contract In Music Settlement

SALT LAKE CITY, Dec. 23.—KSL has signed the musicians' local-affiliate contract in line with the national plan of settlement. Effective Jan. 1, the group begins production under the musical direction of Gene Halliday. KSL placed 25 per cent more men on the contract than the minimum required.

WSUN Signs Musician Pact

ST. PETERSBURG, Fla., Dec. 23.—Station Director Harold Meyer is in New York with signed copies of the radio contract between WSUN and the Musicians' Union of St. Petersburgh. The agreement provides that the city shall employ staff musicians, spending $3,423.82 per year in the employment of a musical leader who may also be a staff instrumentalist, and other musicians in good standing with the local union, for musicial performances in the studio of the station.

Wind Wrecks KGB Aerial

SAN DIEGO, Dec. 23.—An unusual windstorm swept down on San Diego yesterday, whipping down KGB's aerial a short time after the station went on the air at 7 A.M. Swamped with calls, KGB called KFSD, NBC outlet, asked them to put out a news broadcast explaining what had happened. Station obliged, explaining to the fans why the Mutual station was silent. The damage was patched up after four hours.

Sauter Birthday Chairman

James E. Sauter, radio producer and head of Air Features, Inc., has been appointed chairman of the General Events Committee for the celebration of the President's birthday. Previously it was recorded in error that Sauter had been appointed publicity director for the celebration.

CBS Signs Doris Rhodes

Doris Rhodes, night club singer, has been signed under CBS artists bureau management and will make her network debut on Buddy Clark's program Dec. 27.

Gallup a Vice-President

George H. Gallup, research director of Young & Rubicam, has been elected a vice-president and on Jan. 1 will become a stockholder of the company.

Talbot Joins KSO-WMT

DES MOINES, Dec. 23.—Clarence H. Talbot, formerly state director for the Federal Theatre project for Iowa, has resigned to join the announcing staff of KSO-WMT.

Radio

Handwriting Expert On Star Radio Show

Star Radio has engaged Dorothy Sara, handwriting expert and a member of both the American Guild of Graphologists and the American Graphological Society, in the preparation of a new series of programs to be released shortly after the first of the year.

Daniel C. Studin, vice-president of the script organization, stated there will be an entirely new merchandising setup in connection with the program. Promotion work on the new series will be under the direct supervision of W. C. Gartland.

New Station Named KXOX

ST. LOUIS, Dec. 23.—The call letters KXOX have been assigned to the new station to be operated here by the St. Louis *Star-Times*, an afternoon newspaper. The station will operate full time on a frequency of 1,250 kilocycles with a power of 1,000 watts. KSD, owned by the St. Louis *Post-Dispatch*, a rival newspaper, and WIL had opposed the granting of the license for the *Star-Times* station. The granting of the license was recently upheld by the U. S. Court of Appeals for the District of Columbia.

Bradley Plans Film Tests

CHICAGO, Dec. 23.—Truman Bradley, news commentator for CBS and announcer on the Ford "Sunday Evening Hour," will leave soon after the first of the year for New York for a series of film tests for M-G-M. Bradley, after conferences with Al Altman, M-G-M talent scout, agreed to take a leave of absence from his daily news commentary and make the film tests. He will continue his Ford broadcasts, however, flying from New York to Detroit every weekend. The tests will probably take three to four weeks.

Place 6 Programs on WGY

SCHENECTADY, Dec. 23.—Leighton and Nelson agency has placed a contract with WGY for six programs for Fitzgerald Brothers Brewing Co. Heard Monday nights, Bill Sheehan vocalizes with Irish songs featured. Radio Corp. of America is using late evening periods on WGY to plug RCA Victor recordings and to advertise the new RCA record-playing machine.

Patterson Heads Broadcasters

SAN FRANCISCO, Dec. 23.—S. H. Patterson, manager of KGGC, has been elected president of the Northern California Broadcasters' Ass'n, succeeding Art Westlund of KRE. Bob Roberts of KYA was picked to replace Ralph Brunton of KJBS as secretary.

Establish Mexican Station

MEXICO CITY, Dec. 23.—A radio broadcasting station has been established by the Northwestern Socialistic University of Mexico, seat of which is in Culiacan, Sinaloa State. The station is featuring cultural broadcasts.

Grove Will Reduce Johnson Radio Time

Grove Laboratories, Inc., sponsors of Gen. Hugh S. Johnson's commentaries on the NBC-Blue, will cut the General's schedule in half, effective Jan. 24. Deleted will be the Monday and Thursday programs; the Tuesday and Wednesday shows will continue to be heard at the same time as at present. Stack-Goble is the agency.

Reaffirm Stand on Union

SAN FRANCISCO, Dec. 23.—Associated Radio Employes, independent company union of NBC workers here, has reaffirmed its intention to steer clear of both A.F.L. and C.I.O.

President John Ribbe read an opinion from counsel that announcers and producers, transferring to NBC offices in other cities, cannot legally be penalized by national unions strong in those spots. Some of the workers had feared reprisals from unions, in event of being switched to the chain's Hollywood studios.

Esser Joins KSD

ST. LOUIS, Dec. 23.—Wright Esser has joined the continuity staff of KSD as a special feature writer. Esser has been placed in complete charge of writing and producing a new script, "Yodel's Alpine Inn," a six-day feature of KSD for the Columbia Brewing Co. Esser was formerly connected with the BBC in London.

Station Ads in Street Cars

CINCINNATI, Dec. 23. — WCKY, NBC outlet, owned by L. B. Wilson, is using double length display cards in color in street cars here and nearby towns to advertise the various sponsored programs aired over that station.

Renew KPO Program

SAN FRANCISCO, Dec. 23.—Albert Brothers Milling Co. has renewed "Good Morning Tonite," half-hour weekly concert on KPO and the coast Red network, for six months to June 28, 1938. The program features an orchestra directed by Gyula Ormay.

John Danz Buys House

SEATTLE, Dec. 23.—The Roosevelt theatre building has been acquired by John Danz for his Sterling Chain Theatres Circuit. The property was valued at $150,000, but the purchase price was not announced. Danz's Roosevelt Theatre was built on the property in 1934 by the Manheimer Estate, former owners. Transfer of the property ownership will have no effect on the operation or policy of the theatre.

Gets Pittsburgh Post

PITTSBURGH, Dec. 23.—William J. Martin has been named manager of the Etna by Harry Kalmine, Warner zone head here. He succeeds Lester Schwartz, resigned. Ken Hoel, Harris Amusement, has gone to St. Marys, Pa., to fill in for "Pop" Peacock, veteran manager who is ill.

Zukor Status At Studio to Be Continued

(*Continued from page* 1)

a contract as studio head during the first six months of this year, inasmuch as his contract had to be approved by Paramount stockholders and this was not done until June. At that time the contract was overwhelmingly approved by the shareholders but one, Ella Hayim, owner of a small number of shares, brought an action following the meeting to enjoin the company from placing the contract in effect. The action has not been adjudicated yet but if it is ultimately determined in the company's favor it will be made effective immediately, it was stated.

The Paramount board of directors, tentatively scheduled to meet yesterday, did not convene, due largely to the absence of a number of directors from the city and to the absence of urgent company business for the attention of the board. The next session will probably be late in January.

Stanton Griffis, chairman of the company's executive committee, left yesterday for a 10-day fishing trip in Florida waters. Barney Balaban, president, is remaining in New York.

Dismisses Newark Suit

Justice Charles B. McLaughlin dismissed the petition of the Newark Amusement Co. to compel Paramount to submit a dispute concerning the release of "Artists and Models" to arbitration in the N. Y. County Supreme Court yesterday. Newark contended that "Artists and Models" should have been released during the 1936 season. Justice McLaughlin ruled that the arbitration clause in the contract had not been signed by Newark.

Joyce Allowed $4,000

An interim allowance of $4,000 in fees was granted to Special Master John E. Joyce for his services in the Paramount reorganization by Federal Judge Alfred C. Coxe in the U. S. District Court here yesterday. Special Master Joyce had been awarded $10,000 previously.

Opens New G.N. Offices

TORONTO, Dec. 23.—Grand National Films, Ltd., has continued its expansion in Canada by the rounding out of its organization in Western Canada. A new office has been opened in Winnipeg to serve the mid-West, while H. J. Allen, Canadian general manager, has appointed Leslie A. Allen as manager of the new branch at Vancouver.

To Take Ohio House

COLUMBUS, Dec. 23.—The Stan-Rad Co., Inc., has been organized here by Clark Rader, operator of a number of houses in Ohio, and Lawrence D. Stanley, attorney. The organization will take over the La Max, at Wilmington, O.

Frances Mercer Signed

HOLLYWOOD, Dec. 23.—Frances Mercer, daughter of Sid Mercer, New York sports writer, has been signed to a term acting contract at RKO.

Supply of School Films Faces Delay

(*Continued from page* 1)

approved films have not yet authorized their release to schools and, in the event they are made available, there is no distribution machinery in view for them at this time.

Cataloging of the films has been begun by the M.P.P.D.A., which will show the number of approved films in the vaults of individual companies. The listing was scheduled to be reported to the quarterly meeting of the Hays organization last Tuesday but has not been completed yet.

Interest in the educational films appears to be waning in producer-distributor circles. Only one meeting of the educational films committee appointed by Will H. Hays in October has been held and it is unlikely that another will be called prior to the return of H. M. Warner, chairman, to New York from Hollywood. From present indications this point will not be reached until February at the earliest.

Tentatively Accept Chicago Fees Offer

CHICAGO, Dec. 23.—Theatre representatives and members of the City Council last night considered the $70,000 increase in license fees offered by the theatre owners to the Finance Committee of the Council, instead of the $120,000 increase sought by the council.

The committee accepted the theatremen's offer subject to the approval of the Council.

New Firms Chartered

ALBANY, Dec. 23.—Recent incorporations here include: The Omnivox Co., Inc., New York, to deal in recordings, films, etc.; Yankel the Blacksmith, Inc., New York, to deal in films and picture apparatus, and West 72nd St. Theatre, Inc., New York, exhibition.

Wall Street

Losses General on Board

	Open	High	Low	Close	Net Change
Col.	13½	13½	12⅞	13¼	.....
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons., pfd.	6	6	5½	5½	—1
E. K.	166	166	164⅝	165	— ½
G. T. E.	12¼	12¼	11½	11¾	— ⅝
Loew	48½	48½	48	48½	— ½
Para.	10	10	9¾	9¾	— ⅜
Para. 1	84	84	84	84	—2⅝
Para. 2	10⅜	10½	10	10½	+ ⅜
Pathe	6¼	6¼	6	6	.....
RKO	4⅜	4½	4¼	4⅜	.....
20th Fox	21	21⅛	21	21⅛	+ ⅛
20th, pfd.	27	27	26¾	26¾	— ¼
Univ. pfd.	30¼	31	30	31	.....
W. B.	6½	6½	6¼	6½	.....
W. B. pfd.	35	35	35	35	+ ¾

Light Curb Activity

	Open	High	Low	Close	Net Change
G. N.	¾	¾	⅝	¾	.....
Monogram	1¼	1¼	1¼	1¼	— ⅛
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	17⅝	17¾	17⅝	17¾	.....
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....
Univ. Corp.	2	2⅛	2	2⅛	+ ⅛

Warner Bonds Rise Fractionally

	High	Low	Close	Net Change
Para. Pict. '47	72⅝	72½	72½	.....
RKO 6s '41	85	85	85	—2
W. B. 6s '39	75	74⅝	74⅝	+ ⅛

(Quotations at close of Dec. 23)

U. A. Will Consider Korda Release Plea

(Continued from page 1)

Selznick are at a standstill and, presumably, dependent wholly upon the final outcome of the Selznick-M-G-M negotiations. Metro is said to have agreed to all of Selznick's terms, including a world distribution charge of 20 per cent. but has balked at Selznick's request for separate selling of his product. The distributor contends that this would necessitate the creation of a separate sales force.

United Artists, of course, sells its producers' product separately but its domestic distribution charge ranges from 25 to 30 per cent.

Naming of Blumberg Successor Deferred

(Continued from page 1)

share operating duties with the theatre department continuing as now constituted.

Blumberg's resignation from RKO will become effective at the end of next week, and on Jan. 3 he will begin his duties as Universal president.

Official indications at the moment are that the designation of a theatre operating head will be deferred until Leo Spitz, RKO president, returns from the studio. The date of his return is still indefinite, but may be another 30 days or more in the offing.

Claim Union Cinema Assets Transferred

By AUBREY FLANAGAN

LONDON, Dec. 23.—Charges that certain assets of Union Cinemas had been transferred, thus benefiting individuals, who are unnamed, were aired today at the first annual meeting of the company since a controlling interest in the company was taken by Associated British Pictures. John Maxwell, head of Associated, who presided, did not propose the adoption of the financial report, and declared that no dividend will be voted for some time.

He persuaded the shareholders to adjourn the meeting *sine die*. He had ordered a complete investigation of the company's affairs and canceled all building plans for the circuit. The company's bank overdraft was given at £1,500,000. The assets were listed at £3,856,000, written up by £2,000,000. Loans made to a subsidiary company were in the form of salaries to directors. Amortization has been figured on a basis of 99 years as the life of the company's theatre properties, while actually it is probably not more than 20 or 30 years, it was said.

McGuire Seeks Release

HOLLYWOOD, Dec. 23.—William Anthony McGuire today asked for a release of his M-G-M contract following completion of "Girl of the Golden West,'" which he is producing for the company. He said he was anxious to return to Broadway to do a musical show.

To Open 20th Fox Office

NEW HAVEN, Dec. 23.—Exhibitors from the entire state have been invited to attend the formal opening of the new 20th Century-Fox Bldg., on Tuesday. A special screening will be held.

The Newsreel Parade

Movietone News
Vol. 20, No. 30
(20th Century-Fox)

Diversified material, good narration and well staged features help to make this release an interesting and entertaining one in spite of the usual midweek shortage of spot news events.

The news subjects include some good shots of the picketing of the Ford plant at Kansas City and incidental clashes of pickets and police; the opening of the new Lincoln tunnel under the Hudson River from Weehawken, N. J., to midtown New York; a Christmas party in Washington for the children of foreign diplomats; the departure from Italy of the Duke of Aosta, newly appointed Viceroy of Ethiopia; King George VI inspecting Britain's new fighting planes; Dowager Queen Mary at a Christmas benefit sale for England's poor, and Sonja Henie's arrival in Chicago for a skating exhibition.

Departmental features include the presentation of Congressional medals to members of an Antarctic expedition by Darryl Zanuck for the reel's Hollywood Spotlight section; Vyvyan Donner's and Helen Claire's fashions; the Navy's newest and largest flying "battleship" at San Diego, an aviation feature, and skiing scenes at home and abroad, a sports feature.

Running time, 10 minutes. K.

News of the Day
Vol. 9, No. 228
(M-G-M)

This issue devotes itself entirely to a review of the outstanding events of the past year. It was a particularly eventful period and the film is the better for it. The material is presented in effective clips and enough of each event is presented to refresh the mind of the audience.

The dignified pageantry of the Coronation of George VI opens the reel. The culmination of the romance of Edward VIII follows with shots of his marriage to Mrs. Wallis Warfield. The horrible crash of the Hindenburg is shown again in its gruesome reality. Personalities are covered with clips of Pope Pius and the late John D. Rockefeller. Aviation includes a short bit on Amelia Earhart and the progress of trans-Atlantic flight. The damaging floods in the Ohio and Mississippi Valleys are shown. Some of the best shots of the war in China and Spain are run again. The inauguration of President Roosevelt and other items of home interest conclude the issue.

The comment is handled by Adelaide Hawley, Paul Alley and Jean Paul King.

Running time, 8½ mins. P.

Paramount News
No. 41
(Paramount)

Drama and entertainment, and a measure of general interest combine to make this a varied and effective issue of the reel. Probably unconsciously a sharp and dramatic contrast was afforded in the scenes of the terrible wreck of a wooden train in Scotland in a night blizzard, which claimed 34 lives, against the pictures of the new streamlined train, which presents a striking picture of the most modern note in transportation.

Extremely effective are the scenes in Rome, as Mussolini greets his council, then announces to the cheering throngs Italy's withdrawal from the League. The reel is late with pictures of the escape of two convicts from Alcatraz Island. Shown is the navy's new "flying battleship," a flying monster of war. Scenes of the home of France's new Bluebeard; freshmen at Lille, France, undergoing a vigorous and amusing initiation, co-ed styles for all types of wear, and the greetings of the season from children of various countries, seen in the Washington embassy circle, complete the reel.

Running time, 9 mins. A.

RKO Pathe News
Vol. 9, No. 45
(RKO)

The assortment of items that went into the makeup of this issue of RKO Pathe News generally manages to be interesting in spite of the fact that little of significant pictorial value has transpired. There are nine items and they range from the manufacture of wool from milk in Italy to the recent premiere of "Snow White and the Seven Dwarfs" in Hollywood.

The opening of the new Lincoln Tunnel occupies first place. There are good shots of the various officials attending the ceremonies. The "Snow White" opening follows with good scenes of film personalities as they enter the theatre. The recent train wreck in Scotland, the various privileges enjoyed by Congressmen, a proposed hunt for giant dinosaurs in Colorado, the Italian conversion of milk into wool, Senator Wagner explaining the Housing Act, a humorous scene of the "bangup" demonstration of a fellow in Ohio who would propel himself on ice skates with rockets and the opening race at Tropical Park in Florida, described by Clem McCarthy, supply the balance of the reel.

Running time, 8 mins. P.

Universal Newsreel
Vol. 9, No. 626
(Universal)

There is plenty of variety in subjects and a liberal selection of material in this release, although none of it is outstanding and little of it is of consequence.

The 11 subjects comprising the reel are the Inaugural Handicap at Miami; a Christmas party for crippled children of Hollywood, given by a handicapped girl; the arrival in France of British gold shipments; a church congress for children at Havana; the departure of Italy's new viceroy for Ethiopia; the aftermath of a sleet storm in Oklahoma City; flood scenes in the south of France; a Cleveland warehouse fire; the opening of the Lincoln Tunnel connecting New Jersey and midtown New York; a California Santa Claus who travels by glider, and the scoring plays in a recent hockey game between the Canadiens and the N. Y. Rangers.

The reel's variety and the brevity of the more inconsequential subjects give the release a pace which makes it as diverting as the average reel.

Running time, 9 mins. K.

To Sell "U" Panay Picture as Special

(Continued from page 1)

to San Francisco with 5,000 feet of film. He is scheduled to arrive on the coast on Monday and in New York the following day. If the schedule is maintained the release should be generally available Dec. 30.

The possibility that the U. S. State Dep't or Navy might delay release of the film, pending its viewing and possible censorship by the Government officials, was dispelled yesterday when immediate and uncensored release of the reel was authorized in Washington, according to Charles E. Ford, editor of the reel.

David Lipton, formerly with B. & K. and a number of other circuits, has been engaged as a special publicity representative for the film.

Alley in L. A. Monday

HOLLYWOOD, Dec. 23.—Norman Alley, cameraman of Universal Newsreel, who photographed the bombardment and sinking of the *Panay*, will arrive here Monday on a Pacific clipper with his views of the action in the Yangtze River. Universal has chartered a United Airlines plane to fly Alley, his wife, children and the newsreel footage to New York. Dave Lipton is flying here to accompany Alley east.

Montreal Men Held In Child Law Cases

MONTREAL, Dec. 23.—The law prohibiting admission of children under 16 years of age to any theatre in the Province of Quebec during a film showing has brought fresh trouble to a number of exhibitors, nine of whom have been summoned for an alleged breach of statute.

For more than 10 years the theatre owners have battled with the Provincial authorities for a repeal of the law which went into effect following the Laurier Palace disaster. Following a recent agitation, the Montreal police apparently retaliated by making a roundup of neighborhood theatre owners.

The Allied Theatrical Industries, which is the association representing the theatre owners, has held an emergency meeting and plans have been laid to make an issue of the prosecutions. Renewed attempts for a change in the law will be laid before the session of the Quebec Legislature which opens in January.

Yiddish Film Opening

"The Cantor's Son," first Yiddish musical film produced in this country, will open tomorrow at the Squire. The film is the first of six planned by Arthur Block and Sam Segal for Eron Pictures.

Monogram Film at Globe

"Federal Bullets" has been booked into the Globe starting tomorrow and "Country Fair" will start an engagement at the Central today. Both are Monogram films.

Charter Pacific Film

DOVER, Del., Dec. 23.—Pacific Film Service, Inc., has been formed here with a capitalization of $250,000. The incorporators are M. L. Rogers, L. A. Irwin and M. M. Nichols.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 150 NEW YORK, MONDAY, DECEMBER 27, 1937 TEN CENTS

Move Against Newspapers' Air Stations

Sound Senate Sentiment; Total Is Now 200

WASHINGTON, Dec. 26.—With newspaper-owned radio stations now numbering around 200 out of the 700-odd licensed commercial radio stations, President Roosevelt is said again to be considering the advisability of legislation to compel newspapers to divest themselves of the ownership or control of stations.

Frank R. McNinch, chairman of the F. C. C., is known to favor such a step, and recently he began a study of the problem.

Dr. Irvin Stewart, formerly of the F. C. C., recently compiled an analysis of newspaper ownership of stations and found 113 cities in which all local broadcast stations are under newspaper control.

The feeling against newspaper ownership of radio stations is perhaps best

(*Continued on page* 8)

Radio Men See No New Setup Coming

WASHINGTON, Dec. 26.—Capital radio circles yesterday scouted dispatches from Hollywood indicating the Mae West incident would bring a dictator regime into radio.

Speaking for the radio industry as a whole, an N. A. B. spokesman indicated to MOTION PICTURE DAILY that the sentiment in station circles is decidedly against having any one appointed with power to dictate policies to the industry.

"It is impossible for any industry," the N. A. B. spokesman said, "operating under Federal License, as does radio, to set up any comparable control. We have in fact seven of them now," meaning, he said, "the F. C. C."

WMCA Adds 4 New Advertising Periods

Four new contracts have been placed at WMCA recently. Policy Holders' Advisory Council, through the Everite advertising agency, has signed for 39 weeks ending in Sept. 1938, Thursdays from 7:45 to 8 P. M., "The Insurance Counsellor" the program title.

I. J. Fox, through the Schillin Ad-

(*Continued on page* 8)

More Radio—P. 8

AP Buys Sole Use of "U's" Panay Stills

Agreement Said to Call For Record Payment

Universal closed a deal over the weekend whereby the Associated Press was granted exclusive rights to world wide use of any of the material included in the 5,000 feet of film on the bombing of the U. S. gunboat *Panay*, which is being brought here by Norman Alley, Universal Newsreel cameraman.

While the terms of the deal were not disclosed, it is understood that a very large sum was paid by A. P. for the rights. A Universal official, declining to confirm the reported purchase price, stated that it was "the highest on record in the history of newsreels." A feature of the deal calls for credit lines to Universal on all of the material used.

The deal was set by Matthew Fox, assistant to Nate Blumberg, new Universal president, and Charles E. Ford, editor of the Universal Newsreel. Edward Stanley, executive editor of the A. P., represented the news service. Universal had received a total of seven offers for the rights.

Warners Plan Drive On Production Soon

HOLLYWOOD, Dec. 26.—Warners plan to launch a concentrated production drive during January and February with more than 19 pictures scheduled to go into production, at an average of two each week, according to Jack L. Warner, vice-president in charge of production.

The features are all scheduled for release during the current season, late this winter, next spring and summer. Several will be based on stage plays, including "Boy Meets Girl" and "The Amazing Dr. Clitterhouse" and "Howdy, Stranger."

Ask Governor's Aid On K.C. Clearances

KANSAS CITY, Dec. 26.—The latest move in the effort of Kansas City, Kan., to obtain a cut in the 28-day clearance which Kansas City, Mo., has over the Kansas municipality is a letter to Gov. W. A. Huxman from Ray T. Willette, Chamber of Commerce member.

The only progress so far in securing concessions is a cut in clearance to two weeks on certain films at the Fox Granada.

A Real Present

Dallas, Dec. 26. — David Hobbs, 10-year-old local youngster received a real Christmas present from Ann Sothern, who was here to visit her husband, Roger Pryor, orchestra leader.

She came into contact with the youngster through a relief agency, gave him an elaborate birthday party at her hotel, and took him back to the coast with her. She says that if the boy likes Hollywood she will take out guardianship papers.

Name Lipton "U" Publicity Chief

David Lipton, veteran theatre publicity man, has been appointed publicity manager of Universal with headquarters in New York, it was made known officially over the weekend. Lipton succeeds Paul Gulick, who relinquished the post last week. He will work under John Joseph, new advertising, publicity and exploitation director of Universal.

Lipton was associated with Balaban & Katz, Chicago, for many years; was publicity manager for Sally Rand and Major Edward Bowes and subsequently handled publicity for Columbia Broadcasting system. He went to the coast by plane on Saturday night to meet Norman Alley, Universal newsreel cameraman, who is scheduled to arrive in San Francisco today with pictures of the bombing of the U. S. gunboat *Panay*.

No changes in Universal's studio publicity department, headed by Mark Lachmann, "are needed or will be made," a company official here stated.

Nicholson Quits as Educational Counsel

Norman C. Nicholson has resigned as secretary of Educational Pictures, Inc., to resume the practice of law with Silas S. Clark under the firm name of Clark & Nicholson. He is now in Florida on a short vacation and will return about Jan. 1.

Nicholson joined the legal staff of

(*Continued on page* 4)

Canadians Protest Condition of Prints

TORONTO, Dec. 26. — Members of the Independent Theatre Ass'n of Ontario are on the war path over the condition of prints being released by various distributors. The association has organized a Better Prints Committee which has requested a confer-

(*Continued on page* 4)

Weekend Gain Reaches Last Year's Level

No Raise Over Previous Three Days Noted

Theatre managers on Broadway and circuit operating heads yesterday estimated that the Christmas weekend business this year was comparable to that of last year. There had been no increase noted over the previous three-day period, the reason being that this year Christmas fell on a Saturday, while last year it fell on a Friday.

Exhibitors and circuit heads maintained that Saturday's business in New York and out-of-town was outstanding. While Friday and Sunday were good the grosses were not anywhere near the Saturday takes.

With school out Friday, many Broadway houses enjoyed a pickup. Business that day was fair up to about 8 P. M., when it dropped sharply. Many of the theatres on Broadway opened earlier Saturday and it was

(*Continued on page* 4)

Denies Saville to Take British Post

Reports current that Victor Saville would be placed in complete charge of M-G-M production in England were denied Friday by Ben Goetz prior to his departure to the coast via American Airlines the same day.

Goetz described the reports as ridiculous and stated: "I'm going to continue as production head."

The stories had it that Saville would make a deal with Louis B. Mayer on the coast whereby he is to produce all the M-G-M quota films in England.

Goetz has moved his home from the coast to England and plans to return abroad in about two weeks. He added the company is now preparing five new pictures, the first, "The Citadel," to start in February, which would be sufficient indication to disprove the rumors.

Michalove to Return As Kent's Assistant

Dan Michalove, who has been at the 20th Century-Fox studios on the coast for the past year, on Jan. 3 resumes his former post at the home office as assistant to Sidney R. Kent, president. As assistant to Kent, Michalove has been handling matters for the president.

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(Registered U. S. Patent Office)

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A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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Goldstein New Head Of the Round Table

Jack Goldstein has been named editor of the Managers' Round Table of *Motion Picture Herald.*

Goldstein joins the Quigley Publications with a comprehensive background of showmanship. Starting in 1920 with the Netoco circuit in New England he was appointed publicity director of this circuit when it grew to operate 40 theatres.

When Netoco was absorbed by Publix in 1928, he was appointed advertising manager for the eight Boston theatres. Then followed a rapid succession of promotions, from Publix to the Shubert Theatres in Boston, thence to Brooklyn for RKO Theatres from where he was transferred to New England for RKO. He was then appointed manager of exploitation for United Artists pictures. More recently he has been connected with RKO and Universal.

Film Ban Stirs Chile

SANTIAGO, Chile., Dec. 26.—Bitter discussion has been stirred here by the ban placed on "Fire in Spain" by the Governor of Santiago. The Governor explained that the ban had been issued because of public excitement over the film.

Purely Personal

LYNN FARNOL, of Donahue & Coe, returned from the coast Friday by plane after conferring with SAMUEL GOLDWYN on advertising matters.

•

MORRIS SHIFF of the Warner contract department Saturday was married to LOUISE VOGEL at Mt. Eden Temple. The couple left for Lakewood for a week's honeymon.

•

LEON J. BAMBERGER, RKO sales promotion manager, on Jan. 14 will address the Columbus (Ohio) Advertising Club on "My Business Is Different."

•

MORT BLUMENSTOCK is planning to take a vacation as soon as S. CHARLES EINFELD returns from the coast. EINFELD is expected back Jan. 10.

•

GERTRUDE SELIG, secretary to MORT BLUMENSTOCK of Warners, sailed Friday for a Miami vacation.

•

ROY HAINES, with a Florida vacation behind him, is complaining about the mild sunburn he got.

•

PAUL BARRON of the Universal Philadelphia sales staff is in town on a brief vacation.

•

BEN and HARRY GOETZ and VICTOR SAVILLE left for Hollywood by plane Friday.

•

EMANUEL COHEN left for Hollywood over the weekend.

•

SOL LESSER will arrive from Philadelphia today.

•

BRIAN DONLEVY is at the Waldorf-Astoria.

•

. . . Denver

DAVE COCKRILL and MRS. COCKRILL have gone to Mexico City for a few days.

EDWARD J. PESKAY, Grand National vice-president, is expected here soon to pick a successor for IRVING JACOBS, manager, recently resigned.

IRVING JACOBS and MRS. JACOBS have left for New York and Florida.

BOB MAPEL and MRS. MAPEL are back from a coast trip. BOB has been recuperating from a recent operation.

•

. . . New Haven

MAURICE BAILEY of the Whalley is at Grace Hospital in a cast as a result of a back injury.

MRS. AL PICKUS is ill with pneumonia.

MORRIS HADELMAN and SAM HADELMAN have purchased adjoining residences on the Boulevard.

Vincent Made Manager

KANSAS CITY, Dec. 26.—Fred Vincent, formerly exploiteer for Universal in this district, has been named manager of the Dickinson at Creston, Ia. Charles Kirkpatrick, who has been managing the house, will work out of the home office for the time being.

Legion Passes All Of 8 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved all of the eight pictures reviewed, seven for general patronage and one for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"All American Sweetheart," "Born to the West," "A Ferfi Mind Orult" (Hungarian), "Kathleen," "Love and Hisses," "Rosalie," "Wise Girl." Class A-2, Unobjectionable for Adults—"Liebe auf Umwegen" (German).

Shift 2 National Units

WILMINGTON, Dec. 26. — Fox Intermountain Agency has changed its name to Fox Intermountain Amusement Corp. This company is the National Theatres' subsidiary of Denver. Evergreen Theatres Corp. has been formed to operate theatres in Washington. Incorporators are Walter Lenz, L. H. Herman and B. R. Jones of Wilmington.

Sues on Song Title

Jack Ellis, composer of "I Can Get It for You Wholesale," has filed suit in the N. Y. Supreme Court against Simon & Schuster and Jerome Weidman, author of a book by the same name, for violation of property rights. This is said to be the first time a song writer has filed suit against a publisher for assuming the title on a book from a song.

Nyman to Speak on Air

LONDON, Dec. 17.—Ken Nyman, vice-president of the Cinematograph Exhibitors' Ass'n, will lecture radio listeners over the national network on March 7. He will be one of a succession of speakers who are to discuss every aspect of the film industry in turn and will voice the exhibitors' point of view.

To Seek Game Rehearing

KANSAS CITY, Dec. 26.—Attorneys for R. W. McEwan, Bank Night distributor, in connection with whose case the Missouri Supreme Court last week held the promotion to be a lottery, will file a motion for rehearing within the 10 days allotted for that purpose, according to Fred Bellemere, one of McEwan's counsel.

Brin Gets Frisco House

SAN FRANCISCO, Dec. 26.—L. K. Brin, former operator of theatres in Seattle and other spots, has taken over the Isis, 400-seat suburban house formerly owned by Joseph Myers, and will call it the Princess. Several thousand dollars worth of alterations are planned.

Weaver's Brother Dies

HOLLYWOOD, Dec. 26.—Raymond Norris Weaver, brother of William R. Weaver, Hollywood editor of Quigley Publications, died at his home in Boone, Ia., it was learned here over the weekend. He was 52 years old.

Rites for Harry Moore

Funeral services were held over the weekend for Harry Moore, former theatre manager, who died in Harlem Hospital from injuries sustained when he jumped off a viaduct at Riverside Drive and 96th St.

"Navy Blue" Out Front in Denver Slump

DENVER, Dec. 26.—"Navy Blue and Gold," on a dual with "Fit for a King," skimmed the cream off what pre-Christmas business there was for downtown theatres. It grossed $10,000 at the Orpheum, over normal by $3,000.

"Second Honeymoon" and "Adventure's End" at the Rialto turned in a par $1,500. "Nothing Sacred" held up to an average $2,500 at the Broadway after a week each at the Denver and Aladdin.

Total first run business was $28,300. Average is $33,500.

Estimated takings for the week ending Dec. 22:

"THE PERFECT SPECIMEN" (F. N.)
ALADDIN—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $2,500. (Average, $3,500)

"NOTHING SACRED" (U. A.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $2,500. (Average, $2,500)

"DAUGHTER OF SHANGHAI" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $2,300. (Average, $5,500)

"IT'S LOVE I'M AFTER" (W. B.)
"45 FATHERS" (20th-Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $8,500)

"NAVY BLUE AND GOLD" (M-G-M)
"FIT FOR A KING" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $10,000. (Average, $7,000)

"THEY WON'T FORGET" (F. N.)
"GANGWAY" (G. B.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)

"SECOND HONEYMOON" (20th-Fox)
"ADVENTURE'S END" (Univ.)
RIALTO—(900), 25c-40c, 7 days. **Gross:** $1,500. (Average, $1,500)

Snow and Sleet Hit Indianapolis Takes

INDIANAPOLIS, Dec. 26.—As dismal week that brought snow, slush, sleet and fog hammered first-run takes down to one of the lowest levels in many months. Closest to par was Loew's, where $6,800 was taken, $200 downstairs, with "Navy Blue and Gold" and "52nd Street" on a dual.

Total first run business was $21,000. Average is $30,500.

Estimated takings for the week ending Dec. 17:

"EBB TIDE" (Para.)
"THERE GOES THE GROOM" (RKO)
APOLLO—(1,100), 25c-40c, 7 days. Return engagement. **Gross:** $1,800. (Average, $4,000)

'MANHATTAN MERRY-GO-OUND" (Republic)

"PORTIA ON TRIAL" (Republic)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,400. (Average, $4,500)

"STAGE DOOR" (RKO)
INDIANA—(3,200), 25c-40c, 7 days, 2d week. **Gross:** $3,300. (Average, $7,000)

"52D STREET" (U. A.)
"NAVY BLUE AND GOLD" (M-G-M)
LOEW'S—(7,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,000)

"EXPENSIVE HUSBANDS" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Play Girls' Revue," other acts. **Gross:** $5,700. (Average, $8,000)

Plan Garden City Spot

Plans have been filed for a $200,000 theatre at Franklin Ave. between 5th and 6th Sts., Garden City, by the Calderone Theatre Corp. of Westbury. Harvey Stevenson and Eastman Studds are the architects.

NOW READY!

The country is fighting-anxious to see it!

THE ONLY COMPLETE PICTURE OF THE ATTACK THAT SHOCKED THE WORLD!

THE NEW UNIVERSAL'S SPECIAL FEATURE!

(Complete ad-publicity service! Trailer furnished by National Screen Service!)

Norman Alley's

"BOMBING of U.S.S. PANAY"

Produced by CHARLES E. FORD



EXCLUSIVE SCENES!

The attack—actual sinking of the Panay!

Abandon ship!—Actual scenes of crew going overboard!

Rescue boat under peril reaches shore!

American refugees signaling desparately for aid from shore!

Aboard the Panay as it flees Nanking up Yangtze River!

Convoy ships to the rescue!

Identification of dead—rounding up the wandering wounded!

OTHER HIGHLIGHTS!

Panic-stricken Americans evacuate Nanking!

Bombing and burning of Nanking!

Neutral civilians attacked!

Japanese planes attack Panay!

Panay returns fire with crew manning machine-guns!

Wounded survivers on shore!

Survivors fleeing down river and through countryside!

Safe aboard U. S. Flagship Augusta in Shanghai!

Weekend Gain Reaches Last Year's Level

(*Continued from page* 1)

noted that the Roxy changed its prices from 35 cents to 25 cents up to 1 P. M., and 15 cents for children at all times instead of 20 cents. The balance of the scale was continued.

In practically every situation on Broadway and in key center first runs the pick of attractions were playing. "True Confession" is in its second week at the Paramount and on Wednesday will make way for "Wells Fargo." "The Hurricane" continues at the Astor as the only two-a-day attraction on the street. The picture will bow out Jan. 2.

The Music Hall is presenting "I'll Take Romance" for a second week, and on Thursday wil begin an indefinite engagement of "Tovarich," Warners' big picture of the year. A big campaign is being worked out for the Charles Boyer-Claudette Colbert special. "Hitting a New High" opened at the Rivoli on Saturday and will continue for two weeks.

At the Roxy is "You're a Sweetheart" which is to be followed Friday by "Love and Hisses." The Criterion this week has "Daughter of Shanghai," while the Capitol has "Navy Blue and Gold," in its second and final week. "Rosalie" will be the next attraction. "First Lady" is at the Strand. Most of these attractions are current in key focal points.

Nicholson Quits as Educational Counsel

(*Continued from page* 1)

Educational in 1932 and in October of that year became secretary and general counsel for the company. He will continue as general counsel and a member of the Educational board and executive committee.

Wall Street

Light Rises Mark Board

	Open	High	Low	Close	Net Change
Col.	12⅞	12⅞	12⅞	12⅞	— ⅜
Col. pfd.	28½	28½	28½	28½	.....
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5⅞	6	5⅞	6	+ ½
E. K.	166	166¾	166	166¾	+1¾
G. T. E.	12	12	11¾	12	+ ¼
Loew	48½	48⅝	48⅛	48⅛	— ⅜
Par.	9¾	10	9⅝	10	+ ¼
Para. 2.	10¼	10½	10¼	10½	.....
Pathe	6⅛	6⅛	6	6	.....
RKO	4⅜	4⅞	4⅜	4⅝	+ ¼
20th Fox	20⅞	20⅞	20¼	20½	— ⅝
20th pfd.	26⅞	26⅞	26⅞	26⅞	+ ⅛
Univ. pfd.	31	31	31	31	.....
W. B.	6⅜	6½	6¼	6½	.....

Curb Issues Gain

	Open	High	Low	Close	Net Change
G. N.	11/16	11/16	11/16	11/16	.....
Sonotone	1⅝	1⅝	1⅝	1⅝	— ⅛
Tech.	17½	17⅞	17½	17⅞	+ ⅜
Trans-Lux	2¾	2¾	2¾	2¾	.....
Univ. Corp.	2⅛	2⅜	2⅛	2⅜	+ ¼

Bonds Move Fractionally

	High	Low	Close	Net Change
Loew 3½s '46	98	98	98	— ⅛
Para. Pict. '47	72¼	72¼	72¼	— ¼
RKO 6s '41	81	80	80	—5
W. B. 6s '39	75	75	75	+ ⅜

(Quotations at close of Dec. 24)

"Dance," Show Beat Slump in Philadelphia

PHILADELPHIA, Dec. 26.—Only two houses escaped the Christmas shopping blight. The combination of "Paid to Dance" and a stage show with a Veloz and Yolanda and Everett Marshall drew $18,000 to the Earle, up by $4,000.

Backed by a heavy ad and exploitation campaign, "Wells Fargo" got a neat $17,000 at the Stanley and was held a second stanza.

Both "First Lady" at the Boyd and "Beg, Borrow or Steal" at the Fox drooped badly, each getting $10,000. "Nothing Sacred," forced for a fourth week, took $6,300, not bad considering the length of run. "Riding on Air" stayed six days for a week $4,000 at the Stanton.

Total first run business was $72,800. Average is $80,560.

Estimated takings for the week ending Dec. 23:

"NOTHING SACRED" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 4th week. **Gross:** $6,300. (Average, $8,160)

"LIVES OF A BENGAL LANCER" (Para.) (Revival)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,800. (Average, 7 days, $2,800)

"FIRST LADY" (W. B.)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $10,000. (Average, $14,000)

"PAID TO DANCE" (Col.)
EARLE — (2,600), 25c-40c-55c, 7 days. Stage: Veloz and Yolanda, Everett Marshall, Lew Parker. **Gross:** $18,000. (Average, $14,000)

"BEG, BORROW OR STEAL" (M-G-M)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $10,000. (Average, $14,000)

"DINNER AT THE RITZ" (20th-Fox)
KARLTON—(1,000), 25c-40c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

"NAVY BLUE AND GOLD" (M-G-M) (2nd run)
KEITH'S — (2,000), 30c-40c-50c, 7 days. **Gross:** $3,700. (Average, $4,000)

"WELLS FARGO" (Para.)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $17,000. (Average, $14,000)

"RIDING ON AIR" (RKO)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $4,000. (Average, 7 days, $7,000)

Canadians Protest Condition of Prints

(*Continued from page* 1)

ence with the M. P. Distributors Ass'n of which Col. John A. Cooper is president.

Complaint is made that a considerable number of prints are scratched, sprocket holes are strained and "joins" are often out of frame when received from the exchange. The claim is made that not enough prints are available in Canada and, by the time subsequent runs are reached, the film is in very poor condition.

Francis Suit Dismissed

LOS ANGELES, Dec. 26.—Stipulation of dismissal in the suit of Kay Francis to void her Warner contract with Warners was filed today by the actress through W. I. Gilbert, her attorney. The suit would have tested agreements made outside of the star's pact.

Gilbert said today that the star's difficulties had been solved and that Miss Francis had not stopped working since bringing action over failure to live up to an alleged promise to feature the star in "Tovarich."

"45 Fathers" Gets $10,000 at Cincy

CINCINNATI, Dec. 26.—The usual Christmas week lull was manifest on all fronts last week, although "45 Fathers" went to the $10,000 par at the RKO Palace.

"Navy Blue and Gold," playing a repeat engagement at the RKO Grand, got $150 over the $2,750 average, and the RKO Family went a shade over the combined $2,450 full week figure with "The Game That Kills," "It Happened in Hollywood," and "Behind the Mike," playing separately. Otherwise, grosses were nothing to write home about.

Total first run business was $44,200. Average is $58,700.

Estimated takings:

Week Ending Dec. 22:

"45 FATHERS" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

Week Ending Dec. 23:

"FIRST LADY" (W. B.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $9,300. (Ave rage, $12,000)

"VICTORIA THE GREAT" (RKO)
RKO SHUBERT—(2,150), 35c-42c, 7 days. **Gross:** $6,500. (Average, $12,000)

"THE LAST GANSTER" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days. 2nd downtown week. **Gross:** $4,000. (Average, $6,500)

"HIGH FLYERS" (RKO)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,800. (Average, $6,500)

"NAVY BLUE AND GOLD" (M-G-M)
RKO GRAND—(1,200), 25c-40c, 7 days. Repeat engagement. **Gross:** $3,000. (Average, $2,750)

"THE GAME THAT KILLS" (Col.) (Two Days)
"IT HAPPENED IN HOLLYWOOD" (Col.) (Two Days)
"BEHIND THE MIKE" (Univ.) (Three Days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,500. (Average, $2,450)

"WEST OF SHANGHAI" (F. N.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,800. (Average, $6,500)

Hal Roach Signs Aherne

HOLLYWOOD, Dec. 26.—Hal Roach has signed Brian Aherne to a straight two-year term contract which, according to the studio, contains a clause, unusual for top flight players, under which Aherne will not seek to approve the selection of stories.

To Make Delayed Trip

A number of Allied of N. J. Members, stranded at the pier when the crew of the *Monarch of Bermuda* called a strike on Dec. 16, have booked passage on the *Queen of Bermuda*, sailing Jan. 5, for an eight and a half day cruise to Havana and Bermuda.

Buy "Two Bad Hats"

HOLLYWOOD, Dec. 26.—Paramount has purchased "Two Bad Hats," Monckton Hoffe story, for Carole Lombard. Hoffe has been signed to develop the treatment. Another vehicle for Miss Lombard, "Midnight," is also being prepared.

Korda Signs Patsy Brill

HOLLYWOOD, Dec. 26. — Fourteen-year-old Patsy Brill, now working in Universal's "Mad About Music," has been signed by Alexander Korda to appear in a Nova Pilbeam vehicle.

To Reopen in Albany

ALBANY, Dec. 26.—The Eagle, one of Albany's few independently owned theatres, will reopen Tuesday, after renovation. Abraham Stone is owner.

"Said No" Up In a Lull at Minneapolis

MINNEAPOLIS, Dec. 26.—In a normally bad week for films, "The Girl Said No" led a spiritless parade of first runs to a $3,000 business at the Minneapolis World where $2,000 is average. The show stayed on.

After a great week in Minneapolis, "Navy Blue And Gold" played the St. Paul Orpheum for a $5,500 take, over the average by $1,500. "The Awful Truth" managed to do an average $5,500 at the State for its fourth week and was held over again.

Total first run business in Minneapolis was $25,500. Average is $27,500. Total first run business in St. Paul was $15,100. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Dec. 15:

"THE PRISONER OF ZENDA" (U. A.)
MINESOTA—(4,000), 25c-55c, 7 days. **Gross:** $10,000. (Average, $10,000)

"THE LAST GANGSTER" (M-G-M)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $4,000. (Average, $6,000)

"FIFTY-SECOND STREET" (U. A.)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

"THE AWFUL TRUTH" (Col.)
STATE — (2,400), 25c-55c, 7 days, 4th week. **Gross:** $5,500. (Average, $5,500)

Week Ending Dec. 16:

"THE GIRL SAID NO" (G. N.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $3,000. (Average, $2,000)

St. Paul:

Week Ending Dec. 15:

"PRISONER OF ZENDA" (U. A.)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"NAVY BLUE AND GOLD" (W. B.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,000)

Week Ending Dec. 16:

"BIG TOWN GIRL" (20th-Fox)
"CHARLIE CHAN ON BROADWAY" (20th-Fox)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,800. (Average, $3,500)

"MURDER IN GREENWICH VILLAGE" (Col.)
"BEHIND THE MIKE" (Univ.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,800. (Average, $2,000)



"Manhattan" Gets $8,200, Kansas City

KANSAS CITY, Dec. 26.—"Manhattan Merry-Go-Round" and a stage show shoved the gross at the Fox Tower $1,200 over the $7,000 average for the best comparative showing of the week. The last four days of the week saw ice, then snow, and finally slush barricading box-office income, and other first runs failed to reach par.

"Navy Blue and Gold" and "Live, Love and Learn" at the Midland took $9,300, $2,200 under the line. "Submarine D-1" and "High Flyers" pulled $5,600 for the Mainstreet, $2,400 shy of par. The Newman pulled "Danger Patrol" and "Forty Naughty Girls" after doing $2,900 in five days, or $600 less than average. In nine days, the second week of "Second Honeymoon" and first week of "Some Blondes Are Dangerous" garnered $3,100, off $1,700.

Total first run business was $29,100. Average is $34,800.

Estimated takings:

Week Ending Dec. 16:

"SUBMARINE D-1" (W. B.)
"HIGH FLYERS" (Radio)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $5,600. (Average, $8,000)

"NAVY BLUE & GOLD" (M-G-M)
"LIVE, LOVE & LEARN" (M-G-M)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $9,300. (Average, $11,500)

"DANGER PATROL" (RKO)
"FORTY NAUGHTY GIRLS" (RKO)
NEWMAN—(1,900), 25c-40c, 5 days. **Gross:** $2,900. (Average, 5 days, $3,500)

"MANHATTAN MERRY-GO-ROUND" (Republic)
TOWER—(2,200), 25c-40c, 7 days. Stage: King, King and King; Sisson & Neal; Fenwick & Cook; "Five Harlequins." **Gross:** $8,200. (Average, $7,000)

Week Ending Dec. 17:

"SECOND HONEYMOON" (20th-Fox)
"SOME BLONDES ARE DANGEROUS" (Univ.)
UPTOWN—(2,000), 25c-40c, 9 days. **Gross:** $3,100. (Average, 9 days, $4,800)

"Submarine" Fair At Oklahoma City

OKLAHOMA CITY, Dec. 26.—"Submarine D-1" came within shooting distance of normal business with a take of $4,700 on the week at the Midwest, but this was $300 below par.

The only other attraction to make even a fair showing was "The Women Men Marry," with a stage show, at the Liberty where the take was $2,200.

Total first run business was $14,600. Average is $18,500.

Estimated takings for the week ending 18:

"THAT CERTAIN WOMAN" (F. N.)
CRITERION—(1,300), 10c-35c-40c, 7 days. **Gross:** $3,400. (Average, $5,000)

"THE WOMEN MEN MARRY" (M-G-M)
LIBERTY—(1,200), 10c-20c-25c-35c, 3 days. Stage: "Hollywood Sketchbook," eight acts vaudeville. **Gross:** $2,200. (Average, 7 days, 2,500)

"WILD MONEY" (Para.)
"SHE'S NO LADY" (Para.)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $600. (Average, 7 days, $2,500)

"SUBMARINE D-1" (W. B.)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $4,700. (Average, $5,000)

"FIRST LADY" (W. B.)
TOWER—(1,000), 10c-25c-35c, 7 days. **Gross:** $1,700. (Average, $2,500)

"PORTIA ON TRIAL" (Republic)
STATE—(1,100), 10c-25c-40c, 7 days. **Gross:** $2,000. (Average, $3,500)

Coast Grosses Fall; "Truth" Showing Best

LOS ANGELES, Dec. 26.—Christmas shopping played havoc with first-run grosses last week with the result that only one small house reached average. "The Awful Truth," on a dual with "Paid to Dance," made the best comparative showing. In its fourth week it took $6,700 at the Hillstreet and $6,600 at the Pantages.

"The Hurricane" bowed out of the Carthay Circle after four days of the seventh week to make way for "Snow White and the Seven Dwarfs." "The Life of Emile Zola" wound up four days at the two Warner houses by taking $11,499 at the Hollywood and $11,497 at the Downtown. The showing was good for such a short period.

Total first run business was $84,857. Average is $110,450.

Estimated takings for the week ending Dec. 22:

"THE HURRICANE" (U. A.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 4 days, 7th week. **Gross:** $4,750. (Average, $17,000)

"SECOND HONEYMOON" (20th-Fox)
"LANCER SPY" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $10,661. (Average, $12,500)

"CLUB DE FEMMES" (Rosener)
ESQUIRE—(900), 40c-75c, 7 days, 3rd week. **Gross:** $2,000. (Average, $2,500)

"CLOISTERED" (Best Film)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $2,381. (Average, $3,250)

"SUN OVER DENMARK"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,200. (Average, $1,200)

"THE AWFUL TRUTH" (Col.)
"PAID TO DANCE" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days, 4th week. **Gross:** $6,700. (Average, $8,000)

"SECOND HONEYMOON" (20th-Fox)
"LANCER SPY" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $11,569. (Average, $14,000)

"THE AWFUL TRUTH" (Col.)
"PAID TO DANCE" (Col.)
PANTAGES—(3,595), 30c-65c, 7 days, 4th week. **Gross:** $6,600. (Average, $8,000)

"TRUE CONFESSION" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: Clyde Hager, F. & M. revue, Larry Kent and his orchestra. **Gross:** $16,000. (Average, $18,000)

"THE LIFE OF EMILE ZOLA" (W. B.)
WARNER BROS. (Hollywood)—(3,000), 30c-65c, 5 days. **Gross:** $11,499. (Average, $14,000)

"THE LIFE OF EMILE ZOLA" (W. B.)
WARNER BROS. (Downtown)—(3,400), 30c-65c, 5 days. **Gross:** $11,497. (Average, $12,000)

Divide "Swiss" Units

HOLLYWOOD, Dec. 26. — "Swiss Miss," Laurel and Hardy vehicle for Hal Roach, has been divided into two units to facilitate shooting. Laurel will head the first, and Director John Blystone the second. Jack Sherwood and Chet Brandenburg will assist them, with Bernard Carr as unit manager.

Exhibitor Unit to Elect

SALT LAKE CITY, Dec. 26.—Officers of the Intermountain Theatre Owners' Ass'n will be elected at the annual meeting to be held Jan. 10. John Rugar, Park City, president, will be in charge of the meeting.

Warner Title Changed

HOLLYWOOD, Dec. 26. — Warners has changed the title of "Highway Pirates" to "Daredevil Drivers." The picture, featuring Beverly Roberts, Dick Purcell and Gloria Blondell, will be released Feb. 19.

"Barrier" Omaha's Best Bet, $7,200

OMAHA, Dec. 26.—"The Barrier" and "It's Love I'm After" in a dual at the Orpheum led the first runs with $8,400, a gain of $1,200 over par of $7,200. The 11th weekly Big Apple Dance contest on the stage and a preview of "First Lady" on a Saturday midnight show helped the gross.

"Angel" and "Hold 'Em Navy" were dualed at the Omaha for $6,100, a profit of $600 over the average weekly take of $5,500. At the Brandeis, "Back in Circulation" and "There Goes the Groom" did $4,300, besting the $4,000 par by $300. Shows at all three first run theatres were seven days.

Total first run grosses were $18,800. Average weekly grosses total $16,700.

Estimated takings:

Week Ending Dec. 15:

"ANGEL" (Para.)
"HOLD 'EM NAVY" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,100. (Average, $5,500)

Week Ending Dec. 15:

"BACK IN CIRCULATION" (F. N.)
"THERE GOES THE GROOM" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,300. (Average, $4,000)

Week Ending Dec. 16:

"THE BARRIER" (Para.)
"IT'S LOVE I'M AFTER" (W. B.)
ORPHEUM—(3,000), 25c-40c, 7 days. Stage: Big Apple Dance contest Saturday midnight show with preview of "First Lady" (W. B.). **Gross:** $8,400. (Average $7,200)

"Navy Blue" $7,000 Leader at Houston

HOUSTON, Dec. 26.—"Navy Blue and Gold" was the money-maker of the week, resisting the usual pre-Christmas slump to the tune of $8,000 at Loew's State where $7,000 is par.

"Breakfast for Two" at the Majestic drew a scant $6,500, falling $500 under average. "Manhattan Merry-Go-Round" at the Metropolitan broke even with $7,000.

"Lancer Spy" and "Over the Goal" put the Kirby over the goal at the average figure for seven days, $5,000.

The weather was wet and cold.

Total first run business was $26,500. Average is $26,000.

Estimated takings for the week ending Dec. 16:

"LANCER SPY" (20th-Fox)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $3,000. (Average, 7 days, $5,000)

"OVER THE GOAL" (F. N.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"NAVY BLUE AND GOLD" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"BREAKFAST FOR TWO" (RKO)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,500. (Average, $7,000)

"MANHATTAN MERRY-GO-ROUND" (Republic)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

Peck Again Heads Union

WASHINGTON, Dec. 26. — DANIEL Peck of Loew's Capitol has been re-elected president of Stagehands' I.A. T.S.E. Local No. 22.

Other officers re-elected were: Raleigh Smith, first vice-president; Walter Peters, 2nd vice-president; John J. Ryan, 3rd vice-president; J. Lewis, financial secretary; C. Trundle, recording secretary; Harry Ellsworth, treasurer, and William Bennett, business agent.

"Octopus" Is Washington's Only Grosser

WASHINGTON, Dec. 26.—"Sh! the Octopus" was the only first run in town to make a profit showing on the week. It was $1,200 over the line on a take of $5,500 at the Metropolitan.

"Ebb Tide" at the Capitol, helped by a stage show called "Swingtime Revue" and featuring Eddie Peabody and Mitzi Mayfair, pulled $20,700, but this was under the normal line by $200. "Stage Door" took a fair $8,000 in its third week at RKO-Keith's with two days on a fourth.

Total first run business was $61,200. Average is $73,700.

Estimated takings:

Week Ending Dec. 15:

"NAVY BLUE AND GOLD" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $3,200. (Average, first run, $3,600)

Week Ending Dec. 16:

"SHE MARRIED AN ARTIST" (Col.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Larry Blake, Donatella & Carmen, Joey Ross & Gladys Bennett, Helen Reynolds & Her Skating Champions. **Gross:** $9,400. (Average, $18,400)

"EBB TIDE" (Para.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Eddie Peabody's "Swingtime Revue," with Peabody, Mitzie Mayfair, Vox & Walters, Three Marshalls, Six Canstrellys. **Gross:** $20,700. (Average, $20,900)

"NOTHING SACRED" (U. A.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $14,400. (Average, $15,900)

"SH! THE OCTOPUS" (F. N.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,300)

Nine Days Ending Dec. 16:

"STAGE DOOR" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 9 days, 3rd week and two days on fourth. **Gross:** $8,000. (Average, first week, $10,600)

"Ebb Tide" Takes $10,000, Montreal

MONTREAL, Dec. 26.—"Ebb Tide" led the first runs with $10,000 at the Capitol where it was held over for a second week as the sole attraction of the program.

"The Awful Truth," in its third week at Loew's, collected $6,000 against an average of $8,000 and was held for a fourth week along with a second feature. The second week of "Conquest" at the Palace took $7,000 after a first week at $13,000, as compared with $11,000 average. "Navy Blue and Gold," on a double bill at the Princess, took in $5,000 which was below par.

Total first run business was $32,000. Average is $40,500.

Estimated takings for the week ending Dec. 18:

"EBB TIDE" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)

"THE AWFUL TRUTH" (Col.)
"GIRLS CAN PLAY" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days, 3rd week. **Gross:** $6,000. (Average, $8,000). Held for fourth week.

"SOMETHING TO SING ABOUT" (G. N.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $5,000)

"CONQUEST" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,000. (Average, $11,000)

"NAVY BLUE AND GOLD" (M-G-M)
"DANGER, LOVE AT WORK" (20th-Fox)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $7,000)

Variety Club

Milwaukee

MILWAUKEE, Dec. 26.—The Milwaukee Variety tent has reelected all officers as follows: CHARLES W. TRAMPE, Monogram-Midwest Film Co., Inc., president; SAM SHURMAN, M-G-M exchange manager, vice-president; BEN MILLER, Film Board of Trade secretary, secretary, and OSCAR RUBY, Columbia exchange manager, treasurer.

The board of directors includes, besides the officers, JAMES ABROSE, United Artists; B. K. FISCHER, H. J. FITZGERALD, general manager, Fox-Wisconsin; JACK FRACKMAN, Republic; GEORGE LEVINE, OSCAR OLSON, business manager, M. P. Projectionists' Union, Local 164; A. N. SCHMITZ, RKO; E. J. Weisfeldt, Riverside Theatre, and E. L. WEISNER.

Washington

WASHINGTON, Dec. 26.—The latest charitable venture of Variety Tent No. 11 was staged with the co-sponsorship of the *Washington Times* and *Washington Herald*. The Monroe A. and M. School, Georgia state champions and the District of Columbia All-Stars battled to 28 to 6 score, with some $2,000 being raised for the Hot Lunch Fund.

Eastern Division Manager CARTER T. BARROW of Loews, chief barker of the Variety Club, was responsible for bringing the game to the capital.

In the rooms of Tent No. 11, made attractive by the decorations arranged by ALAN J. BACHRACH, Variety yesterday held open house for the barkers and their friends.

Variety's party to its own children was held today, when MRS. SAMUEL N. WHEELER, wife of the branch manager for 20th Century-Fox, and MRS. HARRY S. BROWN, wife of the branch manager for Grand National, acted as hostesses to Variety's coming generation.

Tickets are rapidly disappearing for the annual New Year's Eve celebration to be held in the clubrooms, starting at about 9 P. M. ARCHIE D. ENGEL has the tickets and is in general charge of the affair.

Organize Film Club

ST. PETERSBURG, Fla., Dec. 26.—The St. Petersburg Cinema Club has been organized with Robert S. Fuller as temporary chairman. Charter members are J. Homer Livingston, Raye Shelmerdine, M. L. Peterson, John D. Harrington, Howard Taylor, Roy R. Baker and Fuller. The club plans to hold its meeting on Tuesday nights at 8 in the club rooms.

Aubrey Schenck Weds

Aubrey Schenck, nephew of Joseph M. and Nicholas M. Schenck, was married to Florence Kirk at City Hall last Friday. The couple will leave for a Hollywood honeymoon today or tomorrow.

Schenck is special roadshow booker for National Theatres. Before taking this post he was identified with a theatrical legal firm.

Nicholas Nayfack and Lynne Carver arrived from Hollywood Friday to attend the wedding. They will spend a week or two here vacationing. Joseph M. Schenck, who was slated to be present, is not due from the coast until Jan. 4. He is expected to be accompanied by Darryl F. Zanuck, production head of 20th Century-Fox.

Overseas Previews

"La Mort du Cygne" ("The Death of the Swan")

(Cinéatlantica-Films Victoria)

PARIS, Dec. 16.—Jean Benoit-Lévy and Marie Epstein, who produced and directed the famous French success "La Maternelle" ("Children of Montmatre"), have turned out another film of great quality, in which again children play the most important part. This time the picture concerns the life of the "petits rats" ("little rats"), which is the French nickname for the little girls who, from seven to 15 years, dance at the Paris Opera House and are trained to become members of the ballet.

The background and subject are new to the French screen, and there is no doubt that the documentary side of the film is one of its main features. The story was adapted from a short novel by the French author, Paul Morand. It deals with a little "rat" of 12, Rose Souris. According to the traditions of the Paris Opera House, she chooses a "little mother," the star of the ballet, Mademoiselle Baupré, for whom she has the deepest affection, and who represents, for her, the spirit of the dance. When the management of the Opera House gives a foreign dancer, La Karine, Mademoiselle Baupré's part in "The Death of the Swan" ballet, Rose, to avenge her "mother," provokes an accident and La Karine breaks her leg. An investigation is fruitless. But Rose is full of remorse when La Karine becomes the dancing teacher of her class and develops an affection for the child. Rose has confessed her crime to one of her little friends, and on the examination days, La Karine learns who caused the accident. Her first impulse is to denounce Rose, but she forgives her to aid her career.

Jean Benoit-Lévy has directed to perfection all the children, who had never appeared on the screen before. They all look sincere and natural, and special mention must be made of young Jeanne Charrat, who plays the part of Rose Souris and appears, as the real star of the film, to be a discovery. La Baupré and La Karine are played by two famous dancers, Yvette Chauviré, star dancer of the Paris Opera House, and the famous Yugoslavian dancer, Mia Slavenska. Both are good.

The only weakness of the film is the story, which is somewhat far fetched, but it is easily overlooked. The famous dancer and ballet master, Serge Lifar, who directed the choregraphic part deserves special mention for his work.

Running time, 95 minutes. "G." AUTRE

"Young and Innocent"

(G.B.-General Film)

LONDON, Dec. 17.—A Hitchcock film is an event in Britain's trade year. The interest in this film is rather its directorial deftness than any narrative vigor. Once again the British director has made an essentially English picture, with an authentic background and convincing detail. The rambling story of a murder suspect, it pursues its way through a rustic England which English audiences know, and which foreign audiences should enjoy, over the rolling English moors and through her winding lanes, into the sleepy country court room, through a middle class children's party, brushing shoulders with a hobo shelter, pausing for a dramatic moment in a disused mine shaft. Here is England with her comfortable unemotional characters woven into a comfortable unemotional film.

Based on Josephine Tey's "Shilling for Candles," the film is no more than the story of a young man who is believed to have committed a murder, of the chief constable's daughter who befriends him, and of how they at last get hold of material evidence which will save him. This last is a passage in the deftest Hitchcock manner with a dance band sequence and a neurotic murderer whose twitching features tell a grisly tale of guilt, even beneath a black face makeup.

The film opens with a crisp dramatic crackle, there are moments of grudging excitement, and an effective climax, but neither the winsome Terence de Marney nor the intense and immature Nova Pilbeam, whose expressions seem limited to one, are sufficiently real to rouse sympathy, or overmuch interest. The minor characters on the other hand, Edward Rigby with his genial old scamp of a hobo, John Longden as the Scotland Yard man, and Mary Clare as the party-giving aunt are chips off the real English block.

Hitchcock has never made a dull film and "Young and Innocent" is consistent in its fascination, but the foreign audiences who want a punch as well as a portrait are liable to find it unsufficient.

Running time, 80 minutes. "G." FLANAGAN

Short Subjects

'Lets Celebrake'

(Fleischer-Paramount)

Popeye, the Sailor, gets into the holiday swing of things in a brisk encounter with his rival, Bluto, for Olive Oyl's attentions. The juveniles will go for this one in a big way, and don't be surprised if there is cheering in the audience.

It starts out with Popeye and Bluto taking Olive Oyl to a New Year's dance. Rather than leave Grandma at home, Popeye invites her to come along. At the party, the m. c. decides to stage a dance contest and when Bluto toddles off with Olive Oyl, there is nothing for Popeye to do but invite Grandma to the floor as his partner.

The old lady doesn't do well until Popeye pours a can of spinach into her. Then she struts out with her partner to a razzle-dazzle Shag and Big Apple, and scampers off with the loving cup.

Tuneful and entertaining and nothing better for grownups as well as their offspring. Max Fleischer produced. He deserves a great big hand.

Running time, 7 mins.

'Our Gang Follies of 1938'

(Roach-M-G-M)

The "Gang" puts on a musical revue and Alfalfa proves to be the temperamental star of the show. He quits crooning for opera and passes through a fantastic series of events which eventually have him singing on the streets. Later, Spanky takes him into his swanky night club and lets him join the show. The film permits the children on the Roach lot to give their childishly pleasing performances which are well done. The Alfalfa-Spanky sequences are done while the former is dreaming. He wakes up at the end of the film in a nightmarish fright and agrees to go on. Running time, 21 mins. "G."

"Little Buck Cheeser"

(M-G-M)

The Harman-Ising studios have turned out another first-rate color cartoon in this film. It is executed with a great deal of imagination and packs many laughs in addition to excitement. A mouse dreams that the moon is made of green cheese and in company with another dozen of his fellows he builds a rocket ship. The contraption takes off with a lot of noise and has an eventful trip to the heavens. Astronomical phenomena seen en route are cleverly treated. The trip halts with an explosion and the ship plummets through space. Then the mouse wakes up and says his prayers, which is what he should have done in the first place. Running time, 8 mins. "G."

"The Dummy Owner"

(RKO)

Leon Errol takes over the ownership of his boss's racehorse to save the latter's prestige in business. The nag wins a race and Errol's nagging wife finds out about the state of affairs. She generally makes things humorously uncomfortable. Eventually Errol gets rid of the animal, but not before he bets on the wrong horse, wins a lot of money and engages in a couple of horse trades. It is fair comedy. Running time, 19 mins. "G."

BALANCED

IN EASTMAN Super X Panchromatic Negative the vital film factors of fine grain, high speed, and superb photographic quality are combined to give the finest results to be seen anywhere today. It is the admirable balance of these qualities that has made Super X the world's most widely used negative film. Eastman Kodak Co., Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Move Against Newspapers' Air Stations

(Continued from page 1)

crystallized by a remark of Senator White of Maine who has asserted that it is "the belief of many that it is not sound public policy to give to a single agency the present two means of reaching the ears of the American public."

Probably acting for the President, Senate members are being felt out about the matter, it is learned, with the idea of an Administration sponsored measure being introduced early in the new year if the reaction is favorable.

WMCA Adds 4 New Advertising Periods

(Continued from page 1)

vertising Corp., will present 42 half-minute announcements per week for 52 weeks, ending Jan. 29, 1939.

I. Rokeach & Sons, through Advertisers Broadcast Co., are sponsoring "The Voice of Jerusalem" for an indefinite period, Thursdays from 8:15 to 8:30 P. M. Finally, a Harlem Church has signed a 52-week contract for a Thursday at 11 P. M. program titled "Elder Rosa Artimus Horn Revival Meeting."

NBC Thesaurus Adds And Renews Account

Two new subscribers, YV5RS in Caracas, Venezuela, and WHBL, Sheboygan, Wis., have been signed by NBC Thesaurus, recorded program service, and 11 other stations have renewed their subscriptions.

Third year clients include CJOC, Lethbridge, Alberta, Can.; CFCR, Montreal; WKOK, Sunbury, Pa.; KFRV, Columbia, Mo.; and KFEQ, St. Joseph, Mo. Recent second-year renewals include KOBH, Rapid City, S.D.; WRAK, Williamsport, Pa.; WAPL, Chattanooga; WTJS, Jackson, Tenn.; CRCT, Toronto, and CKOV, Kelowna, British Columbia.

Henri, Hurst Start Expansion of Office

CHICAGO, Dec. 26.—An early move in the enlargement of the radio department of Henri, Hurst & McDonald, Inc., is the complete reconstruction of the agency's studio and control room and the addition of much new equipment.

This will greatly facilitate the handling auditions for the firm's clients and permit more complete rehearsals under the agency's staff direction. Work on this expansion will be completed in January. Frank Ferrin is radio director.

North Company on Air

PHILADELPHIA, Dec. 26.—The F. A. North Co., local distributors of Lester pianos, have bought time over KYW. Arthur Hinett will be featured in two weekly 15-minute piano programs. The program will originate in the showrooms of the company. The account was placed through Courtland D. Ferguson, Inc., with J. C. Mevius in charge.

New January NBC Programs Will Total 17

Seventeen new programs will be started over NBC networks during the month of January, an analysis of the new business recently placed for the Red and Blue networks reveals. The programs will take up 11 hours a week.

The programs are as follows:

American Cigar & Cigarette Co., starting Jan. 4, from 7:30 to 7:45 P. M. on the Blue; American Rolling Mill Co., on the Blue Sundays from 3:30 to 4 P. M., starting Jan. 2; Benjamin Moore Paint Co. on the Red, Mondays from 11:45 A. M. to 12 noon, beginning Jan. 3; Borden Milk Co., Mondays through Fridays on the Red from 4:30 to 4:45 P. M., beginning Jan. 31; Campbell Soup Co. (Amos 'n' Andy), Mondays through Fridays on the Red from 7 to 7:15 P. M., starting Jan. 3.

Fitch Shampoo Scheduled

Fitch Shampoo Co., Sundays from 7:30 to 7:45 P. M., on the Red, the exact starting date not yet specified, but scheduled to begin some time during the month; Glass Container Ass'n, Sundays from 1:30 to 2 P. M. on the Blue beginning Jan. 9; John Morrell & Co. on the Red, Sundays from 2 to 2:15 P. M., beginning Jan. 9; S. C. Johnson Co., Mondays through Fridays from 10:30 to 10:45 A. M. on the Blue, starting Jan. 3.

J. W. Marrow Co., Sundays from 11:45 A. M. to 12 noon on the Red, beginning Jan. 16; National Biscuit Co., Mondays through Fridays on the Red from 9:45 to 10 A. M., starting Jan. 3; Packers Tar Soap Co., Sundays from 2:30 to 3 P. M. on the Red beginning Jan. 9; Pepsodent Co., Sundays from 5:30 to 6 P. M. on the Red beginning Jan. 2; Quaker Oats Co., Mondays through Fridays from 10 to 10:15 A. M. on the Blue starting Jan. 3, and another for Quaker Oats starting the same day from 5 to 5:15 P. M. on the Red; and Standard Oil of California, on the Red Thursdays from 8:15 to 9:15 P. M. Jan. 6.

Four Are Added to WAPI, Birmingham

BIRMINGHAM, Dec. 26.—Following news that Sam Benton and Beatrice Tate Wright are leaving WAPI effective Jan. 1, station officials revealed that four additions have been made to the staff. The newcomers are Dick Faulkner, Clint Blakely, Joe King and Allen Frank.

Faulkner, long associated with KDKA, is slated to assume Mrs. Wright's duties as program director. Blakely, from WBRG and, WRDW, is expected to fill Benton's vacated duties as director of the station's traffic department.

Kurenko Joins "Carnation"

Maria Kurenko, Russian soprano, will join the "Carnation Contented" program beginning Jan. 3. The broadcast also will mark the debut of Marek Weber as conductor of the orchestra on this program, replacing Frank Black.

Television Making Strides in France

PARIS, Dec. 17.—Television, still definitely in the experimental stages, is nevertheless making rapid strides in France, where demonstrations are being offered and where prospects are considered bright for further development in 1938.

The activity is under the direction of the National Radiodiffusion Dep't., a section of the Ministry of Post, Telegraph and Telephone. Three different systems are used in France, the French Thomson-Houston, which runs to 455-line images, and for which the basic principles are similar to the American RCA and British E. M. I. Marconi; the de France system (Radio Industries), and the Barthelemy system (Compagnie des Compteurs), for which the pioneer, M. Barthelemy, plans television broadcasting on a screen of large size. There are a few manufacturers offering television receivers on the market, but there is little activity in the field as yet. Standardization of transmission is believed necessary before television becomes commercially practicable.

Musebeck Signs for Donald Novis Shows

CHICAGO, Dec. 26.—The Musebeck Shoe Co. has signed a year's contract for once-a-week broadcasts of the "Donald Novis Sings" transcriptions on WJR, Detroit.

The Donald Novis series was produced by Radio Features, and is distributed by Standard Radio. Henry Sehl Advertising Agency and Standard Radio's Chicago office handled the deal. Schedules for other key markets are being worked out.

FCC Grants License To Station in Ohio

WASHINGTON, Dec. 26.—The F. C. C. has issued an operating license to Station WKBN, Youngstown, O., to broadcast on 570 kilocycles with a power of 500 watts.

The commission also granted applications of Stations KALE, Portland, Ore., for increase of power from 500 to 1,000 watts, and WSAI, Cincinnati, for increase of day power from 2,500 to 5,000 watts.

KTOX Adds New Accounts

OKLAHOMA CITY, Dec. 26. — New programs on KTOK include Mom Gaberts' Cooking School, five days a week, sponsored by Sterling Milk Co.; Fretwell Motor Co.'s "Singing Salesman" three times a week, Monday, Wednesday and Friday, 7:15 to 7:30 P. M., featuring Marion Keating, the company's head salesman; the Elks' program, on KTOK and the Oklahoma Network, Thursday evenings from 9 to 9:15, sponsored by Elk Lodge, electrical transcription; Edward Reddell, Central High School student giving news and sports about all local high schools once a week, Thursdays, 5:45 to 6 P. M.

Salesmen Get Auditions

OKLAHOMA CITY, Dec. 26.—Every Saturday afternoon WKY holds an audition for time salesmen when all electrical transcriptions just arrived and all programs created by the station's thinker-uppers are aired. M. H. Bonebrake, advertising manager, and Hal Scher, production department, originated the meetings.

Radio Personals

FRED ALLEN, his picture work in Hollywood finished, will return to New York for the Jan. 5 "Town Hall" broadcast . . . Adolphe Menjou, Verree Teasdale, Edward Everett Horton and Bea Lillie will appear on CBS Jan. 4, the first two on the Al Jolson program, the last two on Jack Oakie's "College" . . . Kate Smith this week rejected the highest offer ever made to a radio personality to appear in a night club. The Paradise offered her $30,000 for three weeks' work, which she turned down . . . Phil Gross, recently drama producer for the Federal Theatre, has opened an agency office here to supply radio talent to agencies . . . Myrna Loy, Frank Morgan, Wally Beery and Bruce Cabot will be the guests on "Good News of 1938" Dec. 30 . . . Walter Cassel, Elizabeth Lennox and Joe Howard on the Hammerstein "Music Hall" New Year's Eve.

Plan Canada Novelty Show

MONTREAL, Dec. 26.—A novelty program based on the music of all nations now represented by settlers in Canada is being prepared by Canadian Broadcasting Corp. for Sunday evening airings. The series of 10 shows will start Jan. 2, originating in Toronto. J. Murray Gibbon, author of "Steel of Empire," and general publicity agent of Canadian Pacific Railway, is producer of the series which will star Frances James, soprano, and the Toronto Conservatory String Quartet.

Labor Honors WJSV

WASHINGTON, Dec. 26.—WJSV was recently honored for sustained meritorious service to the ranks of labor and to the community at large by the presentation of a scroll citing the station's many civic contributions by John Locher, president of the Washington Central Labor Union, and representing the Washington Union Label League.

Claudette Colbert on Lux

Claudette Colbert, making her first radio appearance of the winter season, will appear in the Lux "Radio Theatre" presentation of "Jane Adams" Jan. 3. The play is based on the novel by Booth Tarkington and will be broadcast over CBS.

Film Group on "Hotel"

Ann Sothern, Gene Raymond, Victor Moore and Helen Broderick will be the players on "Hollywood Hotel" over CBS Dec. 31 from 9 to 10 P. M., when they will give several scenes from their latest pictures.

Albers Renews Program

LOS ANGELES, Dec. 26.—Albers Bros. Milling Co. has renewed "Good Morning Tonight" for 26 weeks, effective Jan. 4. The series is broadcast over the NBC-Pacific Red network Tuesdays from 9:30 to 10 P. M., P.S.T. Erwin Wasey of the Pacific Coast is the agency.

Elmer H. Dressman Returns

CINCINNATI, Dec. 26.—Elmer H. Dressman, continuity editor WCKY, has returned from a month's honeymoon spent in Florida and Cuba.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 151 NEW YORK, TUESDAY, DECEMBER 28, 1937 TEN CENTS

Blumberg Sees Best January Gross for "U"

Based on "Sweetheart" and "Panay" Deals

Universal's gross business for January will exceed by 50 per cent any gross for a like period in the company's history, Nate J. Blumberg, who will become president of Universal next Monday, stated in the course of an interview yesterday in which he discussed the company's prospects for the immediate future and touched upon the aims of the new management which he heads.

The gross expectancy of January is based on actual bookings of current and forthcoming product which has been set for the month bv many large circuits and individual theatres in cooperation with the incoming Universal president. The most important of these are 250 day and date runs which have been set for "You're a Sweetheart" during January. Another factor is the anticipated gross on "The Bombing of U. S. S. Panay," which is scheduled for release within the next few days as a three-reel special and which Blumberg said he regarded

(*Continued on page* 5)

FCC Decision Is Scored by Court

By CLARENCE LINZ

WASHINGTON, Dec. 27.—The proposed construction of a broadcasting station with borrowed funds does not mean that the applicant is without sufficient financial qualification to justify the granting of a construction permit, it was held today by the Circuit Court of Appeals in a decision in which the F.C.C., was rebuked for "arbitrary and capricious" action in denying on such grounds the applica-

(*Continued on page* 6)

FCC Receives Data On West Broadcast

WASHINGTON, Dec. 27.—Full data relative to the Mae West "Adam and Eve" broadcast on the Chase and Sanborn Hour has been submitted to the F.C.C. by NBC, it was announced today by Chairman Frank R. McNinch.

In addition to a letter from Lenox

(*Continued on page* 6)

More Radio—Pp. 6-7

Weekend Dull But Business Starts Gains

New Year Outlook Bright With Big Releases

After a dull Christmas weekend, theatre grosses yesterday took a sudden spurt, indicating that takes for the week will be slightly better than average, a survey of Broaday theatres revealed yesterday. Major circuit heads held the same opinion as Broadway theatre managers and foresaw good business from now until the first of the year.

The decline in business over the weekend was attributed to mild weather and also the spirit of festivity which kept the theatre-going public at home. Weak film fare was also cited in several instances.

With "Tovarich," "Rosalie" and "Wells Fargo," three outstanding attractions to be made available within the next few days, theatremen along Broadway and circuit heads who have booked the films in out-of-town situations believe that New Year's weekend will be the greatest in years. "Love and Hisses" with Walter Winchell and Ben Bernie has been booked

(*Continued on page* 7)

Chicago Approves License Fee Offer

CHICAGO, Dec. 27.—An increase of $68,000 in license fees over and above the present $120,000 has been offered the city by theatre operators here and accepted by the City Council at its final meeting for this year. The new arrangement ends the fight with the city over a tax on admissions and is

(*Continued on page* 7)

RUSH PLANS SET FOR PANAY FILM

Salesmen Vacation

Salesmen of all major distributors are now vacationing. It's the annual custom at this time of the year.

Paramount Meeting Will Last Two Days

The Paramount annual district managers' meeting, slated for the Roosevelt Hotel, New Orleans, will last two days, starting Jan. 7, according to Neil F. Agnew, general sales manager. The New York delegation, which will include a group of trade paper men, will leave Jan. 5. The sessions will be held coincident with the opening of "The Buccaneer" Jan. 7 at the Saenger, New Orleans.

Among those who will attend the sales meetings and premiere of the picture are: Milton S. Kusell, New York district manager; W. H. Erbb, Boston; Percy A. Block, Philadedphia; H. H. Goldstein, Cleveland; A. Usher, Chicago; Oscar A. Morgan,

(*Continued on page* 7)

Lesser Will Make 9 For 20th-Fox, RKO

Sol Lesser next season will produce nine pictures, six of which will be outdoor action features for release through 20th Century-Fox. The remaining three films will be Bobby Breen musicals for RKO.

Lesser arrived yesterday from Philadelphia, where he attended an engagement party for his daughter. He will leave today for that city en route to the coast.

Story of Film Industry Will Be Broadcast Today Over CBS Web

The U. S. Dep't of Commerce, in cooperation with CBS, today will broadcast the story of the film industry as a feature of the "Stories of American Industry" series over the Columbia network. Harry R. Daniels of the Dep't of Commerce will tell the story, aided bv dramatizations presented with the cooperation of the U. S. Office of Education.

An address by Will H. Hays, president of the M.P.P.D.A., will be a feature of the presentation, as will be the reminiscences of Thomas Armat, inventor of the projector.

The broadcast will be offered from 4:30 to 5 P. M., E.S.T. Among the texts consulted in framing the factual background for the program was "A Million and One Nights," two-volume history of the industry by Terry Ramsaye, editor of Motion Picture Herald.

Special Plane Will Fly Negative East; Plan 24-Hour Editing

The newsreel films of the sinking of the U. S. S. *Panay* by Japanese bombers are scheduled to arrive at Alameda before noon today, according to advices received at newsreel offices here late yesterday. If the schedule set for their preparation and release is followed without interruption they should be available to theatres in time for Thursday or Friday program changes.

Norman Alley, Universal Newsreel cameraman, who obtained 4,500 feet of film on the bombing of the gunboat and the events preceding it, will transfer at Alameda to a chartered plane which will leave at once for Newark. If its schedule is maintained, the film should be in New York by early tomorrow morning. Charles E. Ford, editor of Universal Newsreel, will cut and edit the film on a 24-hour schedule. Alley, who incurred minor wounds during the bombing of the *Panay,* on which he was a passenger, will be narrator for the production if his condition on arrival here permits. Otherwise, he may collaborate on the narrative with Graham McNamee.

The first screening of the picture is

(*Continued on page* 7)

Directorate of U. A. In Tax Discussions

HOLLYWOOD, Dec. 27.—Following a meeting of the United Artists board of directors here today a prominent officer of the company stated that there was no discussion concerning the reported request of Alexander Korda seeking revision of his agreement with the company which would enable him to produce a number of pictures annually for separate distribution. It was said that the three-hour meeting of owner-members was given over en-

(*Continued on page* 5)

To Honor Zanuck at Dinner Here Jan. 5

Darryl Zanuck will be guest of honor at a dinner to be given by Winthrop W. Aldrich, president, and Henry Gordon Campbell of the Chase National Bank at the Union Club on Jan. 5. The guest list, incomplete at this time, will include many of the nation's financial, professional and industrial leaders.

Sidney R. Kent, 20th Century-Fox

(*Continued on page* 7)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Form Marine Studio For Undersea Films

ST. AUGUSTINE, Fla., Dec. 27.—Marine Studios, of which W. Douglas Burden, trustee of the American Museum of Natural History, is president, has completed a film studio especially designed for underwater pictures, at an approximate cost of $500,000.

Cornelius Vanderbilt Whitney is chairman of the board. The other officers are Lillian Koehler, secretary, and Ralph H. Poole, Jr., comptroller. The directors, in addition to Whitney, Burden and Poole, are Ward Cheney, Nicholas S. Ludington, Sherman Pratt and Albert G. Redpath.

Quebec Admits "Zola"

MONTREAL, Dec. 27.—M. J. Isman, Warner head here, indicated today that he expected the Quebec censors to lift the ban on "The Life of Emile Zola." Two scenes have been criticized as sacrilegious. These may be cut.

Lloyd Sprains Ankle

HOLLYWOOD, Dec. 27.—Harold Lloyd sprained his ankle playing squash and his company is shooting around him in his new production.

Purely Personal

BILL SHIFFRIN of the HAWKS-VOLCK agency on the coast was seen lunching with BILL FADIMAN of M-G-M yesterday. SHIFFRIN expects to spend about three weeks here on a combined vacation-business trip.

•

JAMES E. PERKINS, recently appointed general manager for Paramount in the Orient, will sail for Tokyo from Seattle on the *President Jefferson* on Jan. 1.

•

GRAD SEARS, Warner general sales manager, on Sunday took three awards in singles, doubles and skeet shooting at the traps of the Westchester Country Club.

•

SIG WITTMAN, Universal district manager, will return today from Cleveland where he held a one-day sales meeting.

•

TOM WATSON, brother-in-law of BILL ORNSTEIN, has been voted the best all-around cameraman on the *Daily News* staff for 1937.

•

MRS. BOB WEITMAN is coming along nicely at the Brooklyn Eye and Ear Hospital after a second operation.

•

MARCEL HELLMAN, producer for Criterion Films, arrives in London Thursday on the *Normandie*.

•

BRIAN DONLEVY is on his way back to the coast. He arrived here last Thursday on the *Normandie*.

•

HENRI ELMAN, Monogram franchise holder in Chicago, will leave for his headquarters today.

•

WILLIAM FOX has arrived from the coast for the holidays and will return next week.

•

JOE PODOLOFF, 20th Century-Fox manager at Minneapolis, was in town over the weekend.

•

AUBREY and MRS. SCHENCK left for the coast over the weekend on a honeymoon.

•

EDWARD L. ALPERSON, president of Grand National, is due from the coast Monday.

•

JOHN NOLAN of the Comerford circuit was in from Scranton yesterday.

•

STUART F. DOYLE is due to arrive today on the *Berengaria*.

•

. . . Pittsburgh

TONY and MRS. STERN have named the new arrival ELLEN.

HARRY KALMINE'S niece, NORMA FELDMAN, in from New York for the holidays.

BILL LEWIS out of the hospital after four weeks and will be back on the job shortly.

HARRY RONEY, Columbia booker, is ill.

GEORGE JAFFEE is flying to Miami next month to spend some time with his son, BEN.

IRENE LEE, who is with the Leland Hayward agency, is visiting her parents here.

More IATSE Voters Favor International

HOLLYWOOD, Dec. 27. — Increased sentiment favoring international supervision over the I.A.T.S.E. was expressed over the weekend when International Photographers, Local 659, and Studio Laboratory Workers, Local 683, balloted overwhelmingly against local autonomy and in favor of international supervision. Sound men had voted last Thursday in favor of having the affairs governed by the international body.

Studio Technicians, Local 37, which contains the largest membership of the four coast locals and whose autonomy was suspended in 1936, will vote probably next Sunday. Of the three locals which have already voted only 60 members out of 2,200 eligible to cast ballots favored local autonomy.

Union Heads Renamed

DENVER, Dec. 27.—Yearly elections of the Film Exchange Employes' union resulted in the reelection of all the officers as follows: Lee Cronk, president; Lynn Fetz, vice-president; Sue Rhoads, secretary; Elmer Finch, treasurer; Max Gilbert, business agent; and William Fenske, sergeant-at-arms.

20th-Fox to Entertain

NEW HAVEN, Dec. 27.—Twentieth Century-Fox will hold open house tomorrow in honor of the completion of the new exchange building at 40 Whiting St. Ben Simon, manager here for the past 13 years, will greet the guests.

Suit on House Prize Dismissed by Court

MILWAUKEE, Dec. 27.—Court action against Harold Perlman, manager of the Riviera, local neighborhood house, on charges of "selling tickets with the pretense of giving a prize" was dismissed in District Court by Judge A. J. Hedding, who indicated to the plaintiff, Roman Wojciechowski, that his quarrel was with an automobile agency and his remedy civil suit.

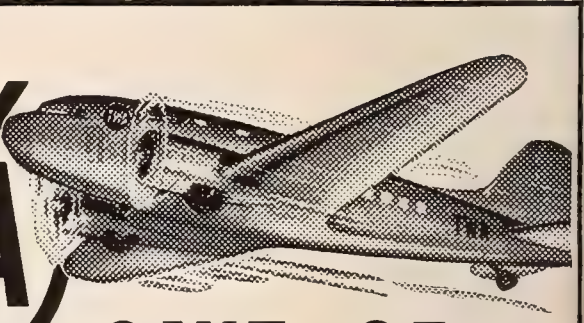
Wojciechowski brought action after he had been awarded an automobile by the theatre as a prize, which he testified did not meet the specifications set forth in the theatre's advertising. He stated he was led to believe that he was to receive a car valued at $300 but that the agency offered him a 1929 model worth about $60.

Milwaukee Theatres Put Ban on Smoking

MILWAUKEE, Dec. 27.—Milwaukee County exhibitors, as a result of a warning from the fire prevention bureau, have voted voluntarily to ban smoking in theatres. The warning was understood to have been aimed at the new Varsity which permitted smoking in the balcony. The management claimed the house was constructed in such a manner as to make smoking safe, but was overruled.

Exhibitors have indicated that they will await further action from the Police Dep't before taking a definite stand on the department's order banning all Bingo, Hollywood and Bank Night games in theatres after Jan. 1.

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SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40



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Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST TWA first COAST TO COAST

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1937 1938

Year in and year out, overcoming obstacles, outliving passing fancies, building solidly on everything truly progressive, the real showmen of this industry have carried the screen steadily forward through reliance on the fundamentals of entertainment—*quality and variety.*

Educational is justly proud of the part it has played in this steady progress for so many years. Confident that the screen's destiny is a continuing growth on *this* solid foundation, *Educational* greets

Educational Pictures

"THE SPICE OF THE PROGRAM"

all showmen everywhere, with a pledge to keep marching side by side with them in every step that will carry our great industry to still greater heights.

Happy New Year
E. W. Hammons

EDUCATIONAL FILMS CORPORATION
OF AMERICA

DISTRIBUTION IN U.S.A. BY 20TH CENTURY-FOX FILM CORPORATION

"Zenda" Tops San Francisco In Dull Week

SAN FRANCISCO, Dec. 27.—With four holders and a dual bill of re-issues downtown grosses were not impressive for the pre-Christmas week. The best showing was made by "The Prisoner of Zenda," which held up to $6,000 in its fifth week at the United Artists. This was $1,000 below a first week par.

"True Confession" and "Thoroughbreds Don't Cry" reached $16,000 at the Fox. Normal for the house is $17,000.

Total first run business was $70,300. Average is $86,500.

Estimated takings:

Week Ending Dec. 21:

"FIT FOR A KING" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage: Band. **Gross:** $13,000. (Average, $16,000)

"FIRST LADY" (W. B.)
"BLOSSOMS ON BROADWAY" (Para.)
PARAMOUNT—(2,700),15c-35c-40c-50c-75c. 6 days. **Gross:** $10,000. (Average, $13,000)

"IT'S LOVE I'M AFTER" (W. B.)
"BIG TOWN GIRL" (20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 6 days, 2nd downtown week. **Gross:** $5,500. (Average, $7,000)

Week Ending Dec. 22:

"TRUE CONFESSION" (Para.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
FOX—(5,000), 15c-35c-40c,-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,000)

"MERRY-GO-ROUND OF 1938" (Univ.)
"MURDER IN GREENWICH VILLAGE" (Col.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $8,500)

"THE FIREFLY" (M-G-M)
WARFIELD — (2,600), 15c-35c-40c-55c-75c, 6 days, 3d week. **Gross:** $7,000. (Average, $10,000)

Week Ending Dec. 23:

"STREET SCENE" (U.A.) (Re-issue)
"THREE BROADWAY GIRLS" (U.A.) (Re-issue)
EMBASSY—(1,400), 15c-35c-40c-55c-65c, 9 days. **Gross:** $4,000. (Average, $6,000)

"PRISONER OF ZENDA" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 9 days, 5th week. **Gross:** $6,000. (Average, $7,000)

Week Ending Dec. 24:

"LETZTE ROSE" (Vienna Films)
CLAY—(400), 15c-35c-40c, 7 days, 2d week. **Gross:** $3,000. (Average, $1,000)

Indiana Exhibitors Hit Film Broadcasts

INDIANAPOLIS, Dec. 27.—Resolutions condemning any radio appearances of film players have been passed by the Associated Theatre Owners of Indiana.

The resolutions state that members have found that the M-G-M Thursday night broadcasts "definitely curtail box-office receipts." Opposition to any air use of film talent is based on the premise that their broadcasts cannot be timed to eliminate theatre competition.

To Remain as Manager

PITTSBURGH, Dec. 27.—Paul Schoonmaker, who has managed the Wilson and Patio in Tyrone, Pa., for several years, will remain in that capacity when Warners take over the two houses Jan. 1, according to Harry Kalmine, zone manager. Warners have acquired the sites from the Wilson family, who are retiring from the theatre business, on a long-term lease.

"Navy Blue" Pulls $4,200, Oklahoma

OKLAHOMA CITY, Dec. 27.—"Navy Blue and Gold" was the only first run to get anywhere near average in the pre-holiday slump. It grossed $4,200 in nine days at the Midwest. This is $300 under a seven-day normal take.

At the State "Dr. Syn" and "Boots and Saddles" reached $3,500 in nine days. This equals a seven-day normal take. "Angel" took $4,000 in eight days.

Total run business was $15,800. Average is $18,200.

Estimated takings for the week ending Dec. 25:

"ANGEL" (Para.)
CRITERION—(1,300), 10c-35c-40c, 8 days. Stage: Major Bowes' International Revue. **Gross:** $4,000. (Average, $5,000.)

"FLIGHT FROM GLORY" (RKO)
ADVENTUROUS BLONDE" (F. N.)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,300. Average, 7 days, $2,700.)

'BAD GUY" (M-G-M)
"IDOL OF THE CROWDS" (Univ.)
LIBERTY—(1,200), 20c-20c-25c, 3 days. **Gross:** $600. (Average, 7 days, $2,700.)

"NAVY BLUE AND GOLD" (M-G-M)
MIDWEST—(1,500), 10c-35c-40c, 9 days. **Gross:** $4,200. (Average, $4,500.)

'DR. SYN" (G. B.)
"BOOTS AND SADDLES" (Republic)
STATE—(1,100), 10c-25c-40c, 9 days. **Gross:** $3,500. (Average, 7 days, $3,500.)

"THE GREAT GARRICK" (W. B.)
TOWER—(1,000), 10c-25c-35c, 3 days. **GROSS: $900.** (Average, $2,500.)

"Witness," Revue Indianapolis Lead

INDIANAPOLIS, Dec. 27.—"Missing Witness" and N. T. G.'s "Glamour Girls of 1938" at the Lyric bowled over Christmas shopping week barriers to roll up a gross of $9,200, $1,200 above par.

All other first runs went below par, with the Apollo nearest normal on a take of $3,500, $500 under on "Madame X" and "Manhattan Melodrama." "True Confession" on a dual with "Daughter of Shanghai" took half of normal at the Indiana and was moved to the Circle for a second week.

Total first run business was $24,-300. Average is $30,500.

Estimated takings for the week ending Dec. 24:

"MADAME X" (M-G-M)
"MANHATTAN MELODRAMA" (M-G-M)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $3,600. (Average, $4,000)

"VICTORIA THE GREAT" (RKO)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,500)

"TRUE CONFESSION" (Para.)
"DAUGHTER OF SHANGHAI" (Para.)
INDIANA — (3,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $7,000)

"THOROUGHBREDS DON'T CRY" (M-G-M)
"STAND IN" (U. A.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

"MISSING WITNESSES" (F. N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: N. T. G.'s "Glamour Girls of 1938." **Gross:** $9,200. (Average, $8,000)

Loop Houses Go Into Bad Holiday Lull

CHICAGO, Dec. 27.—None of the Loop houses grossed near the normal mark, but "Navy Blue and Gold" at the Oriental, "Girl with Ideas," plus Ted Lewis, at the Palace, and "West Of Shanghai" at the State-Lake came the closest and business was fair considering the pre-Christmas week situation.

"The Awful Truth" aided by "The River" federal film project was going strong for a fourth Loop week.

The weather was stormy with rain and snow current almost daily.

Total first run business was $91,600. Average is $118,000.

Estimated takings:

Week Ending Dec. 23:

"TRUE CONFESSION" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Joe and William Mandel & Revue. **Gross:** $26,300. (Average, $33,000)

"FIRST LADY" (W. B.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $4,000. (Average, $6,500)

"NAVY BLUE AND GOLD" (M-G-M)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $15,500. (Average, $18,000)

"GIRL WITH IDEAS" (Univ.)
PALACE — (2,509), 35c-55c-75c, 7 days. Stage: Ted Lewis and Revue. **Gross:** $16,-000. (Average, $19,000)

"WEST OF SHANGHAI" (F. N.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Vaudeville Revue. **Gross:** $12,000. (Average, $13,000)

Week Ending Dec. 24:

"THE AWFUL TRUTH" (Col.)
"THE RIVER" (Dept. of Commerce)
APOLLO—(1,400), 35c-55c-75c, 7 days, 2nd week. **Gross:** $5,300. (Average, $6,500)

"THOROUGHBREDS DON'T CRY" (M-G-M)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 2nd week. **Gross:** $5,000. (Average, $11,000)

"THE FIREFLY" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c,75c, 7 days. **Gross:** $8,500. (Average, $15,000)

"Awful Truth" Minneapolis' 5th Week Top

MINNEAPOLIS, Dec. 27.—"The Awful Truth" was the only attraction to click with an average figure in its fifth week at the Minneapolis State.

"It's All Yours" and "Fight for Your Lady" played to par business.

Total first run business in Minneapolis was $24,350. Average is $27,-500. Total first run business in St. Paul $12,500. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Dec. 23:

"LIVE, LOVE AND LEARN" (M-G-M)
MINNESOTA — (4,000), 25c-55c, 8 days. **Gross:** $8,000. (Average, $10,000)

"THE PERFECT SPECIMEN" (F. N.)
ORPHEUM — (2,900), 25c-40c, 8 days. **Gross:** $5,000. (Average, $6,000)

"THE GIRL SAID NO" (G. N.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $1,850. (Average, $2,000)

Week Ending Dec. 24:

"IT'S ALL YOURS" (Col.)
(4 days)
"FIGHT FOR YOUR LADY" (RKO)
(4 days)
CENTURY—(1,600), 25c-40c, 8 days. **Gross:** $4,000. (Average, $4,000)

"THE AWFUL TRUTH" (Col.)
STATE—(2,400), 25c-55c, 7 days, 5th week. **Gross: $5,500.** (Average, $5,500)

St. Paul:

Week Ending Dec. 23:

"LIVE, LOVE AND LEARN" (M-G-M)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $4,500. (Average, $5,500)

"ANGEL" (Para.)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"FIGHT FOR YOUR LADY" (RKO)
"EXPENSIVE HUSBANDS" (W. B.)
RIVIERA — (1,000), 25c-40c, 7 days. **Gross:** $2,800. (Average, $3,500)

"TRAPPED BY G-MEN" (Col.)
"HOPALONG RIDES AGAIN" (Para.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,700. (Average, $2,000)

"Syn," "52d" Fair in Slump At Cleveland

CLEVELAND, Dec. 27.—With business off, "Dr. Syn" and "52nd Street" were the only pictures to make a fair showing.

"Dr. Syn" at the Allen was $1,000 under the $6,000 average, and "52nd Street" at Loew's Stillman finished with $3,500. Average is $4,000.

"Stand-In" at Loew's State took only $11,000, lacking $4,000 of average.

Total first run business was $43,000. Average is $61,500. There was a drop of 29 per cent as against a 23 per cent corresponding drop last week.

Estimated takings for the week ending Dec. 24:

"DR. SYN" (C. B.)
ALLEN—(3,000), 30c-35c-42c-55c, 7 days. **Gross:** $5,000. (Average, $6,000)

"VICTORIA THE GREAT" (RKO)
WARNERS' HIPPODROME—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $8,000. (Average, $12,000)

"THE GIRL SAID NO" (G. N.)
RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: Major Bowes' International Revue. **Gross:** $14,000. (Average, $20,000)

"STAND-IN" (U. A.)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $11,000. (Average, $15,000)

"52ND STREET" (U. A.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days. **Gross:** $3,500. (Average, $4,000)

"HIGH FLYERS" (RKO)
"THE RIVER" (U. S. Dept. of Commerce)
WARNERS' LAKE—(800), 25c-35c, 4 days. **Gross:** $1,000. (Average, 7 days, $2,500)

"A GIRL WITH IDEAS" (Univ.)
"THE RIVER" (U. S. Dept. of Commerce)
WARNERS' LAKE—(800), 25c-35c, 3 days. **Gross:** $500. (Average, 7 days, $2,500)

"Six Girls" Retitled

HOLLYWOOD, Dec. 27. — "Walking Down Broadway" will be the release title of the 20th Century-Fox film formerly called "Six Girls."

"52nd Street" Dual Good in New Haven

NEW HAVEN, Dec. 27.—"52nd Street' and "Murder on Diamond Row" at the College were the only attractions to do better than par business in the usual week-before Christmas lull, with a $3,000 take, up by $200.

"Second Honeymoon" and "Something to Sing About" dropped $1,000 under the usual $8,000 at Loew's-Poli.

Total first run business was $15,800. Average is $20,200.

Estimated takings for the week ending Dec. 24:

"52ND STREET" (U. A.)
"MURDER ON DIAMOND ROW" (U. A.)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $3,000. (Average, $2,800)

"SECOND HONEYMOON" (20th-Fox)
"SOMETHING TO SING ABOUT" (G. N.)
LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,000. (Average, $8,000)

"DAUGHTER OF SHANGHAI" (Para.)
"BLOSSOMS ON BROADWAY" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $3,500. (Average, $4,800)

"MUSIC FOR MADAME" (RKO)
"ADVENTUROUS BLONDE" (F. N.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $2,300. (Average, $4,600)

Don Nichols Resigns

CHARLOTTE, N. C., Dec. 27.—Don Nichols, who for three years won mention in the Quigley Awards, Motion Picture Herald, has resigned as manager of the Broadway in Charlotte, effective Jan. 1.

Blumberg Sees Best January Gross for "U"

(*Continued from page* 1)

as being as potentially valuable as "any feature costing $1,000,000 to produce." Several circuit deals have been set for the picture at premium rentals.

Finally, the anticipated foreign revenue for the month is the largest for any comparable period in the company's history. An indicated British gross of $1,000,000 to $1,500,000 on "100 Men and a Girl," which will be released abroad within the next few weeks, comprises a large part of the estimated income from foreign sources.

After January Universal will have a succession of releases which will include productions which the company expects will be its most valuable properties of the year. Among these are "Mad About Music," which is expected to be ready by the third week in February; the John Stahl production with Edgar Bergen and Charlie McCarthy; the first Danielle Darrieux picture, and a new Deanna Durbin picture.

Final Plans in February

Universal will complete its full production schedule for the current season, Blumberg said, and final plans for the uncompleted portion of the schedule will be set following his first visit to the Universal studio early in February.

Commenting on the recent and current executive changes at Universal, Blumberg said they were the result of efforts by the new management to eliminate "waste and duplication of work by consolidating some departments and dispensing with others."

"The changes being made," he said, "are designed to effect a closer knit organization and to increase the operating efficiency of the company for the long run."

"The new management's policies," Blumberg said, "will be based solely on what is best for the company's exhibitor customers and for its investors. This industry exists on the money taken in at the box-office and, in our opinion, the exhibitor is the most important factor in the business. The money he takes in provides what is essentially a revolving fund which keeps the industry operating.

Stresses Exhibitor Importance

"Universal will be an exhibitor-minded company. We will not tolerate within the organization anyone who does not have the exhibitor's viewpoint.

"Universal has the good will of exhibitors everywhere," Blumberg said. "This was demonstrated in a most gratifying manner only recently when we asked for cooperation in the setting of January playdates for our new product. Big circuits and individual exhibitors responded immediately in the most gratifying and important way of all. They said it with play dates. That good will is one of our most vital assets. The company is rich, too, in manpower. Its studio facilities are the best, its production talent excellent, and its story properties, representing an accumulation of 25 years, are valued at $5,000,000. Recently, one of the leading companies offered us $800,000 for a selection representing only a small part of these story properties.

"With assets such as these, Universal has what is to me the greatest future of any company at this time," Blumberg concluded.

The company showed a profit for the fourth quarter of its fiscal year, ended Nov. 1. Final figures for the period will not be available until the end of January, however. It marks the first time the company has been "in the black" since the quarter ended Nov. 2, 1935.

J. Cheever Cowdin, Universal chairman, attributed the operating results for the quarter to the continuing reorganization of the company's setup, policies and personnel.

"52nd Street" High Gross In Poor Kansas City Week

KANSAS CITY, Dec. 27.—Big money in a dull week went to "52nd Street" and "Thoroughbreds Don't Cry" at the Midland, where the $9,100 gross was $2,400 under the line. Normal winter weather prevailed.

"Victoria the Great" and "Blonde Trouble" were $3,800 shy of the $8,800 mark at the Mainstreet. In nine days, the Newman fell $1,200 under par with "Blossoms on Broadway" and "Sh! The Octopus." The Fox Tower take was $6,200, only $800 short of average, with "A Girl with Ideas" and stage show.

Total first run business was $27,400. Average is $37,000.

Estimated takings:

Week Ending Dec. 23:

"52ND STREET" (U. A.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $9,000. (Average, $11,500)

"A GIRL WITH IDEAS" (Univ.)
FOX TOWER—(2,200), 25c-40c, 7 days. Stage; Three Flames, Lamar Trio and June Fong. **Gros:** $6,200. (Average, $7,000)

"DINNER AT THE RITZ" (20th-Fox)
"ROLL ALONG COWBOY" (20-Fox)
UPTOWN—(2,000), 25c-40c, 6 days. **Gross:** $2,100. (Average, 8 days, $3,500)

Week Ending Dec. 24:

"VICTORIA THE GREAT" (RKO)
"BLONDE TROUBLE" (Para.)
MAINSTREET—(3,100), 25c-40c, 8 days. **Gross:** $5,000. (Average, 8 days, $8,800)

"BLOSSOMS ON BROADWAY" (Para.)
"SH! THE OCTOPUS" (W. B.)
NEWMAN—(1,900), 25c-40c, 9 days. **Grsoss:** $5,000. (Average, 9 days, $6,200)

Dismissal of Bixby Action Is Affirmed

The Appellate Division of the N. Y. Supreme Court has unanimously affirmed the decision of Referee Daniel Cohalan in dismissing the suit of Carl L. Bixby, writer, against Nick Dawson, for alleged appropriation of the radio program "Dangerous Paradise." Dawson has since discontinued the radio script and is currently appearing in the network series, "Follow the Moon."

Justice Cohalan held that Dawson had the right to dismiss Bixby and to continue the program with scripts written by Dawson and others. The decision held that Dawson, having fully paid Bixby for the work done by him, was justified in employing another writer when the sponsor of the program requested that he do so.

"Confessions" On Dual Best Seattle Draw

SEATTLE, Dec. 27.—In the face of a general falling-off in business "True Confessions," on a dual with "Thoroughbreds Don't Cry," pulled $6,250 at the Paramount. This was $250 over par. Both films were held.

"The Awful Truth" held up to a par $5,000 at the Liberty in its fifth week and the picture was held again. Other houses were in a bad way.

Total first run business was $33,150. Average is $37,500.

Estimated takings for the week ending Dec. 23:

"THE LAST GANGSTER" (M-G-M)
"A GIRL WITH IDEAS" (Univ.)
BLUE MOUSE—(950), 30c-40c-55c, 6 days, 2nd week, extended run from Orpheum. **Gross:** $2,900. (Average, $4,000)

"SECOND HONEYMOON" (20th-Fox)
"FIRST LADY" (W. B.)
FIFTH AVENUE—(2,500), 30c-40c-55c, 6 days, 2nd week. **Gross:** $5,900. Average, $7,000)

"THE AWFUL TRUTH" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 5th week. **Gross:** $5,000. (Average, $5,000)

"EBB TIDE" (Para.)
"BIG TOWN GIRL" (20th-Fox)
MUSIC BOX—(960), 30c-40c-55c, 6 days, 2nd week, extended run from Paramount. **Gross:** $3,100. (Average, $4,000)

"SUBMARINE D-1" (W. B.)
"HIGH FLYERS" (RKO)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,600. (Average, $6,000)

"FLIGHT FROM GLORY" (RKO)
"LOVE IS ON THE AIR" (F. N.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by O'Connor Family. **Gross:** $4,400. (Average, $4,500)

"TRUE CONFESSIONS" (Para.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $6,250. (Average, $6,000)

Ann Rosenthal Gets Into Federal Courts

Ann Rosenthal, attorney for Grand National, will be admitted to two Federal Court bars this week. The first will take place in the Federal Bldg. downtown this morning. The second is scheduled for tomorrow or Thursday at Hartford.

The Hartford ceremony will be more or less in the form of noblesse oblige. Howard W. Alcorn, a local attorney there, is representing a client who has a plagiarism suit against Grand National, and inasmuch as Miss Rosenthal is not qualified to practice in the Federal Court in Connecticut she asked Alcorn to sponsor her.

Alcorn consented to do this. He will be her sponsor tomorrow or Thursday and her adversary shortly after when the plagiarism action comes to trial in the same court.

Quits Newspaper Post

CINCINNATI, Dec. 27.—Herman J. Bernfeld, theatre editor of the *Cincinnati Enquirer,* has resigned, effective Jan. 15, and will be associated with his brother in the management of the 21 Club, in New York. His successor has not been named.

"It's Love" Pittsburgh's Top, $11,000

PITTSBURGH, Dec. 27.—Business last week was bad. Only the Penn managed to make anything resembling a creditable showing, "It's Love I'm After" getting a surprising $11,000 to top "A Damsel in Distress," in just ahead of it, by $2,000.

At the Stanley, "Angel" and a stage show gave the house a new low in recent years, around $12,000, while double bills at the Warner, "My Dear Miss Aldrich" and "West of Shanghai," and the Alvin, "Dr. Syn" and "45 Fathers," stumbled along to $3,400 and $4,800, respectively. The Fulton found the reissue of "Ladies of the Big House" on a dual with "That's My Story" at $3,800, good enough to hold for an extra three days in order to get a Christmas opening of "Boy of the Streets." For the holdover, "That's My Story" was replaced by "A Girl with Ideas."

Total first run business was $36,100. Average is $45,000.

Estimated takings for the week ending Dec. 23:

"DR. SYN" (G. B.)
"45 FATHERS" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $4,800. (Average, $6,500)

"LADIES OF THE BIG HOUSE" (Para.)
"THAT'S MY STORY" (Univ.)
FULTON — (1,700), 25c-40c, 10 days. **Gross** $4,800. (Average, 7 days, $4,500)

"IT'S LOVE I'M AFTER" (W. B.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $11,000. (Average, $11,000)

"ANGEL" (Para.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Red Norvo's band, Mildred Bailey, Eddie Peabody, Don Cummings, Edwards Sisters. **Gross:** $12,000. (Average, $18,000)

"MY DEAR MISS ALDRICH" (M-G-M)
"WEST OF SHANGHAI" (W. B.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

Williams Is Named Educa'l Secretary

T. R. Williams, treasurer of Educational Pictures, Inc., for the past several years, was elected secretary of the company at a meeting of its board of directors, E. W. Hammons, Educational president, reported yesterday.

Williams, who continues as treasurer in addition to his new post, succeeds Norman C. Nicholson, who resigned as secretary of Educational several days ago to resume the private practice of law.

Directorate of U. A. In Tax Discussion

(*Continued from page* 1)

tirely to the discussion of tax matters.

Among those attending were Douglas Fairbanks, Mary Pickford, Charles Chaplin, Korda, Dr. A. H. Giannini and David Rose, representing Samuel Goldwyn. The meeting adjourned *sine die.*

Plans New Orleans House

NEW ORLEANS, Dec. 27.—John Panzeca, owner of the LaLune night club, will erect a theatre seating 1,200 here, at a cost of about $65,000. It will be ready for opening by the fall, and will be called the Triangle.

New Shows On the Air

Toscanini

Christmas Nights are always memorable but to millions of radio listeners Christmas Night of 1937 will linger long in memory as one more memorable than others, for to the beauty of the holy night this year was added the further beauty and rich lustre of the first of the Toscanini-conducted NBC symphony series.

There has not been, probably will not be for a long time again, a radio evening as portentious as this one. For months now, ever since David Sarnoff early last summer dispatched Samuel Chotzinoff to Europe to make arrangements for the return of Toscanini to these shores, events have been shaping themselves for this bright occasion. First came the signing of the maestro, then the careful recruiting by NBC of hundreds of musicians, the pruning to slightly more than a hundred, the welding of what is now considered to be the world's finest symphony orchestra by Rodzinski and Monteux and, finally, Christmas Night, the beautiful culmination of the project.

We are not a music critic in the accepted sense of the word, therefore we will not make a pretense at a discussion of the orchestral execution or at the other technique of the symphony. More competent pens than ours already have done this. In the foregoing we have attempted nothing more than to report that we found the concert to be one of unsurpassable beauty, that it moved and uplifted us as no other program before it has been able to do.

The program comprised Vivaldi's Concerto Grosso in D Minor, Mozart's Symphony in G Minor and the C Minor Symphony of Johannes Brahms. The programs are broadcast Saturday nights from 10 to 10:30 P. M. on the Red and Blue networks of NBC. BANNER

November Louisiana Radio Sales Up 10%

NEW ORLEANS, Dec. 27.—November sales of radio advertising in Louisiana increased 10 per cent over October and were 20.5 per cent above November, 1936. Last year the November increase over October was 24.5 per cent. While some stations dropped in November, 1937, from October, 1937, other stations showed increases, making the net increase for all stations 10 per cent for the period.

Frank Luther in New Series

Frank Luther, tenor, will begin a new sustaining series Jan. 3 from 9 to 9:15 A. M. on NBC. The program is scheduled six days a week, Mondays through Saturdays.

Campana in WHN Series

Campana Sales Corp. will sponsor a four-week campaign of daily spot announcements over WHN beginning today. The contract is through Aubrey, Moore & Wallace.

Morros Quartet Starts Jan. 2

The Boris Morros String Quartet will make its debut over CBS Jan. 2, from 2 to 2:30 P. M., in the first of a new musical series.

NBC '37 Stress Cultural, Educational, States Lohr

By LENOX R. LOHR
President of NBC

In 1937, the first year of NBC's second decade, it is not enough for the National Broadcasting Co. to look back on the 12-month period and point with satisfaction to significant contributions in various phases of radio broadcasting. Today, we must consider our obligation of service to a public that daily is growing more conscious of cultural and educational values. How, we may be asked, have we met this obligation during the past year?

In the field of music, our efforts to improve the quality and enlarge the reception of this art-form throughout the country culminated in obtaining the services of Arturo Toscanini, the world's greatest living symphonic conductor, and assembling the first full-strength symphony orchestra ever to be maintained by an American broadcasting company exclusively for the radio public's enjoyment.

Dr. Angell Engaged

In the educational aspects of broadcasting, the company has been fortunate in the association of Dr. James Rowland Angell, who comes to the post of educational counselor after 16 years of distinguished service as president of Yale University. As a representative of NBC, Dr. Angell already has made a study of educational broadcasting in Europe and this country which will be the basis of our work in the educational field during 1938.

Along cultural lines, NBC enhanced the scope of dramatic offerings with the presentation this past summer of a six-play Shakespearean cycle; the first cycle of Eugene O'Neill plays ever produced on the air; the first original radio work of Maxwell Anderson, and a George Bernard Shaw play prepared for broadcasting by the author. As interpretators of these brilliant works, NBC offered players of the first rank, such as John Barrymore, Helen Hayes, Ian Claire, the late Osgood Perkins, Henry Hull, Peggy Wood and Eva Le Gallienne.

Cites Impartiality

On all matters of public question throughout the year, we have carefully maintained a policy of presenting over the air, fairly and impartially, both sides of the issue. In periods of natural caststrophe, like the Ohio River floods and the *Hindenburg* disaster, our networks were kept open for constant service and information. And in doing our share towards international good will, we have augmented a large number of pickups from abroad by enlarging the activities of our international division with daily broadcasts in six languages on radio beams directed to Europe and South and Central America.

To serve a vast audience with the best in radio, NBC improved its technical facilities as in no previous year. Forty-one stations were added to the networks, bringing the total to 143 outlets. New studios were built, or begun, at Washington, Philadelphia, Schenectady and Cleveland. Ground will be broken soon at Hollywood for another great broadcasting plant. An entirely new line of field transmitters and receivers, field amplifiers and studio microphones, all NBC-designed, were distributed to the company's key points, and network power was increased by 112,900 watts for daytime broadcasting and 88,000 watts for night operation.

Television Considered

In television, we have begun to accumulate operating experience against the day when this art becomes a commercial actuality. In addition to the technical progress of television during 1937, we have, in conjunction with the Radio Corp. of America, contributed towards the solution of program problems through the constant use of an experimental television studio. More than 60 television demonstrations have been given to NBC in the past year; nearly 300 persons have appeared before our television cameras; full-length drama has been presented, using five different studio sets, and film taken especially for the production. Experiments with educational program material, and with the color response of facial makeup and costume fabric, also have been undertaken.

A most recent development is America's first mobile television station, the RCA-NBC Telemobile transmitter, to be used during the coming year for experimental televising of outdoor news events.

Now we turn to a new year in broadcasting. We know it will bring surprises, new developments, new problems and new obligations. The National Broadcasting Co. is prepared to meet them in the future as in the past in the spirit of public service.

791 Protests

As of Dec. 22, two weeks after the Chase & Sanborn broadcast on which Mae West appeared, NBC had received a total of 791 letters protesting Miss West's "Adam and Eve" skit.

An evaluation of the work of CBS during 1937, by William S. Paley, president, will be published in an early issue.

Kastor Buys KYW Time

PHILADELPHIA, Dec. 27.—The H. W. Kastor & Sons Advertising agency with H. H. Hudson handling the account, purchased 15 minutes of KYW's "Musical Clock" program. The program is a full-hour curtain-riser from 7:30 to 8:30, Monday through Saturday. The agency will use the 15 minutes in the interests of the Beaumont Laboratories.

Open WCAU New York Office

PHILADELPHIA, Dec. 27.—WCAU, the 50,000 watt affiliate of CBS here, will open a New York service office Jan. 3 in the CBS Bldg. Direct telephone communication on a 24-hour basis will be available to advertisers without cost.

FCC Decision Is Scored by Court

(*Continued from page* 1)

tion of Paul R. Heitmeyer for a station at Cheyenne.

Remanding the case to the commission for further action, the court held its denial of the application was an unreasonable restriction on business. The decision also censured the commission for failing to file an adequate finding of facts following its decision.

FCC Receives Data On West Broadcast

(*Continued from page* 1)

R. Lohr, president of NBC, the commission received a copy of the transcript, an electrical transcription, a copy of the contract with the sponsors and a list of the stations handling the broadcast.

McNinch declared that the commission will study the script and transcription before giving further consideration to the matter.

American Tobacco in Renewal of Program

American Tobacco Co. has renewed its contract for the "Melody Puzzles" series currently heard over two stations of the Mutual network, WOR, New York, and WNBF, Binghamton. Lord & Thomas is the agency. Richard Himber's orchestra is a feature of the series.

Lever Extends Webs On 2 CBS Programs

Lever Bros, yesterday signed contracts to extend considerably the networks of two of its current series on CBS, the Al Jolson and Edward G. Robinson programs.

Beginning this week, the Jolson show will add a total of 26 addditional stations, 16 for the early broadcast, 10 for the late evening repeat.

Robinson's "Big Town" series will be heard over 26 more stations than heretofore, beginning this evening. Ruthrauff & Ryan is the agency for the programs.

Harris Quits KDYL To Open Own Agency

SALT LAKE CITY, Dec. 27.—B. T. Harris, after nine years in the radio field, has resigned his post as program director of KDYL to open his own advertising agency in this city. The move will become effective Jan. 3 and will give this city its first radio agency service.

The new agency will be known as B. T. Harris Advertising, and will be equipped to handle transcription and "mike" auditions to accounts. Representation of several leading disc houses for the Intermountain territory has been arranged.

Shift "Bookend" Series Time

The Ted Malone "Between the Bookends" series will be heard at a new time over CBS beginning Jan. 3, when it will be presented Monday, Tuesday, Thursday, Friday and Saturday from 4:15 to 4:30 P. M.

Radio

WHN Amateur Hour Time to Be Changed

WHN's "Amateur Hour," after many years of broadcasting in the Tuesday 7 to 8 P. M. spot, will be shifted to a new day and time beginning Jan. 7, when it will be heard Fridays from 8 to 9 P. M. The change in time is being made to fit the schedule for the incoming "Goldberg" series, which begins Jan. 3 from 7:15 to 7:30 P. M. over WHN. Both series are sponsored by Procter & Gamble for Crystal.

Because the new time for the amateur program is a much better hour for the broadcasts from theatre stages, WHN and the sponsors will shortly begin an exploitation campaign for the program, heralding the broadcasts in Loew houses throughout the Metropolitan area.

Dick Stabile Married

PITTSBURGH, Dec. 27.—Dick Stabile, the band leader who has been broadcasting over WCAE and the Mutual net from the William Penn Hotel here for several months, and Gracie Barrie, singing star of musical comedy, were married here this morning at St. Paul's Cathedral. The couple plan a Florida honeymoon and from there will go to the coast, where Stabile has been booked into the Palomar.

Racine Broadcasting Moves

RACINE, Wis., Dec. 27.—Racine Broadcasting Co., operators of WRJN, is moving its studios to larger quarters in the American Bank & Trust Co. Bldg here. H. S. Mann, who recently resigned as secretary-treasurer of the Racine *Journal-Times,* is serving as general manager of the station with H. J. Newcomb as commercial manager.

Hawthorne on New CBS Series

Ben Hawthorne, who was recently signed to a CBS artists' bureau contract, will begin a new sustaining series over CBS Dec. 30, from 3 to 3:30 P. M. Hawthorne is a character comedian whose skits on WTIC, Hartford, attracted the attention of the CBS talent bureau.

"Kindergarten" to Continue

"Kaltenmeyer's Kindergarten," which has been presented under the sponsorship of the Quaker Oats Co., will be continued on the NBC network as a sustaining series beginning Jan. 1. The new time will be 7 to 7:15 P. M. on the Red.

Weidenaar Leaves WMPS

MEMPHIS, Dec. 27.—Clair Weidenaar, program director of WMPS for the past several months, has left for Cincinnati to become promotion director for the *Cincinnati Post.* His successor here has not been named.

Julius Kapner Killed

PITTSBURGH, Dec. 27.—Julius Kapner, 45, brother of Leonard Kapner, manager of WCAE, was killed in an automobile accident near Harrisburg, where he made his home. The body was brought here for burial.

Spitalny Greeting

Pittsburgh, Dec. 27.—Maurice Spitalny's two brothers, Phil and Leopold Spitalny, and Dave Rubinoff will come here Jan. 13 to take part in a special program over KDKA, greeting Maurice as that station's new musical director. Phil will bring his entire girls' band here for the celebration.

Henry Leaves WIBW To Do Radio Scripts

OMAHA, Dec. 27.—John M. Henry, general manager of the Central States Broadcasting System, has resigned, effective Jan. 1. He will be succeeded by Don Searle, manager of WIBW of Topeka.

Henry will become a full time radio script writer for three syndicates.

Starting with KOIL of Omaha six years ago as studio manager, when the station was acquired by the *Lincoln Star and Journal* and the Sidles Co., Henry has been general manager since the network was formed in 1936. Searle was KOIL's first manager when the station was started in 1925. He is also a partner in KMMJ at Clay Center, Neb., and other Kansas stations.

Ehrman Joins WRTD

RICHMOND, Dec. 27.—Robert W. Ehrman has become assistant to Manager Jack Maxey of WRTD, the Richmond *Times-Dispatch* station. He has been a member of the teaching staff of the University of Virginia.

Seeks Power Increase

WASHINGTON, Dec. 27.—Application for an increase of power from 500 to 1,000 watts has been filed with the F. C. C. by Station WCBA, Allentown, Pa.

Paramount Meeting Will Last Two Days

(Continued from page 1)

Atlanta; J. B. Dugger, Dallas; Ralph C. LiBeau, Kansas City; H. W. Braly, Denver; Myke H. Lewis, Los Angeles; Ben Blotcky, Minneapolis; G. A. Smith, San Francisco; M. A. Milligan, Toronto; Agnew, J. J. Unger, C. M. Reagan, G. B. J. Frawley, R. M. Gillham, Alec Moss and Don Velde, from the home office.

"Sweetheart" Going Big

"You're a Sweetheart" garnered about $24,500 in the first three days at the Roxy. The picture is expected to tally $45,000 for the week and will be replaced Friday by "Love and Hisses."

"Mayerling" Ends Run

"Mayerling" has concluded a 10-week engagement at Philadelphia, and has been booked for a second run at the Bandbox there, as well as various neighborhood theatres. The film is in its 16th week in New York.

Panay Films Being Rushed Here by Air

(Continued from page 1)

scheduled at this time for Thursday morning and will be witnessed by political writers and commentators, reporters, Army, Navy and other Government officials. The Universal release will run three reels and will be sold as a special. Numerous percentage deals have been set already, and simultaneous runs in key theatres in all large cities have been arranged. Several hundred prints will be made and the widest possible distribution given the picture while it is still of topical value.

Present indications are that the film will be released uncensored, contrary to current reports. Universal has obtained an unconditional release for its film from the Commandant of the Third Naval District, who ruled that "there is no question involving the security of confidential material" in the *Panay* film. "Therefore, it will not be required of newsreel companies to have such pictures submitted by them to the Commandant of the Third Naval District or to the Navy Dep't for review prior to release."

State Dep't Still Silent

Whether the State Dep't would intervene independently of the Navy to censor the film for diplomatic reasons is not known, but newsreel officials said yesterday that to their knowledge the State Dep't has shown no official interest in the film whatever.

Movietone News is receiving approximately 800 feet on the *Panay* from Eric Mayell, its cameraman, who also was a passenger on the gunboat. This film was developed in Manila and is aboard the *China Clipper,* on which Alley is traveling. The flying ship was delayed at Honolulu for 24 hours due to Pacific storms. Harry Lawrenson, foreign editor of Movietone, flew to Alameda yesterday to cut and edit the *Panay* film on the coast, from where it will be shipped immediately as a regular newsreel release to Movietone subscribers.

Weekend Was Poor But Business Gains

(Continued from page 1)

into the Roxy starting Friday and looms as a big grosser for this theatre.

All Broadway houses are planning to raise admissions Friday evening as is the annual custom. Special midnight shows will be given at the advanced scale with many theatres expected to be open until 3 and 4 A. M. Saturday.

Lord Wins Decision

Phillips H. Lord, known professionally as Seth Parker, received permission from Federal Judge John C. Knox in the U. S. District Court here yesterday to appeal to the U. S. Circuit Court of Appeals from a dismissal of his suit against Pathe News, Inc., by Federal Judge John Clancy on Nov. 18. Lord alleged that Pathe breached a contract to share expenses for a film record of his world cruise. He asks $50,000 damages.

Chicago Approves License Fee Offer

(Continued from page 1)

looked upon as virtually a victory for the theatre operators.

By the new plan, theatres receiving up to 25 cents for admission will accept a 25 per cent increase in license fees; those charging up to 40 cents will be increased 60 per cent and houses charging over 40 cents will pay a 100 per cent increase.

The new ruling is expected to affect B. & K. since that circuit controls most of the larger theatres.

To Honor Zanuck at Dinner Here Jan. 5

(Continued from page 1)

president, is aiding in planning the affair for Zanuck. The latter is expected here from the coast within a week, although his traveling plans had not been definitely set up to late yesterday. He will come east with Joseph M. Schenck, 20th Century-Fox board chairman, to attend the opening of "In Old Chicago" at the Astor on Jan. 6.

Increased Color Use Foreseen by Warner

HOLLYWOOD, Dec. 27.—An increased use of color is forecast for 1938 by Jack L. Warner, vice-president in charge of Warner production. The executive also foresees a search for more unusual stories, and a more widely diversified selection of stories.

Warner cited a number of pictures which are scheduled for special attention by the Warner studio during 1938, among them "Panama Canal," "The Adventures of Robin Hood," "Tovarich" and a color version of "The Sea Hawk." He made note of the "high standard" of production attained during the past year.

Wall Street

"U." Lone Board Gain

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	12½	12½	— ⅜
Col. pfd.	27⅞	27⅞	27⅞	27⅞	— ⅝
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5⅝	5⅝	5½	5½	— ½
E. K.	166¾	166¾	163½	163½	—3¼
G. T. E.	12	12	11⅜	11⅜	— ⅝
Loew	48¼	48¼	45¾	46¼	—1⅞
Para.	9⅞	9⅞	9½	9½	— ½
Para. 1.	84	84	84	84	.....
Para. 2.	10⅜	10⅜	10¼	10¼	— ¼
Pathe	6	6	5¾	5¾	— ¼
RKO	4½	4½	4⅛	4⅛	— ½
20th Fox	20⅞	20⅞	20⅛	20¼	— ¼
20th pfd.	26⅜	26½	26¼	26½	— ⅜
Univ. pfd.	32	32	32	32	+1
W. B.	6⅜	6⅜	6⅛	6⅛	— ⅜
W. B. pfd.	34	34	34	34	—1

Monogram Up on Curb

	Open	High	Low	Close	Net Change
G. N.	11/16	¾	⅝	¾	.....
Monogram	1⅝	1⅝	1⅝	1⅝	+ ⅜
Sentry	5/16	5/16	5/16	5/16	.....
Tech.	17¾	17¾	17	17	— ⅞
Trans-Lux	2¾	2¾	2¾	2¾	.....
Univ. Corp.	2⅛	2⅛	2	2	— ⅜

Bonds Decline

	High	Low	Close	Net Change
Loew 3½s '46	97¾	97¾	97¾	— ¾
Para. B'way 3s '55	60⅛	60	60	.....
Para. Pict. 6s '55	89⅜	89	89	—1
Para. Pict. '47	72½	72	72	— ¼
RKO 6s '41	80¼	80	80	.....
W. B. 6s '39	74½	74	74	—1

(Quotations at close of Dec. 27)

"Third day Business makes holdover necessary!"

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

1201-S

WESTERN UNION

(44)

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CHAIRMAN OF THE BOARD

J. C. WILLEVER
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JOHN P GORING.

WESTERN UNION GIFT ORDERS SOLVE THE PERPLEXING QUESTION OF WHAT TO GIVE

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 152 NEW YORK, WEDNESDAY, DECEMBER 29, 1937 TEN CENTS

Nation Hears Film's Story Via the Radio

Hays Speaks on Program In Business Series

More than a century has elapsed since the accidental discovery of the first principle of the motion picture was made by Peter Mark Roget in London; yet today historians and leaders of the industry consider it to be a bizarre and almost incredibly fantastic miracle.

Will Hays, president of the M.P.P.D.A., in an address delivered yesterday afternoon on the Dep't of Commerce series, "Stories of American Industry," said in opening: "No story ever written for the screen is as dramatic or romantic as the story of the screen itself." And Terry Ramsaye, editor of *Motion Picture Herald* and acknowledged master of the subject, in writing his history of the industry, used the title "A Million and One Nights," doubtless influenced by the fable of almost like name.

The story of the film industry was broadcast over a coast-to-coast CBS hookup yesterday afternoon from 4:30 to 5 P. M., E.S.T., and by short-wave to foreign countries by the Columbia short-wave station, W2XE. The narrative was by Harry R. Daniel

(*Continued on page 45*)

Mutual and Don Lee In West Coast Deal

HOLLYWOOD, Dec. 28.—Fred Weber, general manager of Mutual, disclosed today that an agreement has been signed with Lewis Allen Weiss, general manager of the Don Lee Network, to have the Don Lee regional chain of 24 stations continue as Pacific outlets through March, 1939.

The stations range in location from San Diego to Bellingham, Wash.

Additional Radio Developments on Page 45

Mothers as Censors

Mexico City, Dec. 26.—That representative mothers be appointed members of the film censorship board to assure the exhibition of better pictures is urged in a bill the National Federation of Feminine Leagues has presented to Congress.

IN this issue Motion Picture Daily presents a resume of the progress of the Radio City Music Hall on the occasion of its fifth anniversary. Herein are analyzed the underlying factors responsible for the achievement by the theatre of a position unique among the institutions of the entertainment world.

Officials Meeting Panay Film Plane This Morning

Films on the bombing of the U. S. S. *Panay* and of the capture of Nanking by the Japanese are due in New York today. If arrival and production schedules are maintained, the reels will be previewed tonight and available to all theatres tomorrow morning and Friday, depending upon shipping distances from New York and Los Angeles.

Planes scheduled to arrive at Newark Airport before 10 A. M. this morning will bring the 4,500 feet of film in the possession of Norman Alley, Universal Newsreel cameraman, covering the *Panay* bombing and the capture of Nanking; about 1,500 feet on the same events from Eric Mayell, Movietone News cameraman, and about 1,000 feet of film on the capture of Nanking only, from Arthur Menken, Paramount News cameraman.

News of the Day is covered on the event by virtue of an agreement for pooling all Chinese war material obtained by itself and Movietone News. Through this agreement, News of the Day will have access to the material obtained by Mayell.

Alley, wounded in the bombing of the *Panay*, will be met at the airport

(*Continued on page 4*)

Reports on U. A. Board Arguments Met with Denial

HOLLYWOOD, Dec. 28.—Widely circulated reports here to the effect that the United Artists board of directors' meeting was marked by personal bickerings have caused a high official of the company to declare that this was not the case.

This authority states that Alexander Korda's request for permission to produce pictures for other than United Artists distribution came in for only a brief discussion and was deferred for further consideration at a future time.

It is understood that the principal

(*Continued on page 7*)

Remakes of Silents Is Subject of Suit

LOS ANGELES, Dec. 28.—A Federal Court action which will affect all remakes of silent pictures by film companies was filed today when Ralph Murphy, Donald Gallagher and M. G. Amusements Co. brought suit against Warners and First National to determine whether the defendants can use

(*Continued on page 2*)

Doyle's Theatre Plans Hinge on U.A. Film Deal

Stuart F. Doyle's plan to build five new theatres in South Africa is contingent upon his making a 10-year distribution and exhibition deal for U. A. product in that country, Doyle explained yesterday on his arrival from England. Doyle insisted that he and his financial group will put up $1,000,000 for the project if he concludes a deal with Arthur W. Kelly, U. A. foreign head, this week. He also denied U. A. will participate in the financing.

Doyle expects to leave for the coast the end of the week en route to Aus-

(*Continued on page 7*)

Mexican Bill Would Ban Foreign Product

By JAMES LOCKHART

MEXICO CITY, Dec. 26.—Prohibition of the importation and exhibition of films in English and other foreign languages as a means of helping out the Mexican picture industry and compelling alien producers who would do business in this country to make

(*Continued on page 7*)

Say Films Not Aim of Drive On Monopolies

Justice Dept. Indicates Other Objects in View

By BERTRAM F. LINZ

WASHINGTON, Dec. 28.—Activities of the film industry have been more closely watched than usual during the past few weeks, but there are no plans for an anti-trust drive against films, it was learned today at the Dept. of Justice.

Officials of the department explained that since the recent speech of Robert H. Jackson, assistant attorney general, voicing the need for control of monopolies, they have been flooded with queries from various interests as to what industries were referred to.

It was indicated that any anti-trust drive undertaken will be directed first against monopoly in the food and building supply industries, and that motion pictures have not been singled out as a subject. Rumors that the need for a drive against the picture industry would be discussed at length in the forthcoming annual report of the Department were scouted and it was said the document probably would have little to say on the subject.

Casey-Weber Music Talks Agreed Upon

Conferences between Pat Casey, producers' labor contact, and Joseph Weber, president of the American Federation of Musicians, on methods of spreading employment among musicians employable by Hollywood studios will be held on the coast during February, it was stated here yesterday.

Casey, who is in New York for the holidays, plans to return to Hollywood in a week. Weber will leave for a Florida vacation in about two weeks and will go to the coast from there

(*Continued on page 8*)

Year in Review

A review of 1937, pointing up the trends which characterized the industry's activities of the 12 months, will be found on page 8. The headlines of the year, a compilation of the outstanding day-by-day developments of the industry, begin on page 41.

MOTION PICTURE
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(Registered U. S. Patent Office)

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Gould Sues 20th-Fox

A suit for $30,000 damages brought by Bruce Gould, an author, against 20th Century-Fox, Adela Rogers St. John, NEA Service, Inc., and the *New York World-Telegram* was filed in the N. Y. County Supreme Court yesterday. Gould alleged that he sold a story to 20th Century-Fox in March, 1936, and that the story was subsequently produced as a short entitled "Reunion." He charges that 20th Century-Fox, in violation of its contract, permitted Miss St. John to novelize his story and sell it to various newspapers.

The defendants will apply for an examination of Gould before trial on Jan. 7.

A Correction

In the Dec. 27 issue of MOTION PICTURE DAILY it was incorrectly stated that Norman C. Nicholson had resigned as counsel for Educational Pictures. He has resigned as secretary of the company, but will continue as general counsel and as a member of the board and executive committee.

Singerman Leaves "U"

Sidney Singerman of the program department at the Universal home office resigned yesterday.

Looking 'Em Over

"Spirit of Youth"

(*Globe-Grand National*)

Joe Louis, of pugilistic fame, makes his theatrical film debut in "Spirit of Youth." The vehicle should prove a lure to people of the fighter's race and the public interested in seeing the fighter emote, in addition to the activity with which he is more closely associated. He does the latter decidedly better. It will be obvious that he is more at home in the squared circle than before a camera. But he gives what is expected of him and the narrative gets along.

The screenplay, which is termed an original credited to Arthur Hoerl, touches lightly on Louis' career as a pugilist. He is identified in the action as "Joe Thomas." It concerns itself with his rise from his home in Birmingham to the championship, in well tried and tested formula sequences which have given satisfaction in the past and again do so. Louis' father is injured when he is a youngster and he is left the sole support of his family. He grows up a hard-working youth and one day leaves his home to seek life in a big city. He makes good in the Golden Gloves contest and soon interests a promoter who takes him under his wing and step by step gets him big time matches. Louis brings his family to live with him and falls in love with a night club entertainer who fairly ruins him, pugilistically. He loses a match. But he is made to see the light and he regains his niche both in the fighting game and in his real sweetheart's feelings. It ends happily all around.

The cast is almost entirely composed of colored players, including Clarence Muse, Edna Mae Harris and Cleo Desmond. Harry Fraser directed.

Running time, 66 minutes. "G."

"Tide" at $5,500 2d Montreal Week

MONTREAL, Dec. 28.—"Ebb Tide" held the top rung for the pre-Christmas week with a take of $5,500 for its second week at the Capitol after a first week of $10,000.

"Dr. Syn," heading a double bill at the Palace, accounted for $6,000 against average of $11,000 while the fourth week of "The Awful Truth" at Loew's, where it was showing on a twin bill, secured an additional $4,000, as compared with average of $8,000.

There was practically no opposition except the Christmas shopping scramble and professional hockey which drew meagre attendance. The weather was mild.

Total first run business was $23,000. Average is $40,500.

Estimated takings for the week ending Dec. 25:

"EBB TIDE" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days, 2nd week. **Gross:** $5,500. (Average, $9,500). First week: $10,000.

"THE AWFUL TRUTH" (Col.)
"ROARING TIMBER" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days, 4th week. **Gross:** $4,000. (Average, $8,000). Previous week: $6,000.

"DREAMING LIPS" (U. A.)
"THE GREAT HOSPITAL MYSTERY" (20th-Fox)
ORPHEUM—(919), 25c-35c-50c, 7 days **Gross:** $3,500. (Average, $5,000)

"DR. SYN" (G. B.)
"ALL IN" (British)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $6,000. (Average, $11,000)

"CLOISTERED" (Indep.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $4,000. (Average, $7,000)

Mexicans Prefer Folklore

MEXICO CITY, Dec. 26.—The Mexican public prefers folklore, farm life and cowboy subjects in their domestically-produced pictures, a recent newspaper survey indicated. Pictures revealing city life and social and economic problems are not wanted, it was shown.

"Fight" and "Glory" Leaders at Buffalo

BUFFALO, Dec. 28.—The customary pre-holiday let-down here turned into a box-office blight. Only one house in town came up to scratch. A dual at the Century, "Fight for Your Lady" and "Flight from Glory," took $6,300 to tie par figures.

The debacle hit hardest at the Buffalo and Hippodrome, which barely managed to reach even half their average quota. The weather for the period stayed generally fair and cool, with downtown department stores reporting a heavy press of holiday shoppers.

Total first run business was $25,000. Average is $42,300.

Estimated takings for the week ending Dec. 25:

"IT'S LOVE I'M AFTER" (W. B.)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $7,900. (Average, $14,000)

"BEG, BORROW OR STEAL" (M-G-M)
"THE GREAT GARRICK" (W. B.)
GREAT LAKES—(3,000), 30c-50c, 7 days **Gross:** $5,500. (Average, $8,000)

"VICTORIA THE GREAT" (W. B.)
"HOT WATER" (Para.)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $3,600. (Average, $7,500)

"FIGHT FOR YOUR LADY" (RKO)
"FLIGHT FROM GLORY" (RKO)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $6,300. (Average, $6,300)

"ROARING TIMBER" (Col.)
"LOVE TAKES FLIGHT" (G. N.)
LAFAYETTE—(3,300), 25c-35c, 5 days. **Gross:** $4,700. (Average, 7 days, $6,500)

Head Para. Film Cast

HOLLYWOOD, Dec. 28.—Gail Patrick and Randolph Scott have been selected to play the leading roles in "Angel in Furs," based on W. B. Courtney's story of a missionary nurse.

Capra Busy on Script

HOLLYWOOD, Dec. 28.—Frank Capra and Robert Riskin are working on the story of "You Can't Take It with You." Capra's next for Columbia, based on the stage play.

Phillips Holmes in Town for Vacation

Phillips Holmes, who is under contract to John Maxwell to appear in two pictures a year, returned yesterday on the *Berengaria* for a vacation with his family. His father, Taylor, who appears in "I'd Rather Be Right," met him at the pier.

Holmes said he had completed "House Master" for B. I. P. and will sail Jan. 20 for England for another picture with Dianne Churchill, who appears in "House Master." He added he was anxious to do a play here, but apparently will go back to England with the desire unfulfilled.

Ralph Murphy, another passenger, said he would leave for the coast today by plane to direct "The Goddess" for Paramount. He asserted he was abroad on a vaction.

Remakes of Silents Is Subject of Suit

(*Continued from page* 1)

scripts of silent films for talking pictures.

The suit asks declaratory relief but no set damages, leaving determination entirely up to the court. The object of the suit was "Sh! The Octopus," released recently. The plaintiffs allege that portions of their script, made in silent days, was used in the sound film. The suit may once and for all determine whether writers of silent scripts have an interest in the scripts if they are used again for sound films.

Hickey Funeral Held

Funeral services were held yesterday for Leo J. Hickey, late U. S. attorney for the eastern district. Hickey played a prominent part in an investigation of the reported Century Circuit clearance complaint against RKO and Skouras circuits. Nothing came of the findings, although several local branch managers and home office sales executives had been queried on the protection situation in Queens.

Rites for Mrs. Schwalm

PITTSBURGH, Dec. 28.—Funeral services for Bridget Lynch Schwalm, 87, mother of John A. Schwalm, manager of the Rialto, Hamilton, O., were held here today. Her death was sudden. Four sons and one daughter survive.

Van Schmus to Play Host

W. G. Van Schmus, managing director of the Music Hall, will be host today at a cocktail party in his studio apartment in honor of Anatole Litvak, director of "Tovarich," which will open at the theatre tomorrow. Festivities will begin at 4:30 P. M. and a special "Tovarich" cocktail, concocted by Oscar of the Waldorf, will be among the surprises.

Columbia Party Feb. 12

The Columbian Club, home office employe organization of Columbia, will hold its eighth annual party on Feb. 12 at the Waldorf-Astoria.

Oregon House Burns

WASHINGTON, Ore., Dec. 28.—The Republic here was destroyed in a fire Monday. The property was valued at $10,000.

PANAY!

At No Extra Cost!

M-G-M's NEWS OF THE DAY has filmed complete and thrilling pictures of the bombing and sinking of the United States gunboat PANAY. These pictures arrived aboard the China Clipper yesterday and were shipped from Los Angeles to all M-G-M Western Branches last night. Shipments will be made to all Eastern Branches today!

NO EXTRA CHARGE! REGULAR RELEASE!

SINKING OF U. S. S. PANAY!



"Thank you NEWS OF THE DAY for a swell job modestly done!"

Panay Films Will Be Met This Morning

(Continued from page 1)

this morning by Gov. Harold G. Hoffman of New Jersey and Nate J. Blumberg, president-elect of Universal, who head a welcoming committee. Alley was met by his wife and three children at the Alameda Airport, where the *China Clipper,* which brought him from Honolulu after a 24-hour delay, landed at 1:00 P. M., E.S.T.

From Newark, Alley will be escorted here for press interviews and a reception at the Warwick and thereafter will assist in the cutting and editing of the film, which Universal is selling as a three-reel special. Reports yesterday were that the company has closed deals providing for 20 per cent of the gross where the picture plays on a single feature program and 15 per cent if played with a double feature. Circuit deals have been set with RKO, Warners and Paramount. Locally, the Palace was the only Broadway house which had booked the picture up to late yesterday, with an indicated Thursday availability.

The company estimates a $500,000 gross for the picture. Approximately 1,000 prints are being ordered for quick distribution to the entire country and Canada. Additional prints are scheduled to leave for Europe tonight.

Movietone Reports Speed

Movietone News and News of the Day reported last night that their films of the bombing of the *Panay* were being shown in Los Angeles. The exposed negative was developed in Manila. Stills made from the motion picture film were picked up and distributed by various wire-photograph services with full credit given to cameraman and newsreel. Both reels, it was stated, will be shown locally today if there is no unexpected delay.

Mayell's 1,500 feet of film were previewed at the 20th Century-Fox studio at 6:35 P. M., E.S.T., yesterday and described in a 20-minute broadcast over the CBS network. The radio description of the film indicated a highly dramatic and comprehensive content, listeners were agreed.

It was definitely established yesterday that the State Department will not attempt to censor the reels. The Navy Department had given its official clearance for them earlier.

Take California House

SAN FRANCISCO, Dec. 28.—Harvey Amusement Co., local circuit, has taken over the Liberty in Coalinga, where they already operate the California and Avenal, and disposed of the Newman, Newman, and the Empire, Gustine. Both transactions were negotiated by J. Leslie Jacobs, local theatre broker.

Named G. N. Manager

TORONTO, Dec. 28.—As a further step in its distributing organization across the Dominion, Grand National Films, Ltd., Toronto, has appointed William Wheeler as manager of its new Calgary, Alberta, branch office.

The Newsreel Parade

Movietone News
Vol. 20, No. 31
(20th-Century-Fox)

The expected diversification of news material is present in this issue of the reel, although it is somewhat lacking in timely news episodes of unusual interest. The leading clip, and the most striking, is that showing a flaming oil well in California, with the blaze leaping 300 feet into the air, like a giant geyser of fire.

Priests in Czechoslovakia don gas masks in military drill, the Lowell Thomas comment stressing the contrast of natural advocates of peace preparing for the exigencies of war. Interesting is the picture of a giant crane lifting a 189-ton boat from the deck of an ocean-going freighter, and the winter season opens with a flashing rhumba at the Miami Biltmore.

Effective pictorially and in subject matter is the clip of the tallest dam in the world, nearing completing across the Colorado River, the Parker Dam. Lew Lehr is his usual amusing self as he describes the action of a deer in eating out of children's hands, but disappearing when the open season begins. The U. S. Army has a neat device in a captive balloon which, with the attachment of a motor becomes a dirigible.

Ed Thorgersen's sports department moves from Florida swimmers and divers at Coral Gables, to society on skiis at Sun Valley, Idaho, to the opening of the Santa Anita track, with film players in attendance and a fast race for action.

Running time, 10 mins. A.

News of the Day
Vol. 9, No. 229
(M-G-M)

An unexciting issue of News of the Day, this nonetheless is well put together and presents an interesting combination of news and feature material. A smartly edited sequence pictures a California oil well coming in, breaking its framework bounds, tearing the derrick to pieces, then suddenly bursting into flames, roaring toward the sky in a spectacular display.

President Roosevelt extends holiday greetings, with a thought for peace, from Washington, and the Our Gang youngsters, in amusing fashion, and entirely off-key, sing a wish for a happy New Year to the screen's audience. There is interest in the careful training which France is giving to the child who is heir to the all-important Morocco, a vital territory for France.

Senator Nye of North Dakota voices happiness that the U. S. State Dept. has accepted the Japanese apology on the *Panay* incident, thus ending what might well have been a serious and critical situation in international relations. The sporting section shows the Catholic Youth Organization in action in skating races in Chicago, and swimmers and divers in the Miami Biltmore pool in Florida, with Ralph Flanagan setting three national swimming marks. Screen stars are seen at the opening of the winter season at the Santa Anita track on the coast.

A dancing team, Ramon and Renita, do the rhumba smartly for the assembled guests for the winter season in Miami, and an interesting feature pictures the posing of infants at the studio of Henry Waxman, juvenile photographer, where are made many advertising photographs.

Running time, 9 mins. A.

Paramount News
(Issue No. 42)
(Paramount)

Pictorial news was lacking when this reel was made up, so the editors set out to compile a group of magazine subjects.

The first number is the opening of the racing season at Santa Anita, Cal., with the victory of "He Did" and some shots of film celebrities, including Lady Astor, Douglas Fairbanks, Sr., and others.

Beverly Lane, the young Chicago opera singer, is presented, with comments by Mark Hawley. To keep up sporting interest Connie Mack is shown in honor of his 75th birthday and the subject is made interesting by a compilation of old shots with some of the baseball figures of the past. Tommy Farr gets into the scene by arriving for his bout with Braddock, and Katharine Rawls, the Florida swimmer, receives an honorary appointment to the staff of the Governor of Florida.

A human interest subject is the presentation of paroles to 150 prisoners at Granite, Okla. Gabriel Heatter's comments are a bit too oratorical for the occasion.

Basketball enthusiasts will probably enjoy the game between Long Island University and Minnesota and Stanford vs. City College of New York, with commentary by Bob Carter.

Running time, 9 mins. O.

Pathe News
Vol. 9, No. 46
(RKO)

Highlighting the issue is a concise breakdown of the year's headline events. The resume takes about half of the length of the subject and is presented in chronological order.

There is the second inauguration of President Roosevelt with Supreme Court Justice Hughes administering the oath, the excitement created by Senator Black's relationship with the Ku Klux Klan, the period of strikes with John L. Lewis of the C.I.O. as an important figure and with pictures of the Detroit turmoil, scenes from war stricken Spain and China, the coronation of King George VI and Queen Elizabeth and the abdication of the Duke of Windsor, the Ohio River floods, the Texas school disaster, the disappearance of Amelia Earhart, the *Hindenburg* disaster at Lakewood and champions in tennis, swimming, baseball, football and thoroughbreds.

The news of the day items include an oil gusher in flames at El Segundo, Cal.; trick shots in a badminton game on a local court, a train wreck at Pittsburgh which cost the lives of an engineer and fireman, and He Did winning the Santa Anita sweepstakes with several film stars in attendance.

Running time, 9 mins. O.

Universal Newsreel
Vol. 9, No. 627
(Universal)

Scenes of the recent railroad mishap in Pittsburgh where a locomotive went over a retaining wall into a street are given first position in this issue. It is a clip that is fairly representative of the material that went into the balance of the reel which is diversified and has interesting moments.

President Roosevelt is seen lighting a Christmas tree in Washington and there are other sequences showing an oil well blazing in El Segundo, Cal.; the manufacture of wool from milk in Italy; Katharine Rawls being presented with a commission in the Florida Colonels; a badminton game at the N. Y. Hippodrome; the terpsichorean blend of Puerto Rican and Cuban dances by Ramon and Renita; "He Did" winning the Christmas Handicap at Santa Anita, and Miami girls playing croquet in bathing suits.

Running time, 8 mins. P.

Ontario Theatres in Seating Gain of 4%

TORONTO, Dec. 28.—A survey of the theatre situation in Ontario shows that the opening of 10 new theatres and the reopening of five others after substantial alterations over a period of three months brought an increase in the aggregate seating of Ontario houses of close to four per cent. The additions provided a further 9,017 seats, bringing the total accommodations in the Province to 237,964 seats.

All of the new theatres are of medium size, the largest being the McCarthy at Belleville, Ont., which has 836 seats, the second largest, the Bellevue in Toronto with accommodation for 750 persons. The Paradise, Toronto, was enlarged from 350 to 650 seats.

The steadily expanding circuit of Hanson Theatres Corp., Toronto, has been further increased by the acquisition of the Hollywood at Dunnville, Ontario, formerly operated by Jack Allen. The Hollywood, which seats 500, is being modernized with a new front, new heating system and other equipment. The Imperial here, ace Famous Players house with its 3,500 seating capacity, has reopened after being dark 10 days for renovation.

Work is also proceeding on the renovation of the Tivoli, another downtown theatre of the Famous Players' circuit, the principal change here being a new front.

Sells Nebraska Theatre

DENVER, Dec. 28.—George Luce has sold the Rex at Nayard, Neb. He and Mrs. Luce are planning to go to California where they may make their home. The Rex was taken over by L. F. Flowers, Boulder, Col., in partnership with Arthur and Mrs. Berglen of Cheyenne.

Miss Shellman to Wed

BALTIMORE, Dec. 28.—Josephine Keith Shellman, daughter of Jacques Shellman, New Theatre publicity man, will be married to Julian I. Palmore at the 1530 Park Ave. home of the Shellman's Thursday evening.

Miss Matthews Vacations

LONDON, Dec. 28.—Jessie Matthews is vacationing in France, following the completion of "Sailing Along," by G.B. The film will be released shortly. "Asking for Trouble" will be Miss Matthews' next.



ELECTED QUEEN OF THE SCREEN!

In the nation-wide vote conducted by the Chicago Tribune, N.Y. Daily News and 54 leading newspapers, Myrna Loy has just been chosen No. 1 Feminine Star of the Screen!

Myrna will earn a pot of Gold for you



People who pay your rent and ours!

Mr. and Mrs. Public will tell you that M-G-M's new production "MAN-PROOF" is one of the film's finest, because it digs deep into human relationships and tells its story daringly, wittily and wisely. Reach their pocketbooks through their hearts.

APPLAUSE FOR THIS CAST!

MYRNA LOY
FRANCHOT TONE
ROSALIND RUSSELL
WALTER PIDGEON

MAN-PROOF

Screen play by Vincent Lawrence, Waldemar Young and George Oppenheimer. Directed by Richard Thorpe. Produced by Louis D. Lighton

M-G-M

LITHO U.S.A.

Doyle's Theatre Plans Hinge on U.A. Film Deal

(Continued from page 1)

tralia and hopes to sign the U. A. franchise, a copy of which he brought over with him, before heading west. The first session with Kelly will take place today. Doyle has passage booked on the *Monterey*, which sails from Los Angeles Jan. 5.

The theatres, if plans materialize, will be built in East London, Port Elizabeth, Johannesburg, Durban and Capetown. Building could start in a year from now, Doyle said, adding that first he will have to visit South Africa and look over the territory. Shortly after his return to Australia, he will fly to South Africa. The trip will take 14 days.

In addition to the U. A. deal, Doyle is anxious to produce from eight to nine pictures a year in Australia. He said that under the terms of a quota law passed two weeks ago in the Antipodes the requirements provide for 16 to 18 pictures a year to comply with the law.

To Produce at National

Doyle stated there are eight distributors in Australia and he will discuss a deal with three or four of them before deciding which one to accept. Instead of producing at Cinesound Studios, Doyle's company will make its headquarters at National Studios, he said.

The five theatres, according to Doyle, will be of moderate size and with a policy of "extended seasons," which means two and three-week bookings. Other product will be sought, but no negotiations are under way.

Doyle is anxious to get back to Australia to consolidate his radio network of 16 stations with a number of others. He said his main interests today are radio, theatre building and operation, and aviation. He may go back to the theatre business in Australia, Doyle said, but this depends on openings there and how they will work out with his interests in South Africa and England.

"I don't want to tie myself down in Australia," Doyle said.

Reports on U.A. Board Arguments Met with Denial

(Continued from page 1)

objection to the arrangement sought by Korda was raised by representatives of Samuel Goldwyn and that the producers are to confer personally on means of leveling off this difference of opinion.

No date has been set for another meeting of the board and Korda has indicated his intention to return to London at once. It is not expected that the disturbance will cause any disturbance of the United Artists status quo.

Santell to Do "Grove"

HOLLYWOOD, Dec. 28.—Al Santell today was signed by Paramount to direct the musical film, "Cocoanut Grove," which will go into work on Jan. 24, with Fred MacMurray starred.

Canadian Exhibitors Protest Radio Shows

TORONTO, Dec. 28.—Members of the Independent Theatres Ass'n of Ontario, headed by H. Freedman, owner of the Circle, Toronto, are organizing a protest against the broadcasts of current film productions by Hollywood producers. The exhibitors have been circularized on the subject and already a considerable number of complaints have been received at the Toronto office of the association from all parts of Ontario.

Information brought to light in these individual protests is that box-office receipts are reduced by 30 per cent on the average on the nights that the picture broadcasts are held. The suggestion has been made that the theatre operators book only percentage pictures of the producing companies for the days when the film broadcasts take place.

Mexican Bill Would Ban Foreign Product

(Continued from page 1)

films in Mexico is provided in a measure sponsored by Congressman Victor Alfonso Maldonado, a leading lawyer.

Maldonado also wants a law passed which would compel exhibitors here and in the larger cities to reduce admissions. He considers the present price range here from about five cents to 60 cents too high.

Both measures are receiving a certain amount of support from the domestic industry, as is another from the same source, the awarding by the Federal Government of an annual prize to the Mexican producer who makes the best picture and the native player who does the best work.

Plan Approved for Mexican Film Bank

MEXICO CITY, Dec. 26.—Plans presented by elements of the domestic industry for the establishment of a bank to finance it have crystallized with Congress approving a measure calling for founding here of a state institution for that purpose.

The proposition has been presented to President Lazaro Cardenas. The bank is to have an ultimate capital of 100,000,000 pesos (about $28,000,000) which is to be provided equally by the Government and the industry.

Operator Fight Lingers

TORONTO, Dec. 28.—The dispute in Winnipeg, Man., between Famous Players Canadian Corp., and operators lingers on although the theatres affected continue to do business. The latest development, after three months of argument, is the announcement by Vincent Armand, executive official of the circuit in Western Canada, that the corporation is prepared to place the dispute before an arbitration board of the Manitoba Provincial Government. There the matter stands.

M-G-M to Stage Contest

HOLLYWOOD, Dec. 28.—M-G-M will announce details of a "Good News Program" on Thursday night. It will be a national contest to choose a name for "Benefits Forgot."

Details are not complete, but it is expected $5,000 and a trip to the studio will be among the awards.



What are the *REAL FACTS* about Coast-to-Coast flying?

A STATEMENT IN BEHALF OF AIR TRANSPORTATION BY W. A. PATTERSON, PRESIDENT, UNITED AIR LINES

THREE major airlines operate competitive coast-to-coast routes. All three lines cross mountain terrain of nearly equal height . . . *but what of it?*

No cross-country airline can, in fairness to the public and the aviation industry, honestly advertise it possesses any substantial "edge" in flying weather or terrain. UNITED'S route has as much sunshine as other cross-country routes . . . *but what of it?*

The foregoing facts are not the important considerations. Therefore UNITED does not care to use them as advertising claims.

Fundamental Factors

UNITED believes the public is more interested in *fundamentals*—airline equipment, personnel, experience, and above all, operating practices. These *really matter*.

For example, high terrain is no longer significant in itself because of today's operating practices, and the higher altitude efficiency of modern twin-engined planes.

New Higher Flight Levels

UNITED'S new higher flight altitudes *are really important*. They are high enough to clear the highest terrain not only on the airway itself but for a total airway width of 50 miles or more.

It is important that UNITED now has on every airplane an automatic recording barograph to provide a positive check on maintenance of these new higher flight altitudes.

UNITED thinks even more important than its high percentage of sunshine is the airlines' policy of canceling schedules under unfavorable conditions.

Pilots' Salaries

UNITED recently guaranteed its pilots a minimum monthly salary ($650.00) equivalent to their previous average monthly compensation, regardless of the number of trips flown or completed. Thus UNITED compensates pilots for their judgment in not attempting flights in doubtful weather.

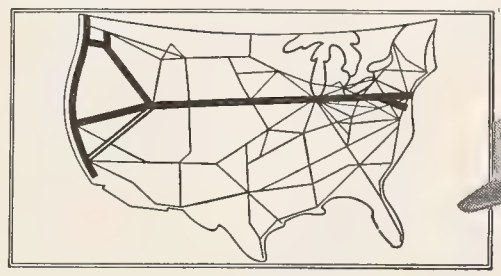
These are examples of things which contribute to efficiency and dependability in air transportation. *These* operating policies, plus the experience which has been gained by UNITED in 20,000 coast-to-coast flights, are the things which in the long run command public interest and public confidence.

UNITED believes that air transportation today fully merits the patronage of the public, and it suggests that the public make fullest use of the splendid service provided by *all* airlines.

W. A. Patterson

President, UNITED AIR LINES

Fly the MAIN LINE Mid-Continent Coast-to-Coast Route. *An established airway for 18 years. Over this pioneer airway United has flown 20,000 coast-to-coast trips.*



A FREE MANUAL fully covers the important phases of UNITED'S operations program and policies. Write W. A. Patterson, UNITED AIR LINES, 221 N. LaSalle St., Chicago.



UNITED AIR LINES

Purely Personal

RICHARD DAY, art director for SAMUEL GOLDWYN will arrive today for conferences with Pan American Airways executives on the filming of "Transatlantic Flight."

•

HAL HORNE will arrive from the coast today. He is set on his future plans and will make an announcement in a few days.

•

SAM SIEGEL left for the coast yesterday. He was here arranging a personal appearance tour for DAVE APOLLON.

•

FRANCES MERCER, daughter of SID MERCER, New York sports writer, has been signed by RKO to a term contract.

•

JOHN D. CLARK, general sales manager for 20th Century-Fox, has been home a week with a bad cold.

•

SIDNEY R. KENT will leave Jan. 8 or 9 for Boca Grande, Fla., on his annual vacation.

•

HENRI ELMAN, Chicago Monogram franchise holder, will leave today for his home city.

•

HERMAN RIFKIN, Republic New England franchise holder, will head for Boston, his headquarters today.

•

MAX ROTH, Republic midwest district manager, is in town and will remain until the end of the week.

•

ALEC MOSS is planning a Miami and Nassau vacation the middle of next month.

•

EDWIN DIAL TORGEPSON'S unpublished story, "Racing Blood," has been acquired by 20th Century-Fox.

•

Y. FRANK FREEMAN, Paramount theatre head, returned yesterday from Atlanta.

•

MARTIN MULLIN and SAM PINANSKI are in town from Boston for Paramount home office conferences.

SUNSHINE ROUTE TO LOS ANGELES



• Only American takes you by the comfortable all year route, through southern sunshine, to the coast. Overnight through service. No change of planes. The Mercury leaves 5:10 pm. The Southerner leaves 9:00 pm.

Call your travel agent or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave.
And Rockefeller Center, 18 W. 49th St.

AMERICAN AIRLINES, INC.

Financial Gains Striking Feature of the Past Year

A year of varied developments, marked by continued financial recovery during the first three quarters of the year but tapering off during the last quarter, is recorded in MOTION PICTURE DAILY'S headlines of 1937 which are published in this issue.

The financial recovery of the industry, begun in 1936, was accelerated during the early part of the year to such an extent that despite the falling off of fourth quarter revenue virtually all companies in the major category are expected to show substantial profits for the year. Two or more of them predict their best earning statements on record.

Labor developments in the industry, which saw the peaceful organization of workers on all fronts without a serious crippling strike, contributed one of the most important chapters to the industry's 1937 history. Hollywood talent was organized for the first time, and so were film exchange workers. Other branches of the industry, including office workers, laboratory workers and cartoonists, were drawn into the labor organizing movement which drew its inspiration from the U. S. Supreme Court decision upholding the legality of the Wagner Act with its provisions for collective bargaining. With the industry's labor problems, to all intents and purposes settled already, the dominance of the A. F. of L. unions and the expansion of the I. A. T. S. E. in the industry, emerge as the significant result.

Legislation Heavy

Legislation and litigation were numerous during the 12 months past but, as in other years, were non-productive of significant change in industry practices. The passage by the North Dakota legislature of a law to require the divorcement of theatre operation from production and distribution was probably of greatest significance. The constitutionality of the measure is being tested, however, and its significance cannot be assayed at this time.

In the field of litigation, regulation of double features and minimum admissions was tested in Federal courts at Dallas and Philadelphia but court decisions in both instances are still in process of appeal.

MPTOA Efforts a Failure

Efforts of exhibitors, through the M. P. T. O. A., to bring into being a program of trade practices for the self-regulation of exhibition and distribution collapsed during the early part of the year. Efforts to revive or supplant it with an alternative program are scheduled to be made during the new year. Chance games figured prominently in theatre policies during the year, supplementing double featuring which continued as popular as ever.

Theatre attendance, estimated in the neighborhood of 88,000,000 weekly for 1936, exceeded that average during the early part of 1937 but lost much of the gain from August on. Attendance this year is expected to approximate last year's, as a result.

Radio broadcasts employing Hollywood talent or film material continued to draw exhibitor criticism. Producing companies entered the broadcasting field as the mentors for their own stars during the year. The move was seen as an effort to control the competitive features of Hollywood broadcasts, and an admission by producers, at the same time, that stars could not be witheld from radio activity.

British Interest Strong

Outstanding news events also included the progress of Britain's deliberations on a new Film Quota Act to become effective in 1938, with early indications that American companies would be required to invest large sums in production in England. The elimination of the Film Boards of Trade, the withdrawal of A. T. & T. from direct activity in the industry through the licensing and sale of Erpi's sound reproducing and servicing business; the exhibitor "buyers' strike" against Paramount, and the issuance of an option, which remained unconsummated, through which Samuel Goldwyn and Alexander Korda were given the right to acquire full ownership of United Artists also held the interest of the industry momentarily.

"U" Principal Executive Shift

Executive changes were less numerous than in recent years, with the most important of them—those affecting Universal—becoming effective only now. Nate Blumberg replaces R. H. Cochrane as president of Universal, with Cochrane becoming chairman of the company's executive committee; William A. Scully leaves M-G-M to take James R. Grainger's place as general sales manager of Universal, and John E. Joseph succeeds P. D. Cochrane as director of advertising, publicity and exploitation. Other changes at Universal find Gus Schaefer succeeding Nate Manheim as foreign manager during the year, and David Lipton succeeding Paul Gulick as publicity manager.

Mervyn LeRoy left Warners to produce for M-G-M; Sam Briskin left RKO; Courtland Smith and Jack Connolly were replaced by Ned E. Depinet and Frederic Ullman at Pathe News; M. H. Aylesworth resigned as chairman of RKO; Nat Levine and J. J. Milstein left Republic.

The year saw Joseph P. Kennedy, an industry veteran, ostensibly selected to become the U. S. Ambassador to the Court of St. James's.

Deaths of the year took, among others, Jean Harlow, J. J. McCarthy, Tom D. Cochrane and Elek J. Ludvigh.

Warner Colony Opens

CLEVELAND, Dec. 28. — The new Warner Colony opened here tonight, with a number of the city's notables present. Clayton Bond and Louis Kaufman of the Warner home office theatre department also attended. Marvin Samuelson manages the house.

Expect Basson to Stay

Joseph D. Basson, president of Local 306, is expected to be reelected tonight at the annual election. Virtually all of the executive members are slated to be continued another year, but several changes in the board may take place.

Smith Returns from Talk with Nathanson

Sam Smith of British Lion has returned from Toronto where he conferred with N. L. Nathanson on renewing a two-year deal with Herbert Wilcox for the production of six features a year. Nathanson is interested in British Lion with Smith.

Smith also has been having preliminary conferences with H. J. Yates for continuing the Republic distribution deal in England. The current four-year deal has until 1939 to run. Smith will sail for home Jan. 4 on the *Berengaria*.

Casey-Weber Music Talks Agreed Upon

(*Continued from page* 1)

to begin the conferences with Casey and producers.

The general aim of the conferences will be to devise methods of spreading employment for musicians in Hollywood. The A. F. of M. has indicated that, in the event no more practical method is devised, it will ask that producers refrain from using stock music recordings in low cost productions and, instead, employ musicians for new recordings whenever music is required in production.

Anna Neagle Contributes

TORONTO, Dec. 28.—Following her recent personal appearance in Toronto on the occasion of the Canadian premiere of "Victoria the Great," Anna Neagle, British film star, sent a substantial check to the Toronto Black Watch Assn., with the request that the money be spent on requirements for 100 children of local war veterans. During her Toronto stay, Miss Neagle was presented with a souvenir badge of the Black Watch by Sir Gerald Campbell, British Consul-General in New York City, in behalf of the local association.

Wall Street

Eastman Up on Board

	Open	High	Low	Close	Net Change
Col.	12	12	11½	11¾	— ¾
Col. pfd.	27	27	25¾	27	— ⅞
Cons.	1⅛	1⅛	1	1⅛	.....
Cons. pfd.	5⅝	5⅝	5½	5½	.....
E. K.	161	161	159	159½	—4
E. K. pfd.	161	161	161	161	+3
G. T. E.	11⅝	11⅝	11	11½	+ ⅛
Loew	45⅜	45¾	43¾	44½	—1¾
Para.	9⅜	9½	8⅞	8⅞	— ⅝
Para. 1	84	84	82	82	—2
Para. 2	10	10⅛	9⅞	9⅞	— ⅜
Pathe	6	6	5¼	5½	— ¼
RKO	4	4⅛	3¾	3¾	— ⅜
20th Fox	20	20⅜	19½	19⅝	— ⅝
20th pfd.	26½	26½	26¼	26¼	— ¼
Univ. pfd.	32	32	32	32	.....
W. B.	6	6⅛	5¾	5¾	— ⅜
W. B. pfd.	33½	33½	33	33½	— ½

Curb Issues Off

	Open	High	Low	Close	Net Change
G. N.	⅝	11/16	9/16	9/16	—1/16
Sonotone	1¾	1¾	1¾	1¾	.....
Tech.	16⅞	16⅞	15⅛	15¼	—1¾
Trans-Lux	2⅝	2⅝	2⅜	2⅜	— ⅜
Univ. Corp.	2	2	1¾	1¾	— ¼

Keith Bonds Rise

	High	Low	Close	Net Change
Keith 6s '46	85	85	85	+1
Para. B'way 3s '55	60	60	60	.....
Para. Pict. 6s '55	89	88¾	88¾	— ¼
Para. Pict. '47	71½	71	71	—1
W. B. 6s '39	74¾	74¼	74¼	— ¾

(Quotations at close of Dec. 28)

Radio City
MUSIC HALL
· FIFTH
Anniversary

The Growth of an Idea into a World Institution

Tracing the development of Radio City Music Hall from its daring inception and troubled inauguration to its present tranquil eminence in Art—and in show business

By J. M. JERAULD

RADIO CITY Music Hall has provoked more amazement, more wonder, more argument, and, latterly, more admiration than any amusement enterprise of modern times. It came up out of a vast excavation in Manhattan's rock at a time when film producers were finally ready to admit that prosperity not only wasn't around the corner; it wasn't *anywhere*. Theatre receiverships were spreading. Where the customers were was anybody's guess.

In this atmosphere of gloom the Rockefellers went serenely forward, piling steel girders higher day by day, and S. L. Rothafel, who had left what was at that time regarded as his greatest achievement, the Roxy, to create something more magnificent—not *one* something, but *two* of them: the Music Hall and another, new Roxy—carried out his plans with what seemed to be a complete disregard of the economics of the time.

It all seemed a bit incredible to most people in show business. If they had known that John D. Rockefeller, Jr., had entertained the idea of building four theatres instead of two, as recently revealed by his son, Nelson, some of the harassed film leaders would have developed apoplexy trying to form a mental picture of the vastness of the Rockefeller financial resources available for such enterprises.

Whether the Rockefellers were the first to approach S. L. Rothafel with the vision of a new entertainment enterprise, or whether he "sold" them an idea, is not definitely known, and the Rockefellers do little talking about the details of their varied interests. By the fall of 1931, however, the idea of a huge 6,000-seat Music Hall to be devoted to stage extravaganzas, and another smaller theatre, then named the Roxy, to concentrate on films, had taken shape.

Everything was to be on a grand scale—bigger and better than all that had gone before. On the soggy night of the opening, Dec. 27, 1932, the Music Hall's distinguished guests and others not so distinguished, marveled at the size and beauty of the structure until 8:35. For the next four hours they marveled that a show could be so long. Two days later, with the gala opening of the Roxy (later renamed the Center), pretty much the same group gasped to find that a second architectural gem had been created only one block south.

In another week wise observers in the industry were adopting an "I told you so" attitude. The Music Hall's $106,400 gross was figured to be more than $53,000 below the estimated overhead. S. L. Rothafel went home exhausted from the nervous strain of a year's preliminary work.

It was a tragic moment in his life. Three months later the depth of the depression brought on the bank holiday. A committee headed by Harold B. Franklin, with Martin Beck, Herschel Stuart, Phil Reisman and Robert F. Sisk had taken control. The "Roxy" theatre was closed, and a *film* and stage policy was adopted for the Music Hall.

Franklin, Beck and Stuart were among the best known executives of showbusiness. Many in the industry thought that if the Music Hall problems could be solved, they would do it. What the industry at large didn't know at the time was that these showmen had an "observer" in their midst.

Enter, an Industrial Engineer

HE WAS a quiet, mild-mannered man with snow white hair, of medium height, solid of build. His name, William G. Van Schmus. Some of his associates knew nothing of his background. If he ventured a suggestion, they tried to convince him it wouldn't work. All the precedents of showbusiness were marshalled against him in these verbal exchanges. He listened. He still does. What he hears he shapes into a policy of some kind, then tries it. He did then.

Van Schmus went into the Music Hall because the Rockefellers wanted someone to tell them what was going on and advise them what to do about it. There was a limit to the deficits that even *they* could take calmly.

At that time, Van Schmus was head of Van Schmus, McDormid & Crawford, industrial engineers. The firm made it a practice to study the merchandising problems of its clients before accepting any money. It would go into every phase of a firm's operations — manufacturing,

(Cont'd on page 24, Music Hall Section)



Playing a Brilliant Part In Today's American Scene

On this, the Fifth Anniversary of Radio City Music Hall, MOTION PICTURE DAILY is happy to voice its own and industry's tribute to this superlative institution of the theatrical world.

During the five years of its operation, The Music Hall has reflected credit in generous measure upon the motion picture and the theatrical business, meanwhile bringing millions of hours of happiness and contentment to a vast public. During these years it has established a reputation glorifying the vision of its sponsors and the competency of its administration.

In an institution of such magnitude, where observance of the proprieties is all-pervasive, where there is taste and intelligence in little things and great, and where millions are afforded an escape from the vexations of life, there must, indeed, be a real contribution to the welfare of humanity. Such a contribution The Music Hall undeniably has made.

Vital to the success of The Music Hall have been the many brilliant productions supplied by motion picture producers. This fact makes it eminently proper that the industry should appropriate to itself a share in the bountiful success which attends this institution on its Fifth Anniversary. The industry may feel assured that it is welcome to its share in the success because, while supplemental entertainments are conceived and executed always to a high standard, and frequently attain exquisite perfection, the motion picture is accorded the stellar role in the world-famous presentations of The Music Hall.

Mr. William G. Van Schmus, The Music Hall's managing director, who is a personification of the institution's intelligence, urbanity and charm, was a stranger to the show world at the inception of his association with The Music Hall. But he was not long in mastering its idiom, and alongside of this newly acquired knowledge he was able to place a wide experience gained in other activities, the combination of which has given The Music Hall a direction which is distinguished both for its enterprise and for its prudence.

To the Rockefellers, to Mr. Van Schmus and to the staff of The Music Hall, congratulations for this notable enrichment of the American scene! —MARTIN QUIGLEY.



MOTION PICTURE DAILY



VAN SCHMUS: MAN OF A MYSTERY SOLVED

ANY appraisal of the Music Hall's present position in the amusement world requires some study of W. G. Van Schmus, the man who brought it about.

In four years he has developed from a "mystery man" into an important personality in the film industry. Some of the early arguments about his unique—many call them unorthodox—methods have subsided. His circle of acquaintances has widened. His critics are now subdued. Few refer to him as "the business man trying to run a theatre," but the great majority of old time showmen who transferred circus technique to exhibition still regard him as somewhat of an anomaly.

At one of the early parties given by Van Schmus to film people and newspaper critics just before an opening, a well known production executive asked: "Who's the stocky man with the white hair?"

"He's a ringer," replied another—probably meaning one of the uninvited guests who sometimes get into such affairs.

He proved to be the most exciting "ringer" this industry has had in many a long year, and his method of proving it couldn't have been less dramatic if he had made a studied effort to be self-effacing. The imprint of his personality runs all through the Music Hall organization and reaches the public in the uniform excellence of the shows, the dignified advertising, the courteous contacts with the Music Hall's guests. The word guests is used advisedly, because all visitors are made to feel like guests instead of customers—no easy task when they number 5,000 or more at a time.

When asked a few days back to explain his philosophy of showmanship, he replied: "I haven't any."

Noting the surprise of his interviewer, he explained in his slow methodical way. He makes his points with care, as though he had thought deeply about them. When he finishes it is all quite lucid and understandable.

Theatre operation, as he sees it, is a problem in merchandising, and merchandising as he visions it, is something broader than showmanship—a word loosely used in this business to describe the stirring of excitement. He regards merchandising as the problem of telling customers what he has to sell with dignity and honesty, of building up a conviction they are going to get their money's worth, and then giving it to them, so they will come back again and again.

He checks on his customers to make sure the system is working. Hundreds of them have the same seats, the same night of every week.

Some explosive verbiage has been hurled in his direction during the past four years by producing companies which have refused to share the expense of campaigns on their biggest pictures, but Van Schmus has refused to budge. He reached his conclusions slowly by the trial and error method.

Van Schmus smiles a bit ruefully when he describes the start of his connection with the Music Hall. All he knew about theatres was that most of them showed films and some were still presenting plays. He had one important asset, however; he had spent all of his career studying public relations and reactions. After leaving Northwestern College he had been part owner of a book publishing firm. He had been financial executive of department stores in Chicago and New York.

Twenty years ago he became an owner and general manager of a national advertising company. This led into the field of industrial development, engineering and expansion, and merchandising. The firm—Van Schmus, McDermid & Crawford—had clients across the country. Among these was Rockefeller Center.

Then he was asked by the Rockefellers to make a study of the Music Hall. He approached the problem objectively and tried to maintain perspective enough to permit him to grasp the main outlines of the setup before studying its details.

His first surprise was the prevailing emotionalism!

The organization had started revolving around a personality and was involved in a maze of conflicting viewpoints brought about by an executive council when he arrived. Even the department heads were determined to shine in the spotlight of this new creation.

In the course of time Van Schmus began to ask questions. When he tried to find out why certain things were done, he was told they had always been done that way in the theatre—or that it was showmanship. Showmanship, he discovered, was something everyone could talk about with considerable emphasis, but couldn't make clear.

After a few months he began to make suggestions. These encountered opposition, but Van Schmus says now that there is something about this business and these new contacts that fascinated him. He was pleased when the Rockefellers asked him to become managing director.

"One of my first problems," he explained, "was to convince these people that I wanted to be honest with them; that each would receive the full recognition his talents deserved; that each was a worker in an organization of which he could be proud.

"I tried to sell the Music Hall to them. They have helped me sell it to the public. Some changes have been made in the staff; but many of the men and women who were here at the start are still here. They are the best in their respective fields."

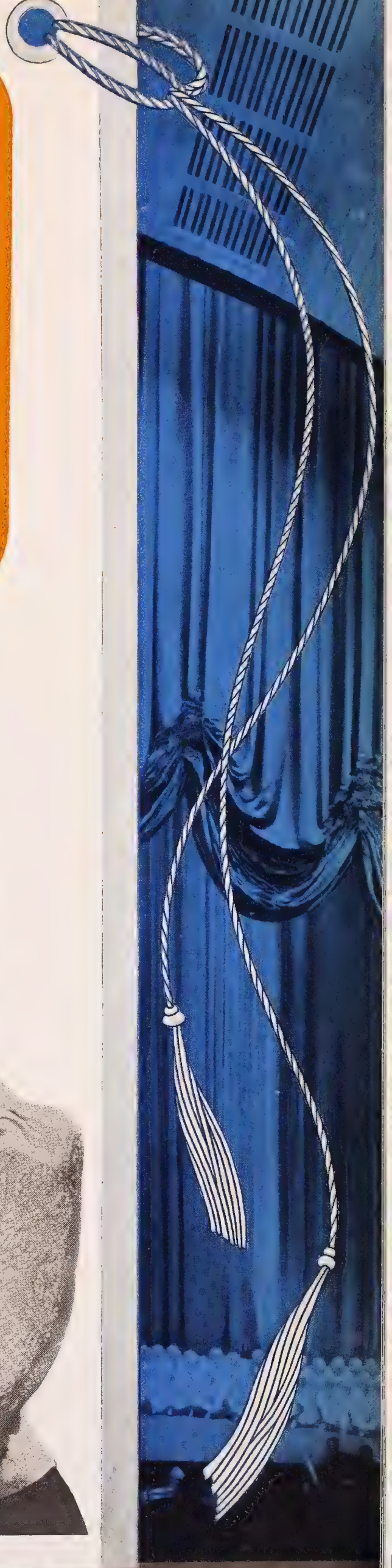
Some executives describe this as "man-power." Van Schmus

[CONTINUED ON PAGE 24, MUSIC HALL SECTION]

To a Magnificent *Sixth Year* For a Magnificent Theatre!...



See how Warners are making it the grandest Anniversary ever— over on the next page!



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION



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WARNE

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Radio City

Has Chosen from among All Avai

ANNIVERSARY ATTRACT

Claudett

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Charles

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BASIL RATHBO

MELVILLE COOPER • ISABEL JEANS • Morris Ca

Screen Play by Casey Robinson • Adapted from the Play by Jacques

AN OVERWHELMING SUCCESS

RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATIO

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R BROS.

That

Music Hall

le Product, as the Picture for Its

, OPENING THIS WEEK

e Colbert

Boyer

rich

• ANITA LOUISE

y • Victor Kilian • An Anatole Litvak Production

• English Version by Robert E. Sherwood • Music by Max Steiner

174 CURRENT ENGAGEMENTS!



ADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION

MOTION PICTURE DAILY

featuring THE DANCE



MODERN: A LINE OF ROCKETTES, FAMED PRECISION DANCERS

This troupe of 46 dancers was originated by Russell Markert and is still directed by him and Gene Snyder, codirector. In addition Markert is producer of many of the Music Hall's smart stage shows. Last July the Rockettes represented the United States at the Paris Gala of Dance.



CLASSICAL: THE CORPS DE BALLET, ONLY RESIDENT BALLET IN AMERICA

Directed by Florence Rogge, who is also ass
ciate producer of Music Hall stage show

THE WEEKLY JOB OF CREATING THE WORLD'S MOST GLAMOROUS SHOW

That applause you hear at the drop of the Music Hall curtain is from a cross-section of America. It's for artistry plus technical organization

By CHARLES S. AARONSON

THE ENSEMBLE, making a riot of blended color tones, swept smoothly into finale position on the broad stage, the lights focused, the orchestra below carried into a *crescendo,* the huge curtain started slowly downward—and a spontaneous wave of applause gathered swift momentum through the vast auditorium.

That applause was an expression of enthusiastic appreciation of another Music Hall stage presentation—the American theatre's pre-eminent conjunction of screen and stage entertainment. The applause is duplicated, week in and week out, year in and year out, and becomes at once an expressive reaction of pleasure to that before the eyes of the audience, and an unconscious tribute to those personalities who set the stage, who hold the reins, to whom the "make-believe" from the audience viewpoint is intensely real, a cohesive molding of elements into a rounded whole—a stimulating piece of entertainment.

It is difficult to talk of the Music Hall and its presentations in anything less than superlatives. The very atmosphere of the vast stage and auditorium, the almost sensational sweep and beauty of its offerings, automatically calls up "finest" and "perfection" in the mind of the viewer. The startling feature of such production, however, lies in the fact that each week something *new* appears—as though by magic—and always the same high standard is maintained.

The directing operatives of the Music Hall describe it themselves in this fashion: "The Music Hall's entertainment policy is based on the conviction that people will welcome heartily a form of entertainment which respects their intelligence and good taste."

That is essentially true, and there is no deviation from that precept. But it is not all magic. It does not just happen. Behind that entertainment, those stage presentations which are a byword in the theatrical world and a treasure-trove of delight for thousands of people weekly, is a large and well-knit *organization,* which functions smoothly and swiftly.

Behind those presentations on the Music Hall stage is virtually a permanent stock company of music and of the dance, on a high cultural plane, probably without a duplicate in the world, with the possible exception of Grand Opera. But in that latter field, there is an aspect of repetition, of continuous duplication of subject matter, and therein lies the peculiar characteristic of the Music Hall talent group which makes it unique. It is, in fact, a center of superior entertainment, back stage as well as behind the footlights.

The precision of the inimitable and world-acclaimed Rockettes, the grace of the Ballet Corps, the excellence of the Glee Club, the quality of the orchestra, are not happenings merely of chance. They are the results of hard work, of a never-ending cycle of plan and execution, which means rehearsals, then more rehearsals, then the show—and immediate or coincident preparation for the next one.

In a quiet-toned and unpretentious office one flight from the street and stage door of the Music Hall sits an outwardly calm and unexcitable man who actually is a dynamo of nervous energy. He is Leon Leonidoff, the guiding genius of the Music Hall stage presentations, officially senior producer, and also vice-president of the Radio City Music Hall Corp.

From him and that desk radiate the various divisions which are called upon constantly to contribute a share to the making of a stage offering. His is the planning mind, with an obvious passion for accuracy and detail and perfection if possible, coupled uniquely with a high order of imaginative ability, which can—and does—produce presentations which run the entertainment gamut.

Many Minds Unified

A STAGE OFFERING, let's say, is in development. Sometimes that show is being produced by Leonidoff, senior producer, many other times by Russell Markert, producer, or occasionally by Miss Florence Rogge, associate producer. All three of these people have worked together very closely since the Music Hall has opened, yet they have diverse talents and produce different styles of shows. As different as these may be, each show demonstrates how their minds are unified in producing an offering definitely Music Hall in type.

The element of surprise, says Leonidoff, is all-important. No Music Hall audience must have an inkling, by reason of prior performances, of what next week's show will contain. Novelty, newness are essential. The producer readily agrees that there probably is no theatre in the world which offers such a wealth of technical and scientific facility to the production of stage offerings as does the Music Hall, but, he cautions quietly, the ideas for the use of that technical equipment are not responsive to the pressure of a button or the throwing of a switch.

Statistical indication of the human facilities at the command of the Music Hall producers fall into the same category, but they are nevertheless of interest and value in presenting a picture of the backstage organization. There are 46 Rockettes, 40 members of the Ballet Corps, with one masculine member, Nicholas Daks, premier dancer, who also serves as production assistant with the group; 30 members of the Glee Club; and an orchestra of 70, under the baton of Erno Rapee. His is the largest theatre orchestra in the world.

Gene Snyder is associate director of the Rockettes, with a background of the theatre and dancing, who can better any step any *Rockette* can do. Florence Rogge directs the Corps de Ballet, which is the only permanent group of its kind in the country. Literally millions of people, many of whom otherwise would never view it, have seen ballet at the Music Hall. The 30 young men in the Glee Club are under the direction of Vin Lindhe. Richard Leibert is the Music Hall's organist.

A System for Talent

THE NAMES of others whose contributions are vital to the development and completion of a stage presentation in the best Music Hall tradition are noted, but mention of the particular work for which each one is responsible in itself tells a story of co-operative effort of a high order and wide extent. They include Maurice Baron, senior composer; Eugene Braun, director of the all-important stage lighting; Hattie Rogge, director of the costume department; Bruno Maine, scenic designer and production assistant; Robert Henderson, director of stage maintenance and operation; Irving Evans, stage manager; Marco Montedoro, production assistant and costume designer.

Additions to the stage presentations are a constant occurrence, drawing from the ranks of the concert, operatic and recital fields. The Music Hall's regular singers include Jan Peerce, tenor; Viola Philo, dramatic soprano; Edwina Eustis, contralto; Robert Weede, baritone; while such artists as Rosemarie Brancato, Bruna Castagna of the Metropolitan Opera, and Anne Roselle, also of Grand Opera, have been featured.

From the mind and imagination of Leonidoff comes an idea for still another stage presentation, then the planning begins for dance routines and ballet choreography, and the four rehearsal halls, with their full-length mirrors, are crowded; the music is prepared, the lighting problems solved, the scenery designed and built, while innumerable needlewomen start to work on the costumes when their designs have been approved.

Indicative of the fact that no details are overlooked, that there is a specialist for every phase of the co-operative effort, is the diversification in department activity. For example, there is Willa Van, costume designer and style expert, whose forte is the more modern trends in style, as opposed to the traditional in costuming.

Each group does its own assigned task separately, and then comes the process, under the hand and eye of the producer, of molding it all into a smoothly flowing entertainment entity—another Music Hall stage presentation to bring generous and appreciative applause from audiences, indicating a task well done—until next week and the next presentation.



Members of the Corps de Ballet rehearsing under the direction of Florence Rogge. Dance rehearsals are conducted in large halls equipped with full-length mirrors in which the girls may study their own movements. The picture shows them preparing a hobby-horse routine for a Music Hall production.



The company that holds the all-time high box-office record of RADIO CITY MUSIC HALL . . .

. . . is the same company which, since the Music Hall opened, has given that theatre 15 of its 35 weeks at $100,000 or over . . .

. . . the same company that greets the New Year with the greatest number of big shows in its career . . .

attractions like . . .

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GINGER ROGERS · DOUGLAS FAIRBANKS, Jr.

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•

BRINGING UP BABY

KATHARINE HEPBURN · CARY GRANT

Charles Ruggles · May Robson · Barry Fitzgerald · Walter Catlett
Directed by Howard Hawks. Produced by Cliff Reid.

•

RADIO CITY REVELS

BOB BURNS · JACK OAKIE · KENNY BAKER

MILTON BERLE · Victor Moore · Helen Broderick · Ann Miller Parkyakarkus · Jane Froman · Directed by Ben Stoloff. Produced by Cliff Reid.

•

THE JOY OF LOVING

IRENE DUNNE · DOUGLAS FAIRBANKS, Jr.

Score and story by Jerome Kern, Dorothy and Herbert Fields. Directed by Tay Garnett. Produced by Felix Young.

•

VIVACIOUS LADY

GINGER ROGERS · JAMES STEWART

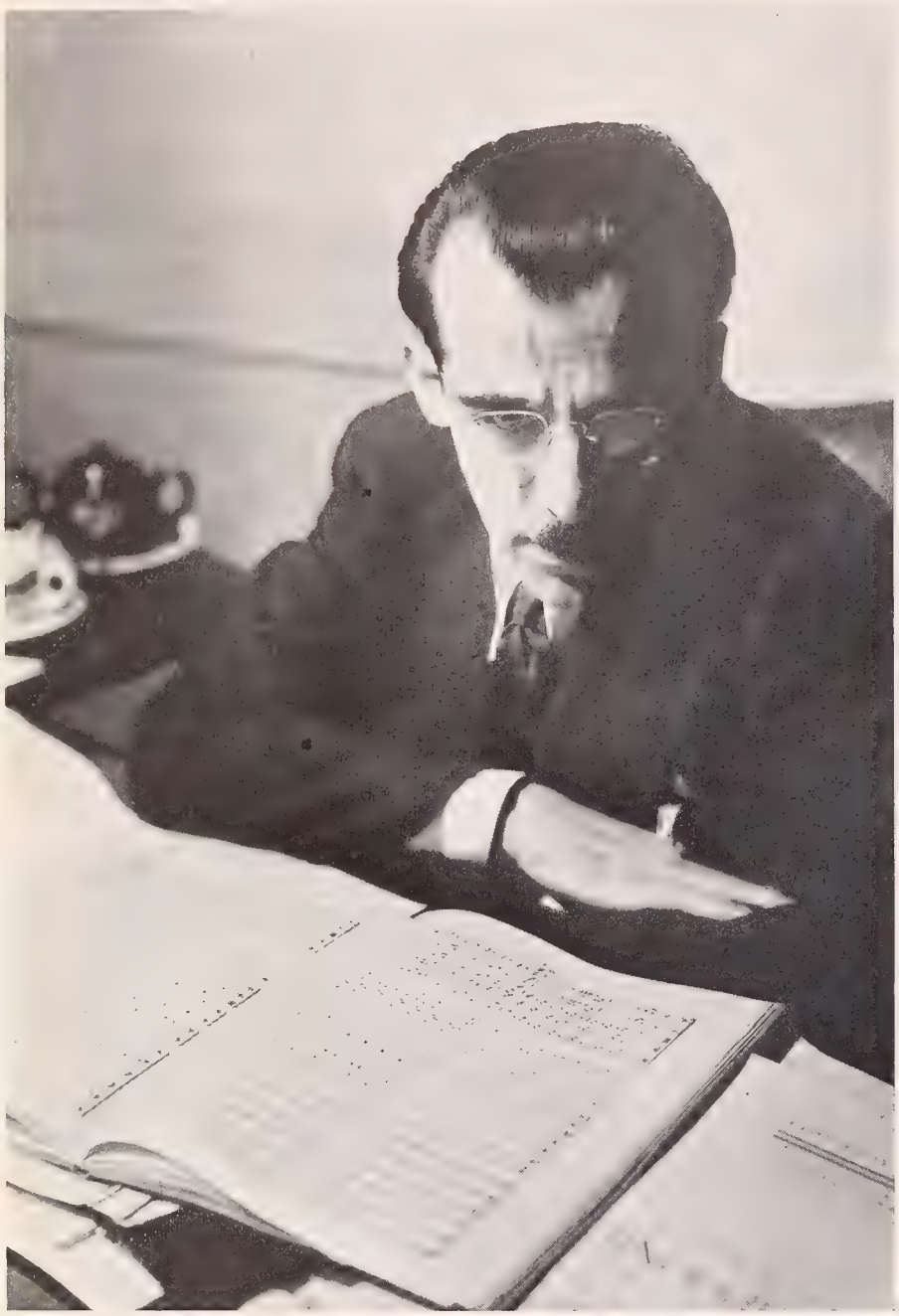
Directed by George Stevens. Produced by Pandro S. Berman.



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION

MOTION PICTURE DAILY

MUSIC HALL MUSIC: A PROBLEM IN MASS CULTURE



ERNO RAPEE
Director of Music, Radio City Music Hall

Some interesting notes of and by Maestro Erno Rapee, whose baton must wave pleasingly in the face of an audience as varied as humanity

By JACK BANNER

THEY SOMETIMES call Erno Rapee "the little man with the big orchestras." Slight of build, he is a sad-faced gentleman whose heavy-lidded eyes, black, usually disarrayed hair, and slim, nervous arms and hands immediately mark his calling.

Of distinguished appearance, it is nevertheless hard to reconcile his tremendous record of accomplishment with his seeming physical frailty. But note: He has scored 750 full-length motion pictures, and more than 1,000 newsreels; compiled an encyclopedia of music for theatres; been musical director of Warner Brothers, and musical director of NBC; composed numerous songs and other musical numbers; been a conductor of symphony orchestras throughout the world; and since the opening of the Music Hall, has served as musical director and conductor, conducting the Radio City Music Hall orchestra on the air Sundays over a NBC network, and serving as conductor of the seasonal General Motors radio concerts.

Maestro Rapee himself, however, makes the reconciliation briefly and satisfactorily: "It is hard to kill a good Hungarian with work."

Rapee oversees about 120 people at the Music Hall. The orchestra itself numbers 70 men; of chorus and soloists there are approximately 30, for whom he selects, writes and arranges music; four librarians constantly wrestle with the task of cataloging 30,000 music numbers—the list is ever growing—and keeping up to date a reference file containing the names, instruments, age, ability and appearance of over 1,000 musicians. Copyists, arrangers and other Rapee aides consult with the Rockettes, the chorus and the ballet before coming to the musical director for final guidance as to the numbers to be used, how arranged and scored, and how finally they are to be fitted into the production coming up. The details of the Radio City Music Hall air program and the General Motors concerts must of course be thoroughly fashioned and molded each week.

Not to be overlooked are the executive duties which befall Rapee as musical director of the world's largest and most celebrated cinema. Practically every afternoon of the week he devotes to business details. Rapee's department costs the Music Hall management about a half million dollars a year—he says that this estimate is conservative—and the expenditures must be accounted for.

Visitors throng to his office during these afternoon executive periods. Talented young artists come to him with their ambitions, and the word is that they invariably find him an understanding, sympathetic fellow-artist. Leaving his unpretentious office on the second floor of the Music Hall after the interview, we saw a half-dozen persons waiting to see him. One, Rapee's secretary explained, was a composer with a musical idea for next week's show. Another was an Austrian tenor. A third was a musical inventor with a new type of piano which he wanted to have installed in the Music Hall. On audition days the situation is worse. All sorts of persons apply to Rapee to be heard, some talented, some not. He has discovered many young singers and musicians through these auditions.

We wondered aloud how Rapee was able to undergo such a terrifically complicated daily routine, without running into constant snarls. Amused, Rapee asked if we wanted the truth, or a "colored" story. Naturally, we wanted the truth.

"The truth," said Rapee, "is very prosaic. The music organization here has been functioning with almost the same personnel since the theatre opened. Consequently, for a long time, it has been operating like a mechanically perfect automobile. Everybody in the department knows his duty; knows what is expected of him, and it is done."

His mind blazing with Beethoven, Lizst, Chopin and the other masters following his graduation in 1909 from the Conservatory in Budapest, Hungary, at the age of 18, Rapee came to America to conquer our section of the musical world. He speedily wound up pounding the piano in an East Side restaurant.

However, the young immigrant soon graduated from the Ghetto and before many months was playing in theatre pits, winning his way slowly to the director's stand.

His first American work of consequence came about when he was made director of the Hungarian Opera Co. Shortly thereafter he became conductor of the Rialto Theatre orchestra, and it was there that he came to the attention of the late Samuel L. "Roxy" Rothafel. The upward swing in fortunes for these two following this first association is now part of theatre lore.

Rapee followed Roxy to the Rivoli, to the Capitol, and then to the Roxy. Followed a short time in Germany where he served as musical consultant to UFA productions. Back in this country, Rapee in 1930 went to Hollywood as musical director for Warners. He returned to New York the same year, again serving as musical director of the Roxy.

The following year Rapee became musical director of NBC, resigning two years later to accept his present musical directorship of the Radio City Music Hall.

One of the major problems confronting the musical director for a house which plays to approximately 125,000 people a week in what is perhaps the most cosmopolitan city in the world, is the necessity to steer a middle course in the selection of music, so that the tastes of no one in the audience will be entirely ignored.

Musical Prejudices

FOR INSTANCE, Rapee has learned through experience never to allow the tune "Marching Through Georgia" to be played. Several times he tried it, and on each occasion he and the management were reviled by letter and by personal calls from Southerners in the audience. Again, "Auld Lang Syne" is played only once a year at the Music Hall, New Year's Eve, because that song usually closes all functions and its playing at all other times is considered an invitation for an audience to go home.

The current majority feeling in New York against Nazism and Fascism has caused all songs even remotely associated with those movements to be removed from the Music Hall repertoire.

On the other hand, the musical fare must be diversified enough to please all the people who weekly attend the theatre, for among them is represented every race and religion. Of all music, states Rapee a bit pridefully, the most universally liked by Music Hall audiences is Hungarian. The playing of national anthems, other than America's, is rigidly eschewed.

Conducting four Music Hall shows a day, two radio shows each week, with attendant rehearsals for all, planning programs two and three weeks ahead while yet in the throes of solving the problems for the current ones, and all the other manifold duties that befall Erno Rapee each day (which number seven, incidentally) permit him very little time for outside diversion. But when he can steal a few hours away from his duties, one may usually find him at—you guessed it!—a concert.

naturally

A REGULAR WEEKLY FEATURE AT RADIO CITY MUSIC HALL!

RKO

PATHE NEWS



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION





In felicitating the Music Hall on five distinguished years of effort and accomplishment, Columbia Pictures Corporation is proud to have contributed during that period to this great theatre's history:

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LADY FOR A DAY
IT HAPPENED ONE NIGHT
TWENTIETH CENTURY
ONE NIGHT OF LOVE
BROADWAY BILL
SHE MARRIED HER BOSS
MR. DEEDS GOES TO TOWN
THEODORA GOES WILD
LOST HORIZON
THE AWFUL TRUTH
I'LL TAKE ROMANCE
COCKTAIL HOUR

ANN CARVER'S PROFESSION
SISTERS UNDER THE SKIN
WHOM THE GODS DESTROY
THE WHOLE TOWN'S TALKING
LOVE ME FOREVER
FEATHER IN HER HAT
CRIME AND PUNISHMENT
THE KING STEPS OUT
ADVENTURE IN MANHATTAN
CRAIG'S WIFE
MORE THAN A SECRETARY
WHEN YOU'RE IN LOVE

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Columbia extends holiday greetings to exhibitors nationwide and SAYS IT IN PICTURES

now playing:

Grace Moore

I'LL TAKE ROMANCE

Melvyn Douglas

HELEN WESTLEY, STUART ERWIN • Screen play by George Oppenheimer and Jane Murfin • Directed by EDWARD H. GRIFFITH • Produced by EVERETT RISKIN

SHE MARRIED AN ARTIST

starring ***John Boles • Luli Deste***

with Helen Westley, Frances Drake, Alexander D'Arcy • Screen play by Gladys Lehman and Delmer Daves • Directed by Marion Gering

Irene Dunne • Cary Grant

THE AWFUL TRUTH

with Ralph Bellamy, Alexander D'Arcy, Cecil Cunningham • A LEO McCAREY PRODUCTION • Screen play by Vina Delmar • Associate Producer Everett Riskin Directed by Leo McCarey

Ronald Colman in ***Frank Capra's***

LOST HORIZON

with Jane Wyatt, John Howard, Margo, Thomas Mitchell, Edward Everett Horton Screen play by ROBERT RISKIN

and coming:

START CHEERING

with Jimmy Durante, Walter Connolly, Joan Perry, Charles Starrett, Prof. Quiz, Gertrude Niesen, Raymond Walburn, 3 Stooges, Broderick Crawford, Hal LeRoy and Johnny Green and his orchestra • Story by Corey Ford • Screen play by Eugene Solow, Richard E. Wormser, Philip Rapp • Directed by Albert S. Rogell

PENITENTIARY

with Walter Connolly, John Howard, Jean Parker, Robert Barrat • Screen play by Fred Niblo, Jr. and Seton I. Miller • Story by Martin Flavin • Directed by John Brahm

Joan Blondell • Melvyn Douglas

THERE'S ALWAYS A WOMAN

Directed by ALEXANDER HALL

Frank Capra's Production

of the Kaufman-Hart Pulitzer Prize Play

YOU CAN'T TAKE IT WITH YOU

Screen play by ROBERT RISKIN

JOE E. BROWN in ***Wide Open Faces***

EDWARD G. ROBINSON

in ***Tracking New York's Crime Barons***

Watch for additional productions to come!



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION



The Executives and Department Heads

of

Radio City Music Hall

HAIL and SALUTE

Motion Picture Producers & Distributors

and the

Entire Industry!

WE HUMBLY THANK THEM FOR THE FINE SPIRIT OF COOPERATION RECEIVED BY THE MUSIC HALL IN THE FIRST FIVE YEARS OF ITS EXISTENCE . . . AND VERY GRATEFULLY EXTEND

TO EVERYONE

NEIGHBORS! FRIENDS! COMPETITORS!

OUR SINCEREST WISHES FOR

A

Very Happy

and

Most Prosperous

New Year!

126 days of

Radio City Music Hall

playing time for 1937

were lavished on

9 outstanding films

released thru United Artists

during that

twelve month period.

NO OTHER COMPANY IN THE MOTION PICTURE INDUSTRY CAN CLAIM SUCH A RECORD OF HOLD-OVER HITS!





3 out of 3 play 3 weeks!

170 pictures have played the world's largest theatre, The Radio City Music Hall.

Of these 170 only 10 have justified 3-week holdovers.

Of these 10 pictures 3 have been consecutively produced by David O. Selznick:

- A STAR IS BORN
- THE PRISONER OF ZENDA
- NOTHING SACRED

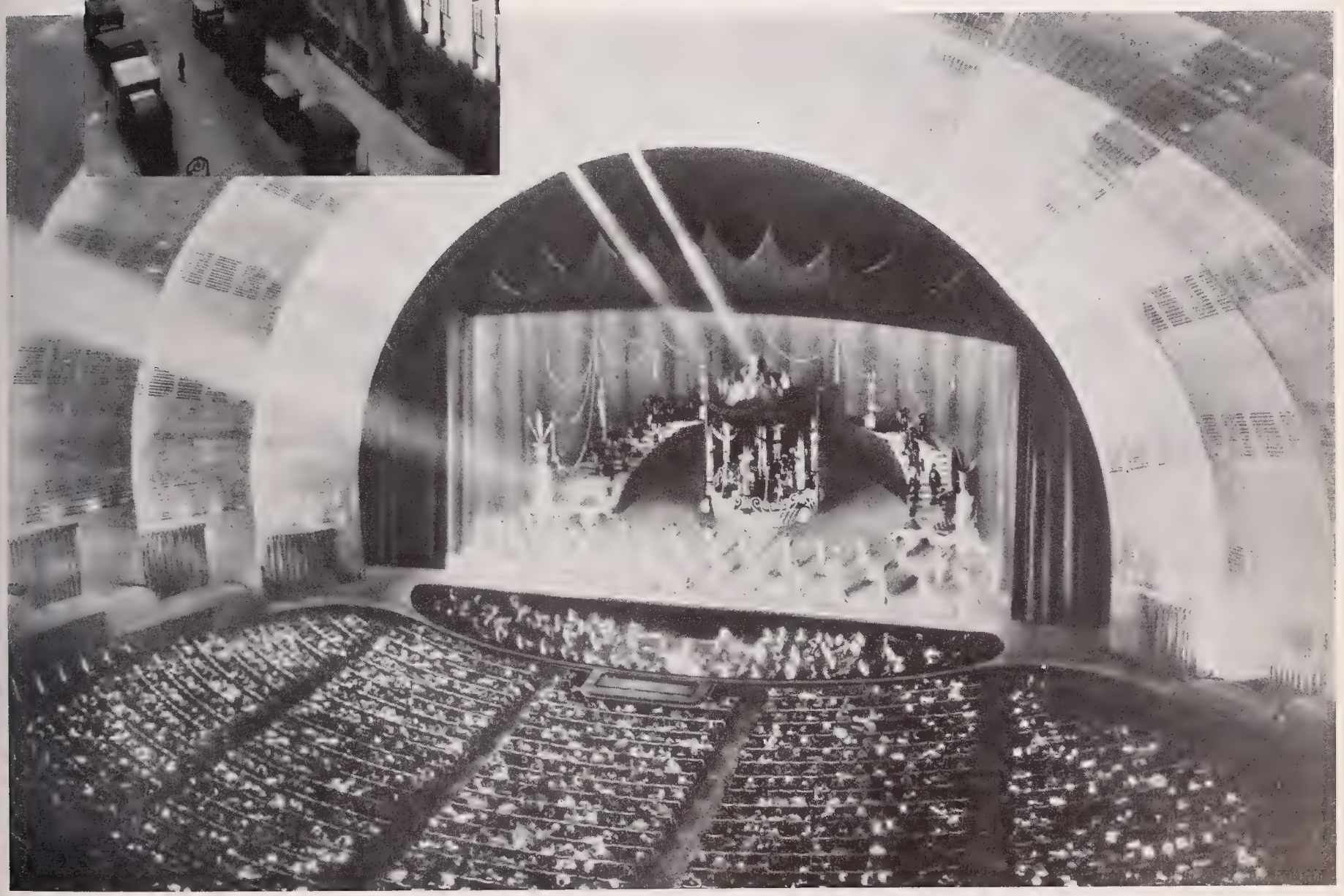
PRESENTED BY SELZNICK INTERNATIONAL
RELEASED THROUGH UNITED ARTISTS

SHOWTIME AT THE GREATEST OF THEATRES





PATRONS GATHER IN THE GRAND FOYER

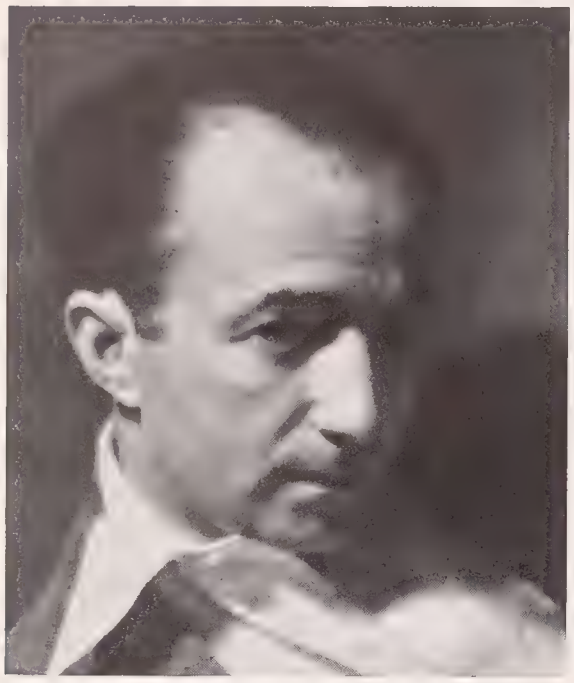


FORWARD SECTION OF THE VAST AUDITORIUM WITH STAGE PERFORMANCE IN PROGRESS

MOTION PICTURE DAILY

BEHIND THE SCENES OF

¶ Picturing executives of the business, stage production and various engineering departments, and other principals of the Music Hall's permanent organization



LEON LEONIDOFF
Vice President; Senior Producer

. . . Small boy in Roumania with dreams of the theatre, tossed off medical student's smock to don ballet shoes, after backyard theatricals which annoyed his parents, and for which admission price was so many buttons. Danced for Piteoff, Russian impresario, and emerged in famous Isba Russe organization. Toured the world capitals—then a New York offer. Engaged by S. R. Rothafel as ballet director at Capitol, New York, then production director at Roxy theatre, then at Music Hall.



G. S. EYSSELL
Secretary of Music Hall Corp.

. . . Entered the theatre business by way of a Kansas City suburban house while he was still in school. As manager's assistant he was almost the whole staff. Became manager of the Kansas City Newman, then to the Million Dollar, Los Angeles. Joined Paramount-Publix, from there to Texas, as a district manager. Reached New York as district manager in charge of the Rialto, Rivoli and Brooklyn Paramount. Now is secretary of the Music Hall Corp., assistant to managing director.



R. V. DOWNING
Treasurer of Music Hall Corp.

. . . Comes from Yonkers and entered theatre business through the banking field after studying business administration in college. Began work as supervisor of Tidewater Oil Co.'s warehouses. Named assistant to the president and followed him into a razor company. Later assistant treasurer of a refrigerator company and treasurer of Prudence Co. This brought him into contact with theatres, during the period of reorganization throughout eastern U. S. Appointed treasurer of Music Hall in 1933



FRED A. CRUISE
Theatre Manager

. . . From the war to the theatre he went, managing the Rialto from 1918 to 1921. Then the Rivoli from 1921 to 1926, where and when he introduced the non-tipping system, now in general use. Followed management of Paramount in Palm Beach, Criterion in Los Angeles, until 1933, when he went to the Music Hall, where he commands a staff of 120.



ARTHUR CLARY
Theatre Treasurer

. . . A box-office expert, treasurer of the Music Hall, with 20 years of experience in a similar position with RKO before that. His is the guiding hand over 17 cashiers, who also handle telephone and mail reservations. Five years with the Music Hall, where he handles the problem, peculiar to this theatre, of a reserved seat section in a continuous house.



HAZEL FLYNN
Director of Publicity

. . . Left college to become an extra on the old Essanay lot in Chicago. Assigned later to the scenario department, then became assistant to the late James R. Quirk, publisher of Photoplay. Handled publicity for Taylor Holmes Film Co., was editor of Pictorial Life, an educational reel, and title writer for newsreels. Came to the Music Hall in 1933.



RUSSELL MARKERT
Producer; Director of Rockettes

. . . Born in Jersey City. Jumped a few years and into World War. Returned, entered Columbia for finance course, took dancing lessons to lose weight and found a career, starting with Earl Carroll. Assistant stage director, in musical shows, then conceived American Rockets idea in 1925. Some film dance work held him until the Music Hall called.

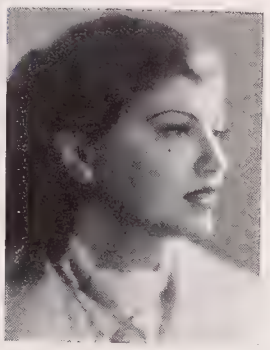
RADIO CITY MUSIC HALL



FLORENCE ROGGE
Associate Producer



ALICE CANON
Asst. Director Ballet



HILDA HECKLER
Asso. Director, Ballet



HATTIE ROGGE
Costumes



EUGENE BRAUN
Director of Stage Lighting



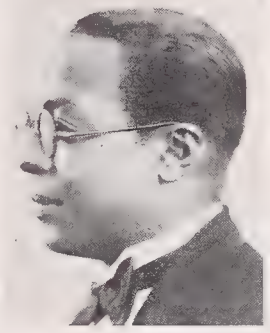
GENE SNYDER
Co-Director, Rockettes



MISCHA VIOLIN
Assoc. Conductor



JULES SILVER
Assoc. Conductor



CHARLES L. COOKE
Music Arranger



MAURICE BARON
Music Arranger



DEZSO D'ANTALFFY
Music Arranger



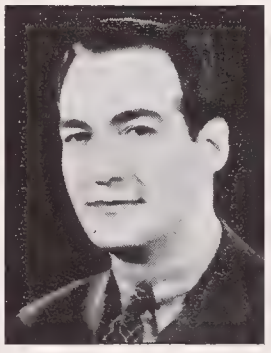
WILLA VAN
Costume Designer



BRUNO MAINE
Art Director



NAT KARSON
Art Director



IRVING EVANS
Stage Manager



NICHOLAS DAKS
Production Assistant



EMILY SHERMAN
Captain, Rockettes



MARCO MONTEDORO
Costume Designer



ROBERT HENDERSON
Stage Operation



CHARLES PITZER
Chief Engineer



RICHARD LEIBERT
Organist



VAN LINDHE
Director, Glee Club



MAX MANNE
Manager, Orchestra



CHARLES MULLER
Chief Projectionist



HARRY BRAUN
Director, Sound Operation

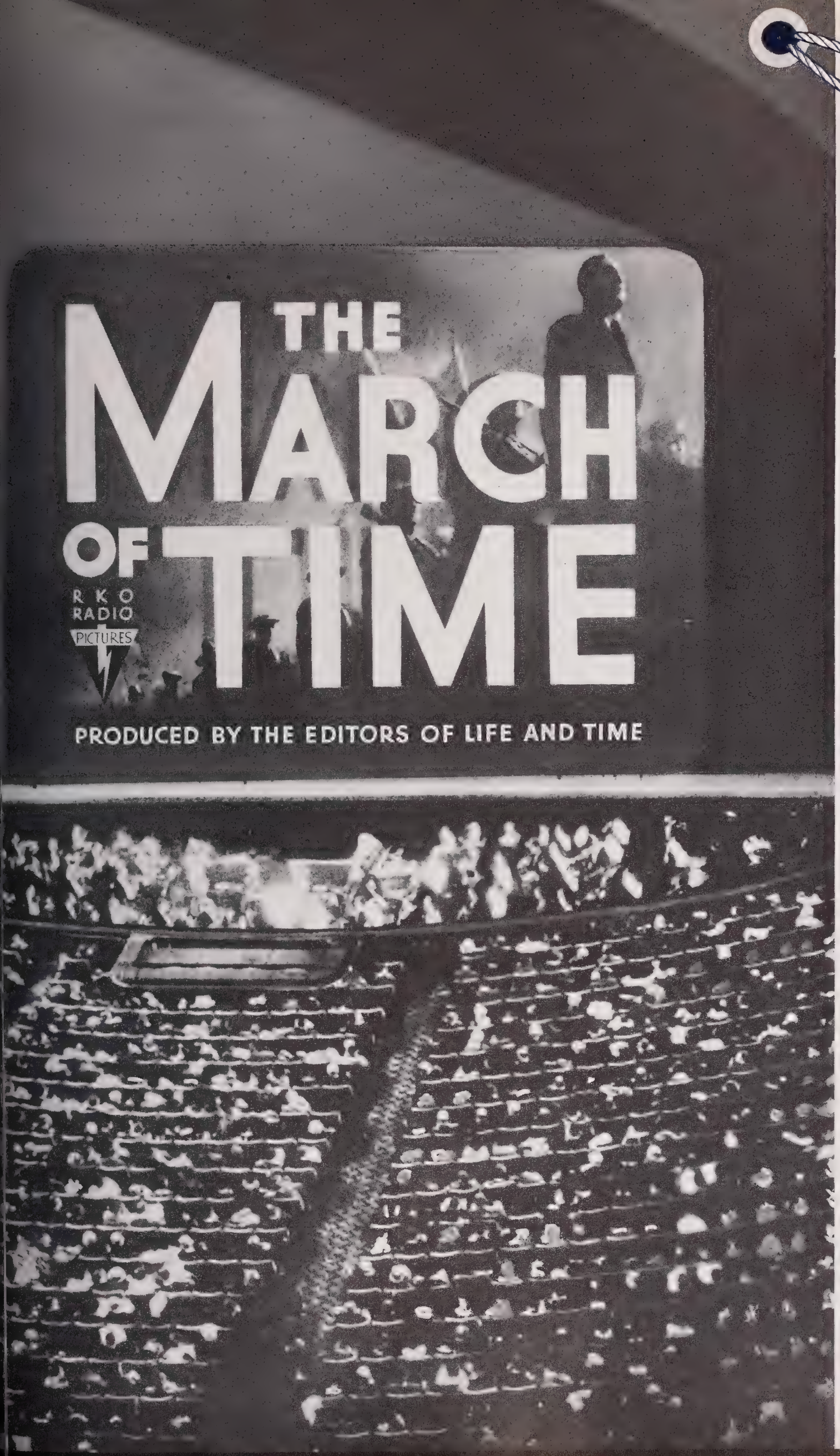


RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION

THE MARCH OF TIME

RKO RADIO PICTURES

PRODUCED BY THE EDITORS OF LIFE AND TIME





RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION




HAPPY BIRTHDAY
To You !
© W.D.P.
Walt Disney



Count us in—

with the long list of well-wishers in congratulations to the Music Hall . . . . to you Dr. Van Schmus and to your staff...

The Service Twins

NATIONAL SCREEN SERVICE

. . . prize baby of the Industry!

National Screen Accessories INC. . . . the magic touch of showmanship!



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION

MOTION PICTURE DAILY

THE FOUNDER



John D. Rockefeller, Jr., who, in the booming 1920's, became interested in the relatively modest proposal of a new Metropolitan Opera House. He arranged leases on a midtown area, then when depression struck, he found himself with leases calling for enormous rentals. The only course was improvement of the property — and Rockefeller Center was conceived. What originally was meant to be four theatres emerged as only two, but one of these is the Radio City Music Hall, the equal of several. Since the latter part of 1933, Mr. Rockefeller has taken a direct interest in this magnificent theatre in the greatest single realty improvement of its kind in New York.

PICTURES AT THE MUSIC HALL

DURING THE first five years of operation of the Music Hall, 191 pictures, including "I'll Take Romance," now in its second and last week, have been booked into the 6,000-seat theatre. Of this number, 58 have been held for two and three weeks.

In a recapitulation of the playing time, RKO has had a total of 67 features. This company was highest on the booking calendar with 20th Century-Fox second at 52. Columbia was third with 25; United Artists fourth with 20; Universal, fifth with 10; Warners, sixth with eight, exclusive of "Tovarich," which opens tomorrow and ordinarily would be included in the complete five-year schedule. Paramount has a total of five and Gaumont British, three.

Conspicuously absent in the company lineup is M-G-M. This company has the Capitol as its Broadway show window, and it has never sold the Music Hall. Paramount and Warners also have their own first-run units, but have from time to time sold some outstanding attractions to the Music Hall.

Last fall, 20th Century-Fox took over operation of the Roxy and since has not booked any attractions into the Music Hall. The last picture of this company to play the Music Hall was "This Is My Affair," which ran two weeks in June.

Starting with the week ended Jan. 18, 1933, the official records of the Music Hall show that for the first year RKO had 21 pictures, Fox, 14; Columbia, four; Warners, five, and all within the first six months; Paramount, one; United Artists, one; Universal, two.

For the current year: RKO has had nine; United Artists, eight; Fox, five; Columbia, four, including "I'll Take Romance"; Warners, two.

RKO heads the three-week attractions with six films. U. A. is second with three and Columbia third and last with one. The 21-day films included "Little Women," the first to be honored with such an extended engagement; "Love Me Forever," "Top Hat," "Follow the Fleet," "Mary of Scotland," "Swing Time," "A Star Is Born," "The Prisoner of Zenda," "Stage Door" and "Nothing Sacred." The films are listed in the order of exhibition.

Topping the two-week runs is RKO with 12. U. A. is next with 11. 20th Century-Fox is third with 10 and Columbia follows with eight. Warners and Universal each had two holdovers. The list does not include "The Littlest Rebel," which was shown for 11 days at the close of 1935 and "Magnificent Obsession," which ran 10 days the first part of January, 1936.

The two-week pictures, in the order booked into the Music Hall, are as follows: "Cavalcade," "Flying Down to Rio," "Nana," "Wild Cargo," "Stand Up and Cheer," "Of Human Bondage," "The Cat's Paw," "One Night of Love," "We Live Again," "Gay Divorcee," "Broadway Bill," "Little Minister," "The Scarlet Pimpernel," "Roberta," "Little Colonel," "Cardinal Richelieu," "Becky Sharp," "Alice Adams," "I Dream Too Much," "Strike Me Pink," "Petrified Forest," "The Country Doctor," "Little Lord Fauntleroy," "Mr. Deeds Goes to Town," "Under Two Flags," "Show Boat," "The King Steps Out," "Poor Little Rich Girl," "The Green Pastures," "My Man Godfrey," "The Gay Desperado," "The Garden of Allah," "That Girl from Paris," "Lloyds of London," "On the Avenue," "When You're in Love," "7th Heaven," "Shall We Dance," "This Is My Affair," "Knight Without Armor," "The Toast of New York," "Stella Dallas," "Vogues of 1938," "Lost Horizon," "The Awful Truth," "I'll Take Romance."

29 Films Gross Over $100,000

Exactly 29 films have grossed $100,000 or better, four of this group hitting $100.00 or better in their second or third weeks at the Music Hall.

The pictures which come under this classification and the takes follow in the order of established figures:

"Top Hat," $131,200; "The Prisoner of Zenda," $123,000; "Swing Time," first week, $123,177; second week, $120,000; "Top Hat," second week, $113,500; "Stage Door," $113,000; "Little Minister," $110,000; "Nothing Sacred, $110,000; "Little Women," $109,000; "Rainbow of the River," $108,000; "Cavalcade," first week, $107,761; second week, $105,98; "Vogues of 1938," $104,120; second week, $103,793; "One Man's Journey," $103,064; "Nana," $103,000; "The Private Life of Henry VIII," $103,000; "Cardinal Richelieu," $103,000; "Little Women," third week, $102,000; "Morning Glory," $101,249; "When You're in Love," $101,000; "A Star Is Born, $101,000; "Topaze," $100,956; "Mary of Scotland," $100,500; "Magnificent Obsession," $100,225; "My Man Godfrey," $100,200; "Love Me Forever," $100,019; "We Live Again," $100,000; "Broadway Bill," $100,000; "That Girl from Paris," $100,000; "7th Heaven," $100,000.

MAN of a MYSTERY SOLVED

[CONTINUTD FROM PAGE 2, MUSIC HALL SECTION]

thinks of his staff as his boys and girls, his friends and associates. This is no pose with him; it is an attribute of his personality. The reactions are interesting. Instead of resenting the close personal supervision which he gives the last detail of operation, they like it. He is aiming at their own objectives—the success of the Music Hall.

Out of all this close contact with the personnel has come a broad outline of the position he thinks the Music Hall ought to fill in the amusement world. It can't be snobbish. On this point he is emphatic. Its appeal must be to Ninth and Tenth Avenues as well as Park, but in spite of this he avoids aiming at what might be called a general average of taste.

"Each social stratum craves the one above," he observed. "The desire for something better is so universal that it can be applied to entertainment. Even in our music we step out of the field of selections with which the general public is familiar. Then we study the reactions. When we put on 'Madame Butterfly' I was nervous about it. I spent the afternoon in the auditorium. Regular opera-goers applaud in the customary places. Our audiences burst out spontaneously. The enthusiasm became contagious. I went home happy that night. Twenty thousand or more satisfied patrons the first day can—and do—start a terrific amount of word-of-mouth advertising."

The Music Hall is probably one of the few theatres in the world where preview audience reactions can be obtained from the staff. This is another Van Schmus innovation.

The entire atmosphere of the institution both in its public contacts and its inter-departmental relations is one of urbanity and charm. These qualities reflect W. G. Van Schmus.—J. M. JERAULD.

How Music Hall Ads Are Planned

The striking Music Hall newspaper advertisements, which arouse interest because of distinctive make-up, typography and departure from traditional film technique, were originated by W. G. Van Schmus, managing director.

The advertising is prepared by Donahue & Coe, headed by E. J. Churchill. Preliminary plans are laid in a conference attended by representatives of the film company whose picture is to be played; Lynn Farnol, the agency's account executive, and Van Schmus. After the budget has been determined, and the scheduled planned, Van Schmus personally supervises each step in the creation of every new campaign, working out details with Farnol.

Copy is written by Lynn Farnol and Mrs. Dorothy Auchincloss of the agency staff, and by Beatrice Atlass of Van Schmus' office.

Growth of an Idea Into an Institution

(*Cont'd from page* 1, *Music Hall Section*)

sales, advertising, market conditions —before laying out a plan. In some cases this study required a year or more. As the senior partner, William G. Van Schmus was usually the man who made the detailed inquiries.

It was in this capacity that he stepped into the Music Hall picture. It was just another business to him at first. He just watched, with no preconceived ideas of *what* should be done.

Out of the early turmoil developed the thought that the Music Hall should be "The Showplace of the Nation," and that is exactly what it has become. It would be no exaggeration to say that it is the Showplace of the World. The French gave it international recognition last summer by inviting its famed precision dancers, the Rockettes, to their Paris Exposition. English trade papers have praised its advertising. Italian opera enthusiasts have classed some of the stage presentations as the finest to be found anywhere. It is one of the sights visitors from all parts of the world *must* see when they come to New York. Yet, oddly enough, its regular customers outnumber the transients.

The Radio Corporation of America and the National Broadcasting Company take pleasure in congratulating their famous neighbor, Radio City Music Hall, upon its first five years of steady progress and brilliant achievement.

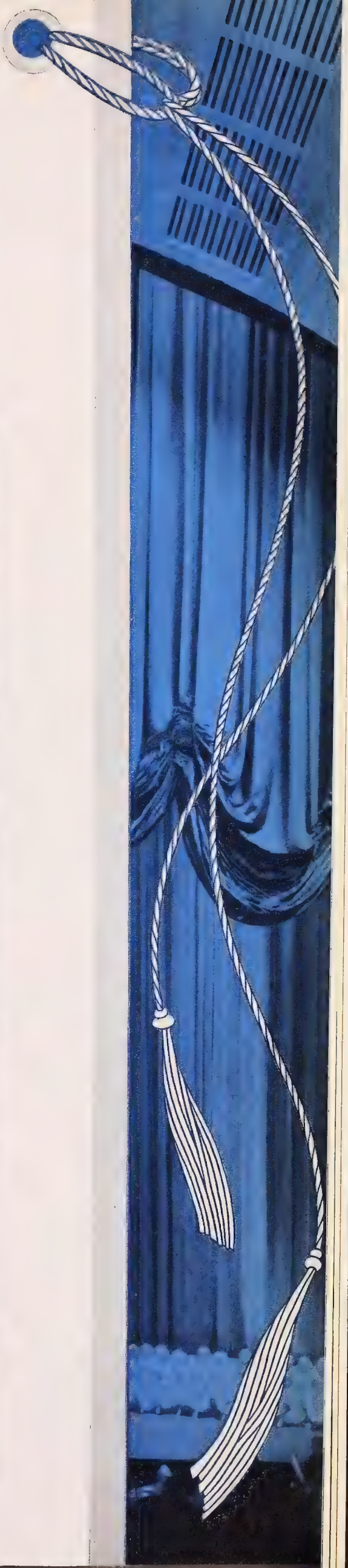


Headquarters of the Radio Corporation of America, the RCA Building in Radio City, N. Y., is also the home of a distinguished member of the RCA family: The National Broadcasting Company. Each year more than 500,000 visitors take the guided tour of the NBC Studios, where originate the radio programs which are the chief source of recreation for untold millions of people.

RADIO CORPORATION OF AMERICA

RADIO CITY, NEW YORK

RCA MANUFACTURING COMPANY, Inc. • RADIOMARINE CORPORATION OF AMERICA
NATIONAL BROADCASTING COMPANY • RCA INSTITUTES, Inc. • RCA COMMUNICATIONS, Inc.



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION



WHAT A PLEASURE

IT IS

• • •

TO SAY

• • •

"WE SEATED
RADIO CITY"

• • •

AMERICAN
SEATING COMPANY

New York Grand Rapids

5 YEARS

SUCCESSFUL OPERATION

Testifies to the Worth of

KLIEGL

Stage and Auditorium

LIGHTING EQUIPMENT

At Radio City Music Hall

IN constant daily use since this most magnificent theatre was founded—Kliegl lighting equipment has stood the test of time—has performed its function perfectly, satisfied unusual and exacting demands, and will continue to serve for many years yet to come.

It was the largest theatre lighting project ever undertaken. A major part of the lighting equipment was specially designed by our engineers, and many technical difficulties were overcome in the accomplishment of lighting effects never before attempted—an eloquent tribute to the skill and craftsmanship of our organization.

We specialize in the adaptation of lighting for theatrical use and decorative interiors.

A record of successful accomplishments gives assurance of our competence to achieve results you desire.

Consult with our engineers regarding your proposed plans and specifications.

KLIEGL BROS

UNIVERSAL ELECTRIC STAGE LIGHTING CO., INC.

321 WEST 50th STREET

NEW YORK, N.Y.

MORE THAN

10,000

LARGE AND SMALL THEATRES

Including

RADIO CITY MUSIC HALL

Use and Endorse

GENERAL REGISTER'S

Ticket Issuing Machines

HAND MODELS

COMPLETE WITH REGISTERS
3-UNIT MACHINES FROM

$45.

CASH • DEFERRED • RENTAL

GENERAL REGISTER CORPORATION

1540 BROADWAY, NEW YORK, N. Y.

Chicago Brooklyn San Francisco

RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION

THE SHOW BEHIND THE SHOW AT THE MUSIC HALL

Vast enough in what the public sees, but vaster still is this theatre, and spectacular as well, in its technical resources and its complex operating scheme

By GEORGE SCHUTZ
Editor, Better Theatres

BY ALL the prevailing laws of showbusiness, the Music Hall of Radio City in Rockefeller Center, New York, is beyond belief. Yet, like the giraffe standing before the hick gentleman who denied its existence, there it is!—with five years of effective operation attesting to its enduring reality. To an extent realized by few people, as shall be demonstrated in paragraphs to follow, this Colossus of the amusement world, having fixed its own entertainment function, is answerable only to its own code. It stands, an individualized institution, on the fringe of showbusiness as under the domination of the motion picture showbusiness is understood today.

What a heaven for the megalomaniac it is! And unquestionably its sheer magnitude is an attraction to many of its first-time patrons. They, of course, see little of its real magnitude. Quite enough, no doubt, to be convincing—foyers vastly palatial; lounges overly generous in number, dimensions and luxuries; an auditorium rising a half-dozen stories, seating a sizeable town (6,000, more or less); a stage that swallows a cast like a Moloch, with room still to spare in its jowls—quite enough, but only so much skin over bones and tissue, over a complex system of nerves and muscles, human and mechanical, weaving seemingly endlessly through hundreds of rooms, halls, structural interstices, corridors and plant stations. The public doesn't know the half of it!

The operating staff, including creative and managerial as well as all other classes of employes, comprises 654 persons. And the operating scheme of the Music Hall embraces service to employes as well as to the public. Each department has its club, or lounge, quarters. Hospital facilities, except for major operations, are provided, with two bedrooms, a physician calling each day, and three staff nurses constantly in attendance. There is a library, with a staff librarian, regularly supplied with the latest publications, from which employes may draw out books. Seamstresses, cleaners and pressers are provided for the maintenance of costumes and service uniforms. There is a cafeteria at which especially engaged talent as well as employes may eat or from which food may be ordered brought to offices (the executive department has its own kitchen and dining room for occasional luncheons or dinners).

This matter of *service to employes* is extraordinary enough as a function of a theatre organization, but the emphasis given it in the operating scheme of the Music Hall would be uncommon in any type of enterprise. Reflecting that the Music Hall is after all a business, one looks for reasons for this striking fact, which are to be found, perhaps, in the difficulty that must be encountered in any effort to co-ordinate into a single efficient organism a wide diversity of temperaments and processes. At one end of the chain, one may say, is a department performing more or less menial tasks; at the other (to ignore in this connection, the executive) is the creative artist and technical expert. And there are over 650 of these men and women, embracing porters, ushers, artisans, various grades of engineers, designers, musicians—yes, and virtuosi of the Arts!

The development of the present Music Hall organization was therefore not completed in a day. Here was a task that took time—and direction with a keen sense of fundamentals, direction advised by a natural appreciation of human qualities. Such direction can come from a man who has had great analytical experience, and who also is a warm-hearted sort of person, a formula satisfied at both points by William G. Van Schmus, whom John D. Rockefeller, Jr., brought in 1933 from the field of industrial engineering to be managing director of the Music Hall.

Although comparisons are always dangerous, it must be true that Rockefeller Center's Radio City Music Hall is the only theatre in the world combining the motion picture in its regular entertainment program with lavish stage extravaganza produced by a permanent organization complete in every department. The technical facilities of each of these program divisions are of course uncommon, but those of stage production are really phenomenal.

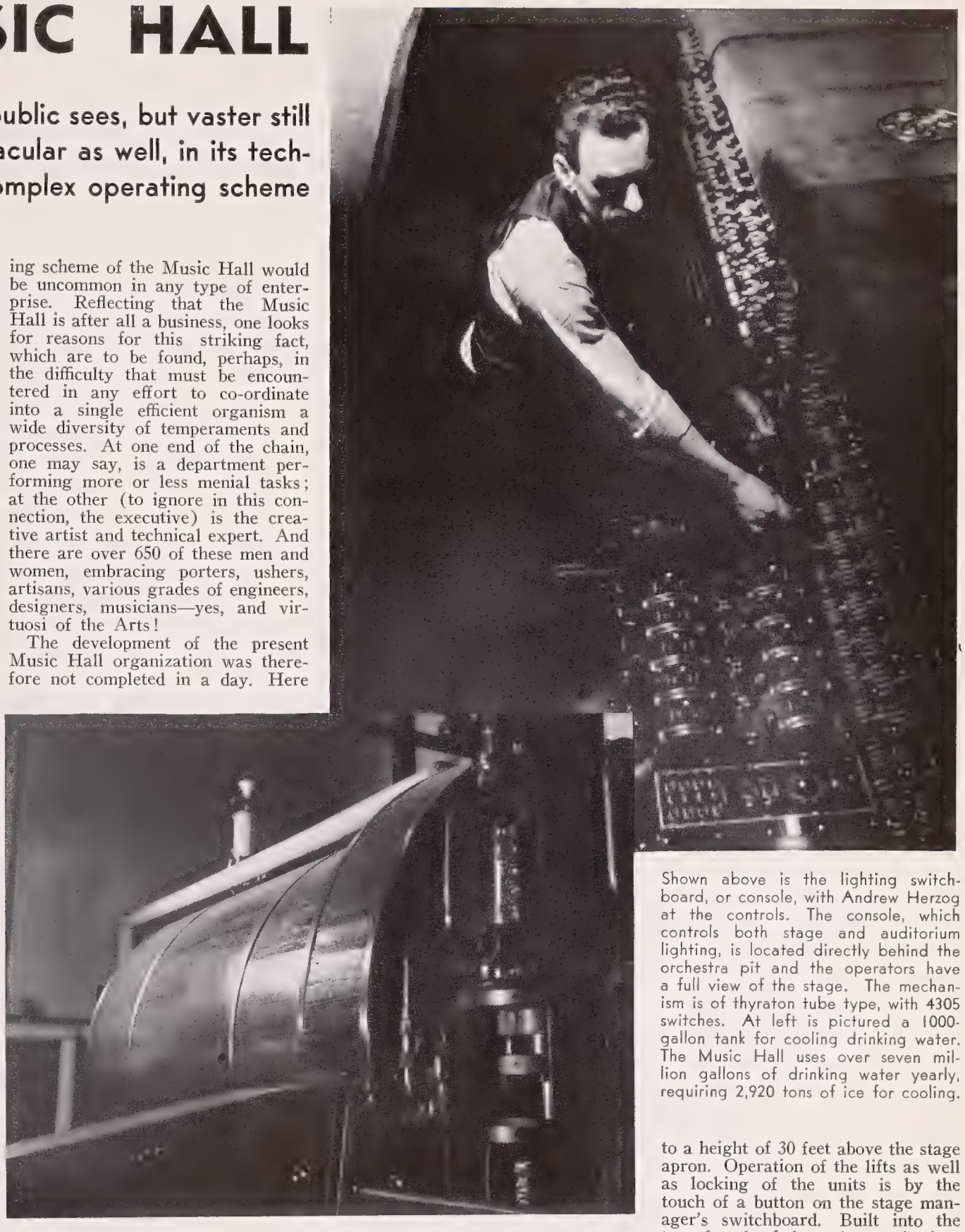
The stage itself, which is only part of a great mechanical system devised by the late Peter Clark, consists for the most part in three platform units supported by hydraulic lifts. The over-all dimensions of these units, combined, are 70x45 feet, and they may be raised or lowered individually or integrated. The elevators can be operated at a rate of 60 feet per minute, and can lift a platform unit to a height of 30 feet above the stage apron. Operation of the lifts as well as locking of the units is by the touch of a button on the stage manager's switchboard. Built into the top of each of these three units is a sectional revolving stage, providing for revolving spectacles or immediate succession of several scenes.

The orchestra platform, which travels between the pit and a chamber 30 feet below the pit level by means of hydraulic lift equipment, carries a "band-wagon" on which the orchestra may be moved from pit to stage or under the stage and on to an elevator stage unit under its own power, propelled by motors which are supplied by storage batteries.

Rigging is comparably prodigious, some idea of which may be gleaned from the fact that the contour curtain alone has 16 lines.

Eighteen General Electric motor-

(*Cont'd on page 30, Music Hall Section*)



Shown above is the lighting switchboard, or console, with Andrew Herzog at the controls. The console, which controls both stage and auditorium lighting, is located directly behind the orchestra pit and the operators have a full view of the stage. The mechanism is of thyraton tube type, with 4305 switches. At left is pictured a 1000-gallon tank for cooling drinking water. The Music Hall uses over seven million gallons of drinking water yearly, requiring 2,920 tons of ice for cooling.



The Magnificent

RADIO CITY MUSIC HALL

STAGE AND
STAGE EQUIPMENT

Completely

DESIGNED
ENGINEERED
CONSTRUCTED

by

PETER CLARK



Among the noteworthy features of the Radio City Music Hall stage, designed and constructed exclusively by Peter Clark, Inc., are the following:

• Hydraulic Orchestra Elevator • Electrically Operated Band Car • Disappearing Footlights • Double-Face Fire Curtain • Contour Curtain • Act Curtain Rigging • Light Bridges and Rigging • Magnascopic Picture Sheet and Rigging • Rear Projection Sheet • Counterweight System • Hydraulic Stage Elevators • Turntables • Built-up Cyclorama • Motor Operated Organ Consoles.

PETER CLARK, Inc.

America's Foremost Stage Designers and Builders

534-550 WEST 30TH STREET, NEW YORK, N. Y.

Congratulations . . . . on your success!

★ THE LARGEST SCREEN IN THE WORLD, INSTALLED IN RADIO CITY MUSIC HALL . . . . . .

HURLEY EVEN-LITE

SOUND SCREENS



HURLEY SCREEN CO.

24-15 43rd Ave., Long Island City, N. Y.

COMPLIMENTS

of

HALL & CONNOLLY, INC.

24 VAN DAM ST., NEW YORK

•

Manufacturers of
HIGH INTENSITY
PROJECTION EQUIPMENT

Radio City Music Hall

W. G. VAN SCHMUS, *President and Managing Director*

LEON LEONIDOFF, *Vice President* — G. S. EYSSELL, *Secretary* — R. V. DOWNING, *Treasurer*

FRED A. CRUISE, *Theater Manager* — ARTHUR CLARY, *Theater Treasurer* — HAZEL FLYNN, *Director of Publicity*

STAGE PRODUCTIONS

LEON LEONIDOFF, *Senior Producer* RUSSELL MARKERT, *Producer & Director of Rockettes*

FLORENCE ROGGE, *Associate Producer and Director of Ballet*

GENE SNYDER, *Co-Director of Rockettes*

NAT KARSON, BRUNO MAINE, SERGEI SOUDEIKINE, *Art Directors* — EUGENE BRAUN, *Director of Stage Lighting* — HATTIE ROGGE, *Costumes*

NICHOLAS DAKS, *Production Assistant* — MARCO MONTEDORO, WILLA VAN, *Costume Designers*

EMILIA SHERMAN, *Captain, Rockettes* — HILDA ECKLER, *Associate Director of Ballet* — ALICE CANON, *Assistant Director of Ballet*

MUSIC PRODUCTIONS

ERNO RAPEE, *Director*

MISCHA VIOLIN, *Associate Conductor* — JULES SILVER, *Associate Conductor*

MAURICE BARON, DEZSO D'ANTALFFY, EARL MOSS, *Composers and Arrangers*

VIN LINDHE, *Director of Glee Club* — RICHARD LEIBERT, *Organist*

ALBERT STILLMAN, *Lyricist* — CHARLES L. COOKE, *Composers and Arrangers* — OSCAR LIFSHEY, *Repetiteur*

RICHARD ZIMMERMANN, *Librarian*

STAGE DEPARTMENT

ROBERT HENDERSON, *Director, Stage Maintenance and Operation*

IRVING EVANS, *Stage Manager*

CHARLES MULLER, *Chief Projectionist* — JOHN WALTERS, *Master Carpenter* — CHARLES PITZER, *Chief Engineer*

HARRY BRAUN, *Director, Sound Maintenance and Operation*

LOUIS BAUER *and* THOMAS SULLIVAN, *Properties*

TUNE IN

RADIO CITY MUSIC HALL ON THE AIR

FEATURING: The Music Hall Symphony Orchestra, Music Hall Glee Club, Viola Philo, Jan Peerce, Robert Weede, Edwina Eustis, other vocal and instrumental stars. Directed by ERNO RAPEE

WJZ and affiliated Stations of the National Broadcasting Company. SUNDAYS—12:30 TO 1:30 P.M.

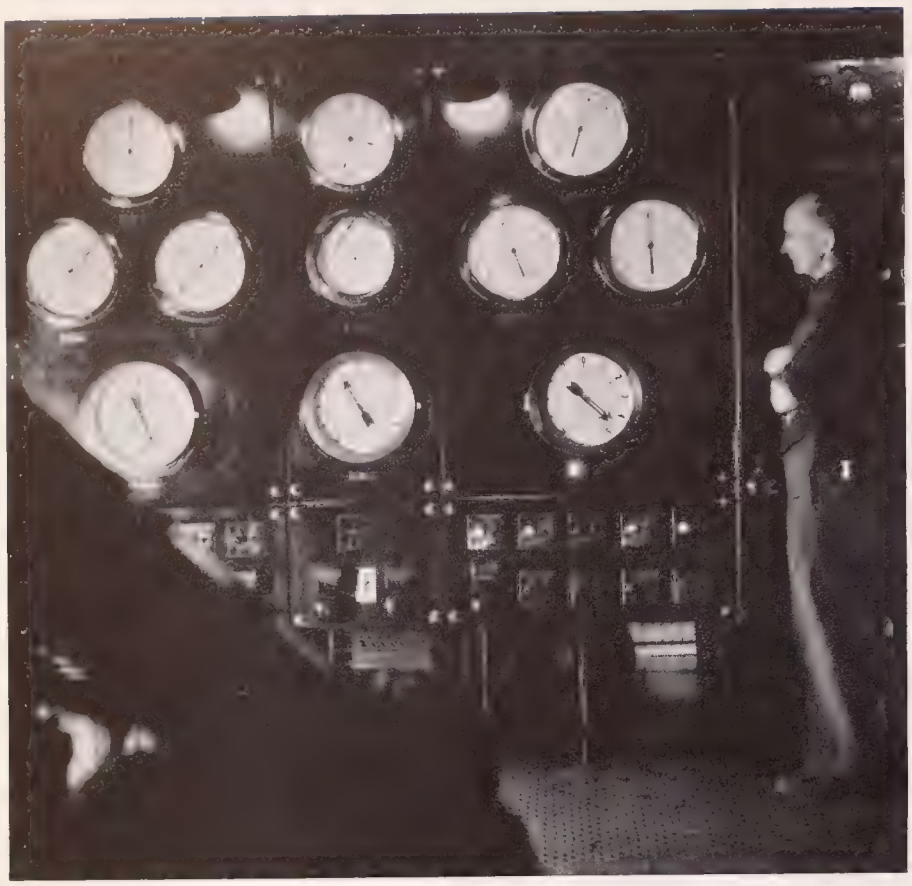
RESERVED SEATS AT RADIO CITY MUSIC HALL

Seats for the First Mezzanine Section may always be reserved at the Radio City Music Hall. Locations may be obtained at the box office in the Music Hall Lobby, by mail, or call COlumbus 5-6535

Simplex PROJECTORS
TRADE MARK REG'D
Distributed by
NATIONAL THEATRE SUPPLY CO.



MOTION PICTURE DAILY



Roy Grace, one of the engineers, studies a group of heating system gauges (steam for heating is purchased and piped in). A signal device which warns when any ventilation fan has stopped is located at the bottom of the panel.

(*Cont'd from page 27, Music Hall Section*)

generator sets are required to supply the arcs alone in lighting the average stage production, delivering 5400 amperes. The equipment for stage lighting includes Brenkert effect machines and Hall & Connolly high-intensity spots in the spotlight stations adjoining the projection room, and Kliegl footlights, borderlights and spots. Of 150 incandescent spots, each with 2000-watt lamps, 120 are equipped for Selsyn remote gelatin control, giving any of four colors at five different speeds. Each of the eight borderlights contains 27 reds, 27 greens, 27 ambers and 54 blues, at 500 watts. The entire stage lighting system, except for the outfront equipment, is operated through a General Electric thyraton console-type switchboard located in front of the orchestra pit, at the edge of the auditorium floor, which conceals it from the audience. The operators, which number two during the performance, thus have a full view of the stage. Lighting may be pre-set for ten scenes.

Incidentally, the "juice" bill of this theatre from the New York Edison Company totals in the neighborhood of $7,000 a month.

The Music Hall has an elaborate RCA sound re-enforcement system used for all stage productions because of the size of the auditorium, which includes three mezzanines, the prom rows of which are from 125 to 150 feet from the stage. Microphones and speakers are distributed throughout the proscenium area. Volume levels for these various locations are controlled, and mixing accomplished, according to cue and intercommunication system prompt-through panels located in a station of the projection gallery. The sound reenforcement system has three 80-watt amplifiers.



NORMAN H. ZOOK

The picture sound system employs a single 80-watt amplifier. The present system embraces all of the new RCA Photophone "high-fidelity" improvements, with two-way horn equipment and soundheads adaptable to push-pull recording. All pictures are cued for fader settings—and if one has any doubts about the profound distinction between this theatre and the exhibition plant of the motion picture industry proper, let him reflect upon the fact that for fader settings, an audience of 2,000 is considered an "empty house!"

The projection room now is 26 feet wide, the original spot space having been walled off because of jurisdictional disputes between the projectionist and stage employe unions. With a throw of 190 feet and a regular screen image 30 feet wide, the Hall & Connolly high-intensity arc lamps (there are four Simplex projectors identically equipped) pull 180 amperes. Other projection room equipment includes Neumade film cabinets, Clayton takeups, Blue Seal film cleaners, Thide changeovers. Arc supply is from one of the 18 motor-generators located in a basement machinery room.

Music Hall screens measure 70 x 40 feet to allow for magnascopic images of spectacular footages of films. All of the screens used since the opening of the theatre have been of Hurley white diffusive type, and the latest, installed a few months ago, has the gradational perforations introduced by this manufacturer last spring.

In the space at our disposal it is quite impossible to deal comprehensively with even the most significant phases of the Music Hall technical provisions, but the picture of immensity and operating uniqueness may be filled out by citing a number of striking facts.

The air-conditioning system, by Carrier, supplies 40 cubic feet of conditioned air per minute per seat.

Soffits of marquees require 8,000 lamps of 40 watts; attraction boards use 1,500, display cases 500 lamps of 50 watts.

Over 50,000 costumes have been made in the Music Hall's costume department, which regularly employs 50 needlewomen.

An example of some requirements of an average stage production: 1,000 spangles, 80 ostrich boas, 40 bunches of hair, 120 silk tassels, 2,000 yards of gold ribbon, 1,000 yards of net, 885 yards of gold lame cloth, 1,700 yards of bone, 600 flowers, 144 spools of thread, 12 gross of hooks and eyes, 20 pounds of pins, 1,200 yards of tape, 225 yards of chiffon—and so on, staggeringly.

It should be mentioned also that in addition to a fully equipped theatre for previewing pictures considered for booking, there is a similar theatre presenting features during parts of every day entirely for the amusement of stage performers and any other employes who may be free during certain hours. Sometimes features not playing the Music Hall are "booked in" exclusively for this purpose.

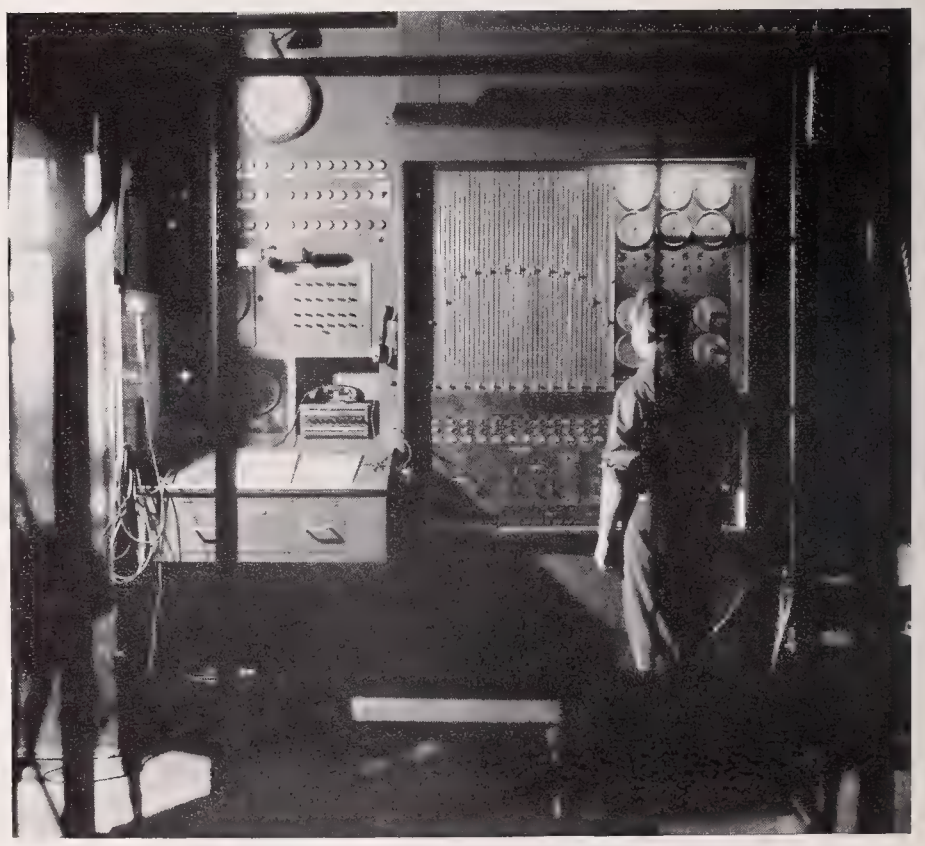
The cleaning of this vast establishment—maintenance is under the direct supervision of Fred A. Cruise, house manager—requires a crew of 26 porters and 12 charwomen nightly, and seven day porters. The intensive cleaning, which is done by a service company under contract, is carried out during the eight hours just preceding opening of the theatre for the first performance, usually between 10 and 11 a. m.

An interesting arrangement for providing light for the night cleaning crew consists in special circuits into which only the work-lamps employed may be plugged. The regular lighting system is switched off following the last performance. Vacuum cleaning lines extend from a Spencer-Turbine central plant to all sections of the theatre building.

Inspections to determine the necessity of general repairs and replacements of parts of the building and of furnishings are made each day by uniformed employes reporting to Norman H. Zook, maintenance officer. Some repair materials are kept constantly on hand, as for example, auditorium chair and lounge furniture fabrics which might not be readily procurable in the market, some of it having been especially designed. For the most part these furnishings are original installations. Even the auditorium seating, by American with Chase Milano mohair upholstery covering, is the original installation, although more than 30,000,000 persons have attended the Music Hall. Theatre carpeting also, which is of an American Orinetal weave by Karoushian from special designs, have undergone only minor replacements during these five years of operation.

The service staff, which is also under the direction of Mr. Cruise, whose assistants are George Hannaford and J. E. McHale, comprises 106 young men between 18 and 22 years old. This department includes ushers, doormen, pages and toilet-room attendants. Ushers are organized along military lines, with their own officers. Each newly employed usher goes through a two-week course of training before being placed on duty, and drills continue to be a part of his routine. They report directly to Edward Jannings, chief of service.

Thus, then, in a few broad strokes, is the real bigness of Radio City Music Hall. Especially there, in the show behind the show, does it challenge belief. But there it is, not a fantastic dream (as indeed once it was called), but a robust reality with a five-year income of twenty-three million dollars.



Earl Marshall, one of the stage electricians, is shown at the stage manager's control boards for operation of the contour curtain, and the stage and orchestra elevators. Also located here is a microphone for calling performers to the stage, loudspeakers being placed in all dressing rooms.

"SINCE 1900"

CHAMPION LAMPS

★

A contributing factor to the Radio City Music Hall's many unusually beautiful lighting effects.

Write or Phone

JOE HORNSTEIN, INC.
630 Ninth Avenue, New York City
CIrcle 6-6285



Congratulations
TO THE
Music Hall

Our heartiest congratulations are extended to the Radio City Music Hall for the outstanding success it has achieved during the past five years . . . and to those of the executive and administrative staff that have made this possible.

With all due modesty we take pride in the fact that we have done our part in creating this success, through Transit's extensive three-sheet poster display that the Radio City Music Hall has used since its very opening.

TRANSIT ADVERTISERS INC.
30 Rockefeller Plaza, New York, N. Y.
BOSTON SAVANNAH
Advertising representatives for
Car Cards — Posters — Menus — Show Pla-

FAR CRY

from the creaky clapboard "nickolet" of yore to the luxurious magnificence of The Music Hall. Our heartiest congratulations on its first half-decade of achievement; and may we hope that, as purveyors of its floor coverings, we have contributed in some measure to the now legendary luxury of the "Showplace of the Nation".

Many other enterprises of similarly exacting tastes have nominated PRM to cover the floors of lobbies, promenades, lounges, etc., where extraordinary beauty and wear are an important factor.

PRM "GOLDEN FLEECE" FLOOR COVERINGS
PERSIAN RUG MANUFACTORY, 136 E. 57, NEW YORK
Western Office: 816 So. Figueroa St., Los Angeles

J. C. HANSEN
Fire Proofing - Ground Cloths - Velour Curtains
423 W. 43rd St., New York City
Shop Phone CI. 8-8055
Theatrical work our specialty
Prompt attention to mail orders

The Gorgeous
COLORTONE Effects
which aroused the interest of the industry when displayed on the world's pre-eminent screen at
Radio City Music Hall
were created by
NATIONAL STUDIOS
INCORPORATED
Louis Rosenbluh, Pres.
226 West 56th St., New York City
COLUMBUS 5-7260
Our unique Photographic and Lobby Display Products maintain our pre-eminent position - serving the Motion Picture Producers, Distributors and Exhibitors of the Nation.

Best Wishes To
RADIO CITY MUSIC HALL
•
Embroidery and spangles for the theatrical trade at economical prices.
ARMOND BIONDI
457 W. 43rd St. Tel. CI. 6-9770

Compliments of
Picardy Mills, Inc.
2618 Avenue "U"
Brooklyn, N. Y.
•
Suppliers of Uniform Gloves to the Music Hall

Over 75%
of the Premieres of Productions that grossed
$100,000
or more at
Radio City Music Hall
were covered Photographically
By
METROPOLITAN PHOTO SERVICE
Joe Heppner Moe Leftoff



RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION



Best Wishes

THIDE
Changeovers

None Better Made

Dowser Mfg. Co.

THE **SHOES** YOU SEE ON THE MUSIC HALL STAGE ARE

A. S. BECK SHOES

99 stores throughout the East

Our Congratulations to
Radio City Music Hall

ROBERT ROY CO., Inc.
54 Franklin St., New York
Specialists in Accounting Forms

Happy Birthday
Radio City Music Hall

Unique Printing and Stationery Company, Inc.
Office Supplies
Engraving
129 FULTON STREET
BEekman 3-6682

Happy Birthday
to
RADIO CITY MUSIC HALL

STAGECRAFT STUDIOS
INCORPORATED
Scenery, Draperies, Rigging
Telephone EDgecombe 4-2224
1828 AMSTERDAM AVENUE
NEW YORK, N. Y.

THE FRENCH-AMERICAN RE-WEAVING CO.
44 WEST 57th STREET
●
WITH BEST WISHES TO MUSIC HALL

BROMLEY PRESS
INCORPORATED
56-62 Cooper Square
NEW YORK
ALgonquin 4-1718-1719
Best Wishes to Music Hall

» Lorraine Super High Intensity Carbons exclusively used to produce quality projection by Radio City Music Hall. Supplied by LE CARBONE COMPANY, INC., Boonton, New Jersey, makers of world's most brilliant carbons. «

Our Best Wishes To The
RADIO CITY MUSIC HALL
On Its Fifth Anniversary
●
GLADSTONE SILKS CO.
117 W. 47th St. • BRyant 9-2560

Greetings



THE
Sherwin-Williams Co.
292 Madison Ave., New York

THEATRE ACCOUNTING
by WILLIAM F. MORRIS
(Certified Public Accountant)
●
A system devised expressly for keeping a correct tabulation of receipts and expenses.

All the information required by the Social Security Act can be easily and quickly obtained both weekly and for longer periods as the total is accumulated.
●
TELLS ALL THE FACTS ABOUT YOUR BUSINESS EACH WEEK

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$4 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
Rockefeller Center New York

COMPLIMENTS OF
BLUE SEAL PRODUCTS CO., Inc.
Manufacturers of
Motion Picture Accessories
Since 1913

Lumber of All Kinds
Sash, Doors, Mouldings
Panels, Specialties
WRIGHT LUMBER CO., Inc.
OFFICE AND SALES
150 West 38th Street
Warehouse and Modern Sheds
543 W. 38th St. ● 536 W. 39th St.
NEW YORK CITY

Circle 7-5457 ANTIQUES

WALDORF STUDIOS
INCORPORATED
INTERIORS, PERIOD AND MODERN
We Also Rent Props
137 WEST 53RD STREET
NEW YORK CITY
Warehouse: 231 E. 47th St.

CONGRATULATIONS
Clayton Products Co.
31-45 Tibbett Avenue
New York
Manufacturer of Ball Bearing, Even-Tension Take-Ups and Combination Even-Tension Winder and Brake

Our Best Wishes
To The
Radio City Music Hall
On Its
Fifth Anniversary
●
COSMO-SILEO CO.
James V. Sileo, Pres.

RADIO CITY MUSIC HALL • SHOWPLACE OF THE NATION

Headlines Review the Film Year

January

Jan. 2.—N. Y. courts rule Bank Night legal. Confirm disposal of RKO claims.
Jan. 4.—Loew's grants 10 per cent cancellation.
Jan. 5.—Distributors' appeal from Appellate Court's decision holding New York City film rentals to be subject to the two per cent municipal sales tax placed on Court of Appeals calendar for Jan. 18.
Jan. 6.—Two thousand bills and resolutions presented as Congress opens. A. J. Balaban returns to exhibition in Chicago with F. & M.
Jan. 7.—Adolph Zukor marks 25th anniversary in the industry. Film stars, led by Mae West, follow William Randolph Hearst in salary lists for 1936. Congress asked to authorize anti-trust probes.
Jan. 8.—Studio dinner climaxes Adolph Zukor jubilee celebration.
Jan. 9.—RKO favors 10 per cent cancellation. President asks retention of ticket taxes.
Jan. 11.—Films eliminated from consideration in Patman bill.
Jan. 12.—New type of NRA planned for introduction in Congress. Chance games killed in Chicago.
Jan. 14.—Joseph M. Schenck, Darryl F. Zanuck and William Goetz seen acquiring Chase National Bank holdings in 20th Century-Fox.
Jan. 15.—House of Representatives gets first copyright measure.
Jan. 16.—S.E.C. statement lists $45,000,000 in Paramount issues.
Jan. 18.—Summary for 1936 shows 24 new theatres with 32,481 seats added in New York.
Jan. 19.—Arthur Lee denies existence of friction between G. B. and 20th Century-Fox.
Jan. 20.—Report for 1936 shows 16,258 theatres, increase of 880 over 1935.
Jan. 21.—Isidore Ostrer asks U. S. subsidy for British.
Jan. 22.—Warners' 13-week net shows nearly 100 per cent increase.
Jan. 23.—Nathan Yamins reelected head of Allied States.
Jan. 25.—Settlement near as multiple union situation in New York is clarified.
Jan. 26.—Refuse Bank Night appeal for rehearing in Boston. Stockholders ask Orpheum reorganization.
Jan. 27.—I.A.T.S.E. plans to include theatre checkers in unionization drive.
Jan. 28.—Philadelphia police halt chance games. Allied urges delay in product buying.
Jan. 29.—Approval of Government film commission asked in Britain.
Jan. 30.—Contest begun over Orpheum circuit sale.

February

Feb. 1.—Columbia promises end of separate score charge. Chicago considers shows to end double bills.
Feb. 2.—Aylesworth to quit RKO for newspaper job.
Feb. 3.—Levine quits presidency of Republic. World's sound theatres total 55,563.
Feb. 4.—M.P.T.O.A. conciliation boards plan early start.
Feb. 5.—Erpi license pacts to be retroactive.
Feb. 6.—Ascap denies any share in score charges.
Feb. 8.—Paramount replies to M.P.T.O.A. 10-point plan.
Feb. 9.—Columbia and Universal reply to M.P.T.O.A. suggestions.
Feb. 10.—Warners to start renting accessories. Warner stock sales halted.
Feb. 11.—RKO offer for Orpheum is accepted. Deals end long union fight.
Feb. 12.—B. & K. fined for chance games. Kent off on Australian theatre deal.
Feb. 13.—U. S. and Germany contesting in Austrian field.
Feb. 15.—Paramount partner deals may be made permanent. Warner financing faces delay.
Feb. 16.—Way clear for starting RKO hearings. Foreign film shipments near 1930 peak.
Feb. 17.—Paramount to authorize $15,000,000 in debentures.
Feb. 18.—Prospect of Federal regulation seen likely to hold up action on M. P. T. O. A. 10-point plan. Elek J. Ludvigh dies.
Feb. 19.—Gabriel Hess scores Dickstein Alien Actor bill. Attacks made on validity of outstanding RKO common stock.
Feb. 20.—Complete sale of Orpheum assets to Stadium Theatres Corp., RKO subsidiary.
Feb. 23.—Universal 1936 loss placed at $1,835,419. H. M. Warner given degree by Rollins.
Feb. 24.—Ostrers plan to close G. B. studio. Washington talks flexible wage and hour plan.
Feb. 25.—Loew's drop chance games in New York; RKO elimination is country-wide.
Feb. 26.—J. J. McCarthy of M.P.P.D.A. dies. G. B. and Woolf complete deal.
Feb. 27.—Hays says cooperation is assured for M.P.P.D.A. 10-point plan. H. M. Crandall dies.

March

March 1.—Paramount's fourth quarter net $3,700,000. G. B. deal with General Film Distributors seen temporary defeat for John Maxwell.
March 2.—Springer & Cocalis signs 10-year contract with Empire State operators' union. Chance games called illegal in Louisiana.
March 3.—Film buying discussions start two months early. NRA chiefly aided labor, President's committee reports.
March 4.—John Maxwell seen in open fight with Ostrers. Warners plan 60 features next season. RKO 1936 net is $2,514,734.
March 5.—Paul Muni, Luise Rainer, "The Great Ziegfeld" lead Academy Award winners. I.A.T.S.E. drive on exchanges to be pushed. Will Hays celebrates 15 years in industry. Ruling against majors in Philadelphia duals action sustained.
March 6.—Appeals Court revokes Philadelphia duals ruling, calling first decision "oversight." Harry Brandt sues on Loew split-week change in New York. Momand suit against majors dismissed without prejudice in Denver.
March 8.—Drive on film industry is not contemplated by the C.I.O., headquarters declares. Circuits plans finish fight on producer-owned circuit legislation, if passed.
March 9.—Repeal of all admission taxes sought by Congressman Peyser. Consolidated Film Industries' net for 1936 is $919,515.
March 10.—French unions urge a national film industry. Estimated $7,000,000 of Paramount debentures exchanged for new debentures.
March 11.—Loew's 10-year franchise with Paramount and United Artists in Greater New York about to expire. No new deal set yet.
March 12.—Gabriel Hess, M.P.P.D.A. attorney, attacks Alien Actor Bill before House Immigration Committee.
March 13.—RKO plans increase in production budgets, with 48 on next schedule. Moves on for raising scales in New York.
March 15.—National plan for stage placed before Equity. Atlas limiting film interests to Paramount and RKO, report shows.
March 16.—M.P.T.O.A. to seek new trade practice conferences, it is indicated as annual convention opens in Miami. Union film drive flares in Cleveland and New Haven. Universal directors all reelected.
March 17.—Industry self-rule at stake, Ed Kuykendall tells M.P.T.O.A. convention. Leo Spitz head boards of K.A.O. and B. F. Keith, succeeding Merlin H. Aylesworth. Appeals Court upholds sales tax on films in N. Y.
March 18.—M.P.T.O.A. concerned over labor problems. 20th Century-Fox net for 1936 jumps to $7,924,126. Doubt raised on validity of North Dakota theatre divorce law.
March 19.—Film theatre grosses for 1935 placed at $508,196,000. Universal to raise production budget. Film players on air hit at M.P.T.O.A. meeting. Pathe to finance Monogram for $200,000.
March 20.—Wage raises to forestall drive of unions on exchange employes. Paramount partners discuss exhibitor problems at Miami meeting. United Artists may add two new producers next year.
March 22.—Increase in high-cost pictures expected. Paramount to have 58 features for the 1937-'38 season. See increase in long term product deals next season.
March 23.—20th Century-Fox sets product deal with National Theatres. K-A-O and Keith profits show gain. Paramount circuit to raise prices as costs increase.
March 24.—Maxwell sues Ostrers, charging breach of M. & B. sale contract. Nate Manheim resigns as Universal foreign head.
March 25.—Unions' drive in national exchanges seen losing force. Losses of G. B. expected as basis of Maxwell suit. Warner sound patents move held aimed at television.
March 26.—About 585 films set for 1937-'38. No cut in shorts total expected. Mills urges Ascap fight on tax bills. New operating deal signed for Roxy.
March 27.—C. B Paine is named aide to R. H. Cochrane at Universal. Expect majors to end fight on sales tax in New York. United Artists to have 30 features, says George Schaefer.
March 29.—Little hope for single bills is seen in New York. United Artists to expand its selling of foreign films.
March 30.—Easter grosses show considerable gain. Nicholas M. Schenck sees dual problem developing into a major issue. Filmdom pays honor to Zukor.
March 31.—Barney Balaban sees a need for increased admissions. Loew patrons split on dual bill attitude. Gillmore heading new Actors' Equity slate.

April

April 1.—Report Loew's will expand circuit in New York. Distributors in England attack control by Government.
April 2.—Court is told RKO's eight-week net is $714,000. Selznick and United Artists discuss new contract. British units discuss trade body.
April 3.—Hays hits at new film legislation, urging industry can solve own problems. M.P.P.D.A. picks Hays as head for 16th year.
April 5.—Norma Shearer now a partner in the Mayer company. Will revise publicity on loaned stars. Stage backers to ask aid of film industry.
April 6.—Studio labor unions given 10 per cent increase. Universal to have 36 features, 12 "A" films.
April 7.—Theatres in New York seek renewed fight on sales tax. Wage question holding up Screen Actors' Guild recognition.
April 8.—20th Century-Fox will not raise bid for Roxy, Sidney R. Kent declares. Van Beuren's production to end soon. M-G-M plans 52 for next year, says Nicholas M. Schenck. 20th Century-Fox sets list of 60.
April 9.—Pick Quigley Award winners in close vote. M.P.T.O.A. plans new drive for reform.
April 10.—Ostrers win court fight on dividend. RKO seeking six theatres in New York area.
April 12.—Selznick may quit United Artists for M-G-M deal. Outlook dark for starting local conciliation boards.
April 13.—Federal rule of production seen as possible as result of Supreme Court labor ruling. I.A.T.S.E. drive to be pushed in key spots. Hear protests on copyright agreement. U. S. film admissions in 1935 totaled $495,860,000.
April 14.—Court decisions may spur new theatre labor drives. Drake chosen as Erpi president. Movietone and Universal make changes in personnel.
April 15.—No production code changes needed, declares Joseph I. Breen. Warners take offensive in fight on games in Philadelphia.
April 16.—RKO's net profit for 1936 more than three times that of 1935, reaching $2,485,911. Loew's and RKO circuit expansion moves in New York not directed against independents.
April 17.—Kansas censor bars speech on court plan from Time reel. Ford, Garnett United Artists producer deals set. Mystery veils theatre divorcement bill up in New Jersey.
April 19.—Films subject to Wagner Act in opinion of Abram Myers.
April 20.—Federal trust probe seen likely on the coast. Paramount to take North Dakota theatre law into court. Trade program fight pledged by Kuykendall. I.A.T.S.E. pushes organizing along vertical lines.
April 21.—Immediate tax study sought by the President. Admission increases indicated on coast. 20th Century-Fox net for quarter is $2,067,598.
April 22.—M.P.T.O.A. forecasts wave of anti-trust suits. German film deals called menace to U. S. product. U. A. decides not to appeal New York sales tax.
April 23.—House of Lords agrees to 10-year quota extension. Rockefeller Center claim is hit at RKO hearing. Littlefield of Allied sells out to M. & P. in New England. City sales tax to apply only to exchanges.
April 24.—B. P. Schulberg leaving Paramount to produce only "A" films. Moe Siegel named president of Republic Pictures. Pathe out of financing.
April 26.—Circuits asking for long term product deals. RKO continues drive for theatres in New York area.
April 27.—Phil Reisman of RKO calls English quota a serious problem. No decision on theatres abroad, says H. M. Warner. Meeting on coast to settle union problem.
April 28.—M-G-M to list 44-52 at coast sales meeting. Altered plan for Roxy betters part of offer. Paramount 1936 profit is $6,012,250.
April 29.—Net for RKO of $2,500,000 is predicted. Film stocks off sharply in wave of selling. Finance cost seen as handicap by Alexander Korda.
April 30.—Sound service hit by I.A.T.S.E. drive in midwest. Report Alexander Korda will seek financing in United States.

May

May 1.—Strike threatens as three groups quit on coast. Gus Schaefer named to Universal foreign post.
May 3.—M-G-M sales policy to be held flexible. Labor peace now possible, Pat Casey states.
May 5.—House group asks action on film probe. Ed Kuykendall invited to Allied convention.
May 6.—F.M.P.C. resists peace plan of labor council. British units still at odds on quota plan.
May 7.—Picketing by F.M.P.C. starts within two days. Russell Hardy checks on St. Louis case details. Monogram to have 42 next season, Paramount 50-60.
May 8.—Coast strike appears inevitable as parleys prove fruitless. Airship *Hindenburg* fire films cover U.S. in day. Metro selling 32 on percentage for 1937-38.
May 10.—Scramble for new houses in local area under way. M.P.T.O.A. will halt program for new laws. Warner sales force to start four-day meet. 20th Century-Fox to sell list to four groups.
May 11.—Cowdin denies change likely at Universal studio. Columbia nine-month profit $1,189,354. Limitation on reorganizing groups urged.
May 12.—Korda says he may quit U.S. sales effort. M-G-M studies ad accessory rental plans. Titles of 46 of 60 Warner films set.
May 13.—Music Hall, Center loss $4,521,592. Vitaphone to release 134 shorts. Circuit cooperation asked by Jack Warner. Pickets discontinue operations in N. Y.
May 14.—Producers are asked to join talks on broadcasts. Approval for Roxy plan is recommended. Anti-Ascap measure passed in Nebraska.
May 15.—F.M.P.C. strike seen dying as groups return. Actors' Guild, producers also near peace. Dick Merrill lands in New York without newsreels and editors breathe again.
May 17.—Score charge agreement to be fulfilled, M-G-M, Columbia and Universal will stick to pact. Final strike test due, "U" expected to keep list at about 42. Warner Cosmopolitan setup will continue.
May 18.—F.M.P.C. seeking to stop coast construction. Technicolor told record footage set. Abram F. Myers predicts wave of state labor acts. Governor Cochran signs Nebraska Ascap bill.
May 19.—Newsreels in race to ship Coronation films. 20th Century-Fox says European gains are big. G. N. schedules 65. "U" to have 50. F.M.P.C. ultimatum given independents. Hoyts-Greater Union partnership may end.
May 20.—Allied moves to seek taxes on circuits. Report William Fox has become Chemicolor executive. Zukor's pact to go before Paramount stockholders. All employes will share "U" profits. F.M.P.C. disclaims boycott of stars. Nazis have new ban on French pictures.
May 21.—Pay jump and union shop to utility group; seek settlement of strike. Courtland Smith resigns as president of Pathe News. Appraisal for new RKO stock is asked. Exchange union men talk union pacts here.
May 22.—Wide inquiry of films is sought, Texas Congressman asks seven-man committe to conduct probe. I.A.T.S.E. promises coast strike settlement. Jack Connolly leaves Pathe News. Michigan Allied to battle censor bill. Studios hold pace in face of strike.
May 24—Sales tax liability figured at $1,650,000. I.A.T.S.E.—F.M.P.C. row delays strike action. Australia is firm on quota stipulations. Majors may select

(*Continued on following page*)

Company Profits Up During 1937

wage scales group. RKO, Skouras will get Springer spots.

May 25.—Sales tax to affect deals outside city. Warners net for 26 weeks $4,040,388. Educational film gains told to S.M.P.E. meet. British group to ask import limit. Fuller, New Orleans case may be settled out of court.

May 26.—Allied meet starts in Milwaukee. C.E.A. members back quality clause. New Michigan bill is aimed at Ascap.

May 27.—Allied is told majors are asking higher rental. No Government suits planned by Cummings. George Schaefer says U.A. to spend $26,000,000.

May 28.—Goldwyn, Korda get U. A. option. Allied moves for national buying group. Chain Tax measure killed in Florida. Coast labor peace near, says Fitzgerald.

May 29.—Allied drafts new circuit tax measure. Two of RKO's lease claims get big cuts. Bondholders approve Roxy plan. Boycott of Rome's film exhibit denied. Exchange employes form union in New Orleans.

June

June 1.—Industry's fair trade plan facing delays. New British group to end F.B.I. Fitzgerald seeking way to end strike. Huge film sales in China, says Morey Marcus. Four Will Rogers reissues set by 20th-Fox. Republic to have 14 "A" films among its 54.

June 2.—20th Century-Fox to have 66. Studio strike ended by agreement with painters. Korda in deal for facilities of production. Nebraska theatres dropping games.

June 3.—No final RKO plan seen before autumn. Pennsylvania passes bill taxing circuit theatres. MPTOA radio moves await studio action. Painters repudiate strike settlement.

June 4.—Roxy plan sanctioned by Judge Caffey. Stuart Doyle leaves Greater Union theatre group. Coast labor groups jockey for control. Philadelphia game ads put under ban. House unit votes to continue ticket tax.

June 5.—Paramount to put 50-60 on new schedule. Five more exchange cities agree on wages and hours. 20th-Fox in court to spur Roxy plan. Oscar Deutsch gets 12 more houses in England.

June 7.—More unions due here to talk scales. "Bootleg" theatre plans now disturbing circuits. Film cost in France up by 45 per cent.

June 8.—Paramount willing to take good British films. Selznick reported refusing U. A. bid. Jean Harlow dies on coast at 27. Employe contracts valid. Sam Katz wins three-year contract battle. Building in England up, says Ralph Hanbury.

June 9.—Agreement on sales tax is being sought. Suit to halt tax being watched by theatres. Universal three-month net loss $105,069. C.I.O. blamed for strikers' impasse. Urge shorts quota for English trade.

June 10.—Predict U. A. buy in 60 to 90 days. Loew's and RKO to reinstate games. Wisconsin tax on circuit proposed. Texas Appeals Court rules Bank Night a lottery. Dudley Nichols elected Writers' Guild head.

June 11.—Paramount to have 22 at cost of million each. Alger voices criticism of plan for RKO. Prompt release is promised by Neil Agnew of Paramount. Wisconsin's Ascap bill is passed. Dr. Giannini favors U. A. option.

June 12.—British quota up to 30 per cent proposed by Government. Coast strike is settled by agreement. U. A. circuit in deal with Robb and Rowley. Zukor sees higher grade films ahead. G. N. loss $636,201.

June 14.—Branch wage talks to resume. Hold Academy destined for cultural role. Court refuses to set aside Stadium sale. Warners to produce on London stage.

June 15.—Film boards on national basis to end. U. A. to have 36 next season. Co-operate or else, plea of Kuykendall. German consul "warnings" to actors ordered stopped. U. A. deal almost complete, says Korda.

June 16.—Report Winfield Sheehan in Renowned Artists. Approve Zukor contract. British expected to bar 2,000-foot reel. CEA fears product troubles in store. U. A. to sell 28 on percentage, says Schaefer.

June 17.—RKO hearings expected to end today. Academy urges general study of television. Suit to stop Zukor contract is started.

June 18.—Loew's-Paramount new franchise talks resume. Closed shop for studios here Aug. 1. RKO to have 56 next season. I.T.O.A. to fight games move by majors. Paramount to test North Dakota law.

June 19.—20th-Fox-Roxy deal ready for court. Two exchange unions agree to new terms. Fleischer strike is put up to the N.L.R.B. Theatres ask quota rights on pictures. Wisconsin music tax bill is signed.

June 21.—Condor seeks S.E.C. approval to end delays. S.E.C. reports Griffis stock deals heavy.

June 22.—U. A. will sell percentage or flat rentals. Cite Paramount in S.E.C. report on bankruptcies. Japan will produce about 500 next year, says Nagamasa Kawakita.

June 23.—C.E.A. quality clause fight to be pressed. Steel riot film pops up in London, Paramount amazed.

June 24.—Loew's extends partner deals in two cities. Suit planned naming RKO's board of 1931. Opponents of cost clause rally forces. Selznick's pictures will be sold at 35 per cent. Five new pacts signed, making 14 exchange centers unionized.

June 25.—Paramount's stock increase plan is called off. Paramount to sell 37 on percentage. Korda expects to close deal in few weeks. Extension of ticket tax voted by Senate. Intermountain-RKO Denver pool talked.

June 26.—Allied drops move to talk with majors. Wilby-Kincey agreement is extended a year. France and Germany renew pact; includes withdrawal option. M-G-M British plans set, Mayer to launch first.

June 28.—Midwest next in expansion for circuits. Product study in England is seen of value. Columbia to have 50 to 60 next season. U.M.P.T.O. has $4,000 for Paramount fight.

June 29.—Fortington is out as member of Paramount board. French quota is extended for one year. Carriers ask retention of pay systems. Opposition to plan for RKO meets attack.

June 30.—Film boards close today in many cities. Use British trade opinions in formulating quota plan. Columbia to have 62 next season. P. J. Wood asks strike against Paramount. Artists apologize, studio row ends.

July

July 1.—Wide market seen for school films as result of M.P.P.D.A. agreement with National Education Ass'n and educators' group. H. M. Richey quits Allied of Michigan to take executive post with Co-Operative Theatres of Michigan.

July 2.—City rules deals closed in New York are liable to sales tax.

July 3.—Theatre construction slowed in metropolitan area by material costs and delivery delays.

July 6.—Eight majors ratify new Erpi license agreements with rate cuts. Moves are started to end Paramount trustee suits against former officers.

July 7.—All National Theatre heads to meet at Colorado Springs Aug. 10-12. Edward M. Clark named chairman of executive committee in Condor Pictures reorganization. Federal Judge Francis G. Caffey approves 20th Century-Fox franchise for the Roxy.

July 8.—Loew's 40-week net jumps to $11,714,722. No clearance changes expected in New York area. U. S. Circuit Court of Appeals studies move to halt sale of Orpheum assets to Stadium Theatres Corp.

July 9.—Loew's and United Artists sign one-year contract for exhibition by former of latter's entire lineup. B. & K. to take lead in dropping Chicago duals in fall. Nat Levine joins M-G-M as producer. U.M.P.T.O. starts move for Philadelphia buyers' strike against Paramount.

July 10.—Erich Pommer and Charles Laughton break with Alexander Korda and United Artists. G. B. to continue sales here through 20th Century-Fox exchanges.

July 11.—Loew's plans 12 new theatres in foreign spots. Warners to preview eight features in 31 key spots. United Office and Professional Workers, A. F. of L. unit, starts organizing white collar film workers.

July 12.—Product talks here reported as key to new Greater Union Theatres—Hoyts deal in Australia. Fate of International Film Chamber hangs in balance as result of Paris conference. Louis B. Mayer and Benny Thau going to England to talk production plans.

July 14.—Capt. Euan Wallace, Parliamentary Secretary of the Board of Trade, tells the House of Commons that the new quota must help the British industry. William Fox reported interested in sale of the Kromo-Color Laboratories, Englewood, N. J. New Local 306 contracts with circuits under discussion.

July 15.—U. A. theatre expansion in Texas is foreseen as a result of formation of United Artists Theatres Circuit, Inc., and acquisition of interest in Robb & Rowley Circuit.

July 16.—Independents' film buying delayed in New York area by slow consummation of RKO and Loew contracts. Chicago faces three per cent levy on theatre grosses. Report 300 theatres interested in Philadelphia "buyers' strike."

July 17.—Last consents are filed for reorganization of Roxy.

July 19.—Leo Spitz, RKO president, and A. H. McCausland, Irving Trust representative, on coast discussing plans leading to reorganization of company. Joseph M. Schenck sails for discussion of G. B. situation in London. Warners' 39-week net up to $5,561,032, gain of more than 100 per cent over same period in 1936.

July 20.—M-G-M decides to release 52 for new season. N. Y. City Tax Dept. reverses stand on sales tax and decides outside deals not subject to levies. Selznick's gross $208,000 on four films.

July 21.—A. H. Blank predicts Tri-States and Central States will have more than 100 houses by the end of the year. Ed Kuykendall, M.P.T.O.A. head, discusses new drive for his 10-point program.

July 22.—Objections to RKO reorganization plans involving Rockefeller claims threaten new delay. Loew's seeking four more houses in New York area. Dramatists' Guild spokesmen say withdrawal of film money has not affected producing plans.

July 23.—Department of Justice starts anti-trust probe in New Jersey. All 42nd St. theatres may turn to films.

July 24.—Formal order for Roxy transfer is signed by Federal Judge Francis G. Caffey. Agreement signed for Paramount-A. H. Blank partnership. "Wee Willie Winkie" sets five-year record at Roxy.

July 26.—Oliver Stanley, president of Board of Trade, soon to reveal quota plans to House of Commons. Soft ball craze hitting theatre grosses in the south. Growth of buying combines worrying distributors.

July 27.—Universal's foreign business gaining, says J. Cheever Cowdin. British Government to issue white paper on quota. Circuit deals for the 1937-'38 season virtually set. Paramount board not to fill vacancy caused by resignation of H. A. Fortington.

July 28.—Paramount's quarter earnings reach $1,307,000. Richard A. Rowland and Grand National split on production plans.

July 29.—Actors' Guild star ascends as Equity wanes because of autonomous air and screen unions. George J. Schaefer says big pictures will end duals.

July 30.—British quotas to start at 15 per cent and rise to 30 per cent in 10 years. British white paper discloses. Authors' League gives autonomy to Screen Writers' Guild. Remaining film boards outside of New York to be closed tomorrow.

July 31.—Paramount takes Philadelphia "buyers' strike" into Federal Court and asks injunction. Paramount's six-month net estimated at $3,319,000.

August

Aug. 1.—Philadelphia selling by majors held up generally by "strike" situation. Attendance in country's theatres estimated at 90,000,000 weekly.

Aug. 2.—Allied files complaint with Federal Trade Commission on Paramount's sales policies. Federal injunction halts militant distplays and concerted action in Paramount "buyers' strike" at Philadelphia. Labor union alliance between talent and technicians on coast predicted.

Aug. 3.—RKO's six-month net estimated at $1,490,000. Final details completed on RKO reorganization. says Leo Spitz. Stanton Griffis and Dr. A. H. Giannini sail. Report of United Artists sale current. Pennsylvania to enforce new chain tax law.

Aug. 4.—Paramount theatres increase by 400. Partnership deals raise total to 1,400. Melodramas and comedies top new season product.

Aug. 5.—Paramount "buyers' strike" pickets are enjoined by Federal Court at Minneapolis. Agreement near on settlement of Paramount trustee's suit against former officers. Dep't of Justice investigation of industry in the offing.

Aug. 7.—Allied leaders confer with Dep't of Justice officials. Herbert Wilcox says he wants to do three each annually for Paramount and RKO. Chicago delays action on proposed ticket tax. Local 306 aims at 100 per cent membership by September.

Aug. 9.—New York exchange men are summoned in Federal probe. About 100 National Theatres men gather at Colorado Springs. Bills aimed at Ascap appear in 22 states.

Aug. 10.—Total of $2,000,000 offered by former Paramount officials in settlement of suit. "Souls at Sea" opens.

Aug. 11.—Salary raises for unionized exchange employes may pass $2,000,000 annually.

Aug. 12.—Erpi is ready to dispose of equipment business and will await bids. Philadelphia "buyers' strike" stay is continued. Washington and Oregon theatres report new highs in grosses.

Aug. 13.—Paramount strike injunction extended in Minnesota. Exchange men move to continue Chicago film board. S. R. Kent makes plea for continued decency in pictures at National Theatres Colorado Springs gathering.

Aug. 14.—Universal's British films to be made by C. M. Woolf's General Film Distributors. British labor asks 50 per cent quota.

Aug. 16.—Sale of Western Electric's interest in Erpi predicted inside eight weeks. New Roxy clearance plan stirs protest.

Aug. 17.—Isidore Ostrer attacks British quota plans. Says he sees no help for British industry. Federal court denies Orpheum's plea to intervene in the RKO reorganization. U.M.P.T.O. votes to continue Philadelphia "buyers' strike."

Aug. 18.—Howard S. Cullman will quit as Roxy trustee Sept. 2. Al Hanson resigns as aide to Charles P. Skouras.

Aug. 19.—Production costs are rising and admissions must, says Adolph Zukor. Tentative approval is given plan to settlement suits against former Paramount officials for $2,150,000.

Aug. 20.—Paramount charges exhibitors' "strike" in Philadelphia is illegal. Loew's, Inc., net is expected to reach $9 on the common. Lawyers predict completion of RKO reorganization early in the new year.

Aug. 21.—British quota plans shaped by five major companies. Price-fixing law does not affect films, observers declare.

Aug. 23.—Films and radio unscathed as Congress session ends. Establishment of local conciliation boards would avoid suits. Ed Kuykendall asserts.

Aug. 24.—Kansas City revives move to raise admissions. Clearance is not being changed in New York area. Breakdown of Hoyts-Union deal in Australia is predicted.

Aug. 25.—Actors' Guild studio scales are expected to go into effect in east after Sept. 1. Operators ask 35-45 per cent raises in New York.

Aug. 26.—Directors' Guild demands separate bargaining agreements from producers. Educational may distribute Hays-approved school films. Paramount's production budget is 30 millions, says Adolph Zukor.

Aug. 27.—Future anti-trust actions will be fought to decision with no consent agreements, Dep't. of Justice indicates. Producers move to prevent C.I.O. from getting studio foothold.

Aug. 28.—U.M.P.T.O. of Philadelphia names committee to buy Paramount product with 127 houses represented.

Aug. 30.—Ascap figures labor affiliation will help avoid anti-trust actions. N. L. Nathanson buys substantial interest in Canadian Universal Film Co., Ltd., which will distribute "U" product in Canada. F. & M. agreement to operate Roxy is reported.

Aug. 31.—Screen Actors' Guild delays action on eastern closed shop. M-G-M may acquire an English studio. Price levels in many cities may be raised.

September

Sept. 1.—Columbia nets $1,317,770 for year. Film function to entertain, says Martin Quigley in an address at Williamstown, Mass.

Sept. 2.—Paramount attacks North Dakota "divorce" law. General scale boost in K. C. impends. John D. Hertz drops debenture holdings in Paramount.

Sept. 3.—I.A.T.S.E. exchange wage pact signed in 33 cities. Erpi's first sound license pact is signed.

(*Continued on page* 44)

FLASH

LOS ANGELES, Tuesday night, Dec. 28:—Movietone News pictures of the bombing of the U. S. S. Panay are being shown tonight in theatres on the Pacific Coast. Prints are being flown East for exhibition in Eastern theatres Wednesday, December 29.

THE TRUTH ABOUT THE PANAY FILMS

Movietone News has a complete pictorial record of the destruction of the U. S. S. Panay. This film is now being distributed to all regular Movietone accounts. The film was shot from the deck of the Panay by Eric Mayell, for 15 years a staff cameraman of Movietone News, who was one of two motion picture cameramen aboard the Panay. These pictures were rushed via the China Clipper to the United States and arrived yesterday, December 28, for editing and distribution both from the Pacific Coast and New York.

Movietone News does not claim that its Panay film is exclusive, but in accordance with its established policy—

MOVIETONE NEWS ACCOUNTS WILL GET THESE HISTORIC PICTURES—IMPORTANT AT THE BOX-OFFICE AS ANY FEATURE YOU WILL PLAY THIS YEAR—AT NO EXTRA COST!

20th CENTURY FOX

Labor Situation Featured Year

(*Continued from page 42*)

Sept. 4.—Quota useless without good films, Louis B. Mayer states in London. Revamping of Pathe News planned.

Sept. 7.—Report M-G-M aiding Alexander Korda on financing. New company to take over Erpi sales. Educational planning to make revues.

Sept. 8.—Labor Day weekend grosses recalls days of 1929-'30. RKO theatres net $757,803 for 26 weeks.

Sept. 9.—Exhibitors win court nod in Philadelphia. New Mexican tax worrying distributors.

Sept. 10.—M-G-M taking to air; first show Nov. 4. Herbert T. Kalmus states stock options will bring $5,000,000 to Technicolor. Paramount to ask appeal in Philadelphia case. G. N.-Loew deal dormant, states David Bernstein on return from Europe.

Sept. 11.—I.A.T.S.E. seeks uniform pact for exchanges.

Sept. 13.—Federal probe in New York reported as quiescent. Plan no call for strike in studios here.

Sept. 14.—20th Century-Fox will again seek to buy Chase holdings in film company. Para. granted rehearing in Philadelphia case. Music strike fear killed by agreement.

Sept. 15.—Sweeping U. S. probe looms on coast. Stanton Griffis admits settlement of Para. suits under way. Stipulations completed in Dallas case. Talks are set on musicians' work agenda.

Sept. 16.—Talent groups plan fight on I.A.T.S.E. control. Consolidated again loses amendment in Wilmington. Paramount's British production plans to be decided here, Adolph Zukor says on return from abroad.

Sept. 17.—Three coast guilds defy I. A. T. S. E., fight grows. Shanghai houses reopening as confidence grows.

Sept. 18.—Report 653 theatres have increased admissions. I.T.O.A. to ask merger with Allied of N. J. See John Maxwell move to take Union Cinemas in London.

Sept. 20.—Studio parley is demanded by directors.

Sept. 21.—M-G-M seeks protection of stars on air, Louis K. Sidney reveals on return from vacation abroad. Dallas anti-trust action started.

Sept. 22.—Guild draws battle lines on the I.A.T.S.E. Col. H. A. Cole admits Allied backs Texas action. Japan forbids film imports to end of year.

Sept. 23.—Quick action promised on U. A. options.

Sept. 24.—Agreement in Paramount trustee suits signed. Vittorio Mussolini arrives on Hal Roach deal. Irving Dollinger is made president of Allied of N. J.

Sept. 25.—Paramount attacks Wagner Act's applicability.

Sept. 27.—Interstate, majors lose Dallas anti-trust suit. Ticket taxes up $2,000,000 in one year.

Sept. 28.—Ed Kuykendall to sound majors on practices.

Sept. 29.—M.P.T.O.A. gives hint of move toward Allied. Paramount plans British films on big scale, Adolph Zukor tells British newsmen.

Sept. 30.—Year's first run takes $73,000,000. English labor opposes alien infiltrations.

October

Oct. 1.—Reentry into stage field not general, despite Columbia's plan to finance plays. Television in Europe lags, William S. Paley says on his return from England.

Oct. 2.—Al Lichtman to England for M-G-M, Louis B. Mayer asserts in regard to company's film plans there. Single bills get downtown vote in St. Louis.

Oct. 4.—Three picture cases before Supreme Court. Will H. Hays reviews "art" films which proved box-office draw.

Oct. 5.—Early end of Philadelphia buying strike against Paramount urged by Ed Kuykendall. David O. Selznick arrives from coast to talk new deals here.

Oct. 6.—I.T.O.A. seeks pact to stop all giveaways. Hoyts-Union deal not to be renewed.

Oct. 7.—C.E.A., F.B.I. ask extension of Government control. Paramount appeal argued in Philadelphia.

Oct. 8.—Paramount granted strike stay in Minneapolis. Report Hal Roach deal off as Vittorio Mussolini returns to New York from coast. Revamping of M-G-M music firms set.

Oct. 9.—A. F. of L. decides to unionize office help. No changes in G. B. control predicted for six months.

Oct. 12.—G.T.P. granted an appeal by highest court. Ascap income 62 per cent from air, 21 per cent from theatres.

Oct. 13.—Radio problem to be argued by Ed Kuykendall. Reports from England have David Rose completing U. A. sales plans.

Oct. 14.—Dallas decree allows use of old contracts. S.M.P.E. hits at Academy plans for apertures. Moves to end prizes make no progress in N. Y.

Oct. 15.—Allied to ask court test on Paramount product. Paramount British producing plans to await new quota. John Maxwell gets Union circuit in England.

Oct. 16.—Al Lichtman named director of Loew's. Ostrers win approval ot G. B. stockholders. Ask Roxy tees of $612,000 in petitions.

Oct. 18.—Seeks parley to end fight with Paramount. C.I.O. unit in drive for office staffs.

Oct. 19.—Philadelphia buyers' strike end in sight. Allied ready to talk at round-robin exhibitor meet on practices. U. A. transfer to be decided at talks here.

Oct. 20.—Philadelphia strike pact to be model for other spots. Cash terms in U. A. deal reduced to $4,500,000.

Oct. 21.—Ask authority to terminate two Paramount suits. Giveaway end favored, but method snags.

Oct. 22.—Buyers' strike pact seen today. Alexander Korda backers deny interest in U. A. deal. "U" financing improving with no borrowing sought.

Oct. 23.—Basic terms are agreed in ending buyers' strike. Bank Night is killed by Nebraska Supreme Court.

Oct. 25.—Deal on Chase-Fox holdings gets setback. Five areas to have members at M.P.T.O. meet. I.T.O.A. drive on games' end seen failure.

Oct. 26.—Release index is adopted to screen titles. Expect other spots to take Philadelphia settlement terms with Para. Spokesman sees Selznick switch if U. A. control shifts.

Oct. 27.—U. A. purchase far from set, Korda states on his arrival from England to complete the deal. Sam Briskin reported leaving RKO post. Sam Morris says Warners plan 16 in England. Philadelphia truce pact is delayed a week.

Oct. 28.—Leo Spitz to run studio until Briskin successor named. Selznick-RKO negotiations off, spokesman volunteers. Dallas appeal will be ready before Dec. 13.

Oct. 29.—David O. Selznick to Paramount, coast hears. Alger report on RKO setup due Nov. 15. 20th-Fox week net is $4,898,893. Paramount net jumps to $6,696,000.

Oct. 30.—C.E.A. to press its quality demands in test. E. M. Asher, "U" producer, dies suddenly on coast. Probe of "U" is denied by court.

November

Nov. 1.—Joseph M. Schenck arrives in New York to confer on 20th Century-Fox plans for producing in England. Production schedules show no decrease in short subjects as a result of double featuring.

Nov. 2.—David O. Selznick weighs new affiliations, including possibility of remaining with United Artists.

Nov. 3.—Negotiations for exercise of Samuel Goldwyn-Alexander Korda United Artists stock purchase option near conclusion. I.A.T.S.E. claims jurisdiction over sound equipment service men. Philadelphia exhibitors weigh settlement of "buyers' strike" against Paramount.

Nov. 4.—Sam Briskin leaves RKO studio; Leo Spitz replacing him temporarily. Philadelphia exhibitors ratify "buyers' strike" settlement. Joseph M. Schenck says 20th Century-Fox will defer purchase of Fox West Coast stock from Chase National Bank.

Nov. 5.—New York circuits grant wage increases to stage hands' union.

Nov. 6.—End of "buyers' strikes" against Paramount throughout country foreseen in near future.

Nov. 8.—October box-office grosses show decline. Screen Writers' Guild moves for autonomy within Authors' League.

Nov. 9.—Special Master George W. Alger recommends reduction of Rockefeller Center's $9,150,000 claim against RKO in tentative report on RKO reorganization plan. Pathe News completes revamping.

Nov. 10.—Tom D. Cochrane, Paramount Far Eastern sales manager and industry veteran, dies. California opens investigation of I.A.T.S.E.

Nov. 11.—New long term contracts for Louis B. Mayer, J. Robert Rubin and David Bernstein being negotiated by Nicholas M. Schenck, Loew's president. New York censor board rejected only 16 pictures during year ended June 30.

Nov. 12.—Warners plan studio radio program beginning Dec. 1. Mervin LeRoy to join M-G-M as producer.

Nov. 13.—Agreement reached providing for all-British financing of Samuel Goldwyn-Alexander Korda United Artists stock purchase under option, MOTION PICTURE DAILY reveals exclusively. Report David O. Selznick will join M-G-M as producer.

Nov. 15.—United Artists stock option principals confirm MOTION PICTURE DAILY's exclusive story of purchase agreement having been reached. RKO reorganization principals plan fight on Special Master George W. Alger's tentative recommendations on reorganization plan.

Nov. 16.—Special Master Alger speeds RKO reorganization by dispensing with oral arguments on his report. American principals in United Artists stock purchase option sign agreement; British principals expected to sign within two weeks. Ascap plans new fights on state legislation following favorable court decision in Nebraska.

Nov. 17.—Samuel Goldwyn denies that Maurice Silverstone will replace A. H. Giannini as United Artists president; Walter Wanger contradicts statement that financing of his productions is set. Grosses suffer further recessions.

Nov. 18.—Deal set for purchase of Erpi's theatre sound equipment servicing business, marking company's withdrawal from theatre field, MOTION PICTURE DAILY reports exclusively. Industry seen included in Dep't. of Justice monopoly study.

Nov. 19.—Mary Pickford, Douglas Fairbanks and Charles Chaplin retain right to distribute through United Artists. Whitford Drake and other top Erpi executives will remain with company. Industry pins hope of relief from unjust British film quota provisions on Anglo-American trade treaty.

Nov. 20.—Executive setup of new theatre sound equipment servicing company revealed.

Nov. 22.—Atlas Corp. opens negotiations for acquisition of M. J. Meehan's 42 per cent of Keith-Albee-Orpheum preferred stock. Warners' net for year estimated at $5,900,000. Carl Laemmle, Jr., reported joining United Artists as a producer.

Nov. 23.—Defendants plan appeal from Government's Dallas court victory.

Nov. 24.—Details of provisions of United Artists stock option agreement involving British control of company revealed exclusively by MOTION PICTURE DAILY. Special Master Alger submits final report on RKO reorganization plan to Federal court.

Nov. 26.—RKO reorganization principals ask confirmation of plan on Dec. 21. No change in Federal admissions tax seen likely in Washington.

Nov. 27.—Frank Capra returns to Columbia. Warners realign sales staff. Radio broadcasting seen costing public $891,000,000 in 1936.

Nov. 29.—Tax problems seen delaying consummation of United Artists stock option agreement. U. S. theatre attendance during 1937 estimated by industry at 85,000,000 weekly. Canada plans fair trade practice administration.

Nov. 30.—Nate Blumberg, RKO theatre head, named to succeed R. H. Cochrane as president of Universal in dramatic company shakeup. W. A. Scully of M-G-M to succeed James R. Grainger as Universal sales head.

December

Dec. 1.—Universal board ratifies new executive appointments. Lou Weinberg delays decision on new Universal post. R. H. Cochrane protests his replacement, citing contract. Matthew Fox of Skouras circuit to be executive assistant to N. J. Blumberg, new Universal president. Hollywood studios hit by economy wave.

Dec. 2.—James A. FitzPatrick reported joining Paramount as producer. Chase National Bank continues disposition of its 20th Century-Fox stock holdings.

Dec. 3.—Extension of option for purchase of United Artists stock seen likely as result of obstacles in way of consummation of deal. Atlas Corp. and Lehman Bros. negotiating extension of their option to purchase remainder of RCA's stock holdings in RKO, with Hemphill, Noyes & Co. seen included in deal. Universal negotiates for new financing.

Dec. 4.—Deal for sale of Erpi's theatre sound equipment servicing business to Altec Service Corp. is formally closed. James R. Grainger's Universal contract is settled.

Dec. 6.—Selection of initial board of directors for reorganized RKO begun. E. K. O'Shea reported succeeding W. A. Scully in M-G-M sales post.

Dec. 7.—Louis B. Mayer, E. J. Mannix, Sam Katz and Benjamin Thau given new five-year contracts with M-G-M. Martin Quigley urges Carolina exhibitors' meeting to resist propaganda in films.

Dec. 8.—Collapse of Samuel Goldwyn-Alexander Korda deal for exercising option for United Artists stock reported. U. S. Circuit Court of Appeals at Philadelphia has third hearing on legality of contracts prohibiting double featuring and reserves its decision. Abram Myers, Allied States chairman, urges continuation of exhibitor efforts for legislative relief.

Dec. 9.—Samuel Goldwyn, Alexander Korda admit collapse of United Artists stock option deal. A. H. Giannini and other U. A. officers reelected at Hollywood meeting. Industry honors A. H. Blank at testimonial in Des Moines.

Dec. 10.—Joseph P. Kennedy, former film executive, reported slated for post of Ambassador to Great Britain. Mary Pickford cites aid given Samuel Goldwyn and Alexander Korda in stock option negotiations.

Dec. 11.—United Artists renews negotiations with David O. Selznick, indicating producer's failure to agree on an M-G-M releasing deal, MOTION PICTURE DAILY reports exclusively. Warners plan production of 16 to 20 films in England.

Dec. 13.—Rising costs and decreasing receipts impel industry discussion of cooperative economy moves. Warners negotiate for acquisition of Muzak Corp.

Dec. 14.—David O. Selznick may acquire an ownership participation in United Artists if new releasing deal with company is set. Si Fabian honored in testimonial at Albany.

Dec. 15.—U. S. Circuit Court of Appeals at Philadelphia grants Paramount permanent injunction against organized "buyers' strikes," reversing lower court decision. English plan for separate quota is killed.

Dec. 16.—Al Lichtman given new five-year contract as assistant to Nicholas M. Schenck, MOTION PICTURE DAILY reports exclusively. P. D. Cochrane resigns as director of advertising, publicity and exploitation for Universal after 23 years in post. John Joseph, former advertising and publicity director for RKO midwestern theatres, to succeed him.

Dec. 17.—Opposition to RKO reorganization plan seen limited to minority creditor groups as time for filing objections to plan ends. Legion of Decency turns attention to objectionable radio programs for first time in adding its protest to many others against Mae West broadcast.

Dec. 18.—Refinancing plan for Consolidated Film Industries voided by Delaware high court on appeal. H. M. Warner will make headquarters on coast.

Dec. 20.—"Bicycling" and other forms of copyright violation in exhibition are on increase, annual report of the Copyright Protection Bureau reveals.

Dec. 21.—Alexander Korda asks release from exclusive United Artists producing commitments to permit him to make films in England for American companies. U. S. asks right to intervene in RKO reorganization to answer creditor's attack on constitutionality of Section 77-B.

Dec. 22.—Universal will eliminate its short subject sales department, consolidating it with feature department.

Dec. 23.—Walter Wanger's production financing set by United Artists. J. J. Milstein resigns as Republic general sales manager. Walt Disney's first full length feature acclaimed at Hollywood preview.

Dec. 24.—Paramount board of directors unable to act on extension of Adolph Zukor's contract as production head until stockholder's litigation involving contract has been disposed of.

Dec. 27.—Holiday theatre business in New York reached 1936 levels after prolonged recession. Associated Press pays record price for world picture rights to Universal's footage on the Japanese bombing of the U. S. Gunboat *Panay*.

Nation Hears Film's Story Via the Radio

(*Continued from page* 1)

of the Dep't of Commerce. The dramatizations were presented with the cooperation of the U. S. Office of Education. The broadcast originated in Washington, with Hays' address cut into the program from New York. Also heard on the program was Thomas Armat, inventor of the projector.

Opening the program, Daniel related how Roget glanced through the venetian blinds on the windows of his office as a baker's cart went by. Through the slatted apertures, Roget's eyes caught a picture of the cart at rest in each slit of the blind as it proceeded by jerks, and through each successive opening he saw it in a different phase of motion. Following an investigation of the human eye in relation to moving objects, a little toy called the zootrope was developed, in which hand-drawn pictures on a revolving disc gave the illusion of motion.

Recount Incident of Trotter

In episodic fashion, the program thereafter swept swiftly into a dramatization of the now historic trotting horse betting incident between Governor Leland Stanford of California and James R. Keene, which occurred some 60 years ago. Gov. Stanford had wagered $25,000 that a trotting horse takes all four feet off the ground at one time. Keene had opposed this theory, maintaining if the horse did so, he would be jumping, not trotting. The decision was to be made by camera. An engineering confrere of the Governor, John D. Isaacs and one of the first amateur camera enthusiasts, had placed five cameras along the side of the track on which the race was to be run. Across the track had been placed wires attached to each camera. As the steel wires of the sulky passed over the wires they started electric currents which operated the cameras. The pictures showed all four feet of the horse off the ground at the one time, and Gov. Stanford won the stake.

Led to Motion Pictures

Meanwhile, the results of the experiment came to the attention of a French painter, John Louis Meissonier, who had been criticized by the French Academy for his paintings of horses in motion. Meissonier, during a visit of Gov. Stanford to Paris, obtained the pictures. That the pictures brough him vindication at the Academy is merely incidental. Of importance was his experiment of mounting the photographs of the moving horse in the zootrope, resulting in an actual motion picture.

Followed the story of Thomas A. Edison's unavailing efforts at the development of motion pictures, until the invention of a continuous roll of film by George Eastman. Edison's camera, with the aid of Eastman's film, was a success, but its scope was limited. Edison marketed the product in the form of a penny slot machine. He called it a kinetoscope.

Armat's invention of the projector, which made possible motion pictures as they now are, followed. He related in his interview how he first saw the Edison kinetoscope in Washington in 1894.

"The thought flashed into my mind that it would be a wonderful thing if the tiny pictures could be projected on a screen so that audiences, instead of one person at a time, could see them."

Armat's first attempts to project pictures were with the modified Edison kinetoscope, which had a continuously rolling film. The method was not satisfactory, but subsequent attempts led to his discovery that the pictures should be given an intermittent motion, so that each picture rested on the screen long enough to form a distinct impression. The same principle is still employed.

Amazement Recalled

Armat recalled the sheer unbelief evidenced by the audience when he showed the first moving picture at Koster and Bial's Music Hall in New York. It was a 50-foot strip showing waves dashing against a pier.

Resuming the narration, Daniel told of the production of America's first motion picture drama in 1903, titled "The Great Train Robbery," of how the star system was inaugurated when audiences clamored for the release dates of pictures made by "Little Mary," or Mary Pickford; the filming of "The Birth of a Nation," and the subsequent rise and progress of the industry to the day when the late Sam Warner was induced by a friend to visit the Bell Laboratories in 1926 to look over a new machine that would make the screen talk.

Hays Links Films and Nation

Hays, introduced from New York, said that the rise, progress and service of the picture industry afforded a most striking example of the opportunities under the American system for the development of industry and its immeasurable usefulness.

"Our whole American civilization stands as a monument to business enterprise," he said. "Our progress is measured not by the sum of our possessions, but by the number of those who are able to enjoy them. . .

"It was the business man working with the scientist who brought the motion picture to the point where every day now in this country alone 27,000 miles of film pass through the hands of distribution exchanges and 12,000,000 people see pictures every day. In this, as in all business, the industrial evolution has brought with it an evolution in management—and upon its management the integrity and enterprise and consequence of all business depends. The industry, in step with its responsibility, has developed examples of important and proper management purposes."

Lauds Self-Regulation

The industry has reached its present high pinnacle as an entertainment, art and service medium only by a road of self-regulation, demonstrating that a properly organized and directed system of self-government best serves public and private interests. It is by such a code of self-discipline that the industry has expressed its public responsibility as an entertainment medium of universal appeal to men, women and children, he said.

"There have been ups and downs in the undertaking to raise both the standards of production and the standards of public appreciation, to balance, in the field of higher entertainment, supply with demand. There have been times when the issue of freedom for the screen under a code of self-regulation, created and developed by the organized motion picture industry, has been confused. But carefully and solidly relf-regulation continued to be built with the encouragement and support of the industry itself. Today there is freedom on the screen for every legitimate theme or treatment which drama, literature and life may offer and yet public assurance that the door of the average motion picture opens to clean, inspiring and significant entertainment.

Calls People the Rulers

"Motion picture production is, in a substantial manner, a cooperative endeavor furnishing a fine demonstration of the relation of the public to industry. Not the producer, nor the distributor, nor the exhibitor, can decide the fate of any picture. That is in the hands of the 85,000,000 persons who each week cast their vote at the box-office. Any big business requires not only cash and credit but the creation of the will to buy. By selection and support, the public determines what type of pictures appear on the screen. We need and welcome this kind of cooperation."

Warehouses on Air

Cincinnati, Dec. 28.—Tobacco warehouse operators in Maysville, Ky., whose properties were destroyed by the flood last January, are using WCKY to tell tobacco farmers that the warehouses have been rebuilt and to acquaint them with prices, market forecasts and other news of the buying season.

Warehouse interests in Lexington, Ky., likewise are using WHAS, Louisville.

Bess Sees Big '38 For Independents

The year 1938 will be the best in the history of the independent broadcasting stations of America, according to Herman Bess, sales manager of WNEW. This year saw a definite trend toward greater prosperity for stations not affiliated with networks, he says, and the coming year will see a further development of this trend.

Local stations, says Bess, have discovered how to serve their localities, giving service to listeners that cannot be rendered by chain stations, and this has won for them recognition from national advertisers. During 1937 there was a large increase in the number of national advertisers using local stations throughout the country, and according to Bess, 1938 will see this number increased.

Jergens—Woodbury Renews Two Shows

Jergens-Woodbury yesterday renewed the contracts for its two current NBC programs, "Hollywood Playhouse" featuring Tyrone Power, and the Walter Winchell commentary series. Each renewal is for 13 weeks. Both are Sunday programs on the Blue network. Lennen & Mitchell is the agency.

Radio Personals

KATE SMITH made her first recording in six years yesterday for Victor, with the "Ambassadors" and Jack Miller's orchestra . . . Spotted at the Toscanini symphony in the very last row of the studio were Franchot Tone and wife, Joan Crawford . . . Polly Moran and Alison Skipworth will appear on Elza Schallert's program Dec. 30 . . . Curtis A. Wessel, editor and co-founder of *The Radio Weekly*, has joined the organization of the *Radio and Electric Appliance Journal* in an executive capacity . . . Consolidated is booking Chick Webb on a series of midwest dance dates.

Wallenstein Plans Memorial to Ravel

Alfred Wallenstein tomorrow night will dedicate his Sinfonietta program over WOR to the memory of his friend, Maurice Ravel, internationally known composer who died yesterday. The program will include three of Ravel's best known compositions: "La Tombeau de Couperin," "Pavanne" and a dance composed in collaboration with Debussy. The program will be heard from 9:30 to 10 P.M.

Sambrook Relations Head for World Net

A. B. Sambrook has been appointed station relations manager of the World Broadcasting System, succeeding W. L. Hoppes. Sambrook will assume his new duties Jan. 1, on which date Hoppes will return to Erpi after a year's leave of absence.

Sambrook has been with World as a member of the station relations department since 1933, and formerly was with the Pure Oil Co.

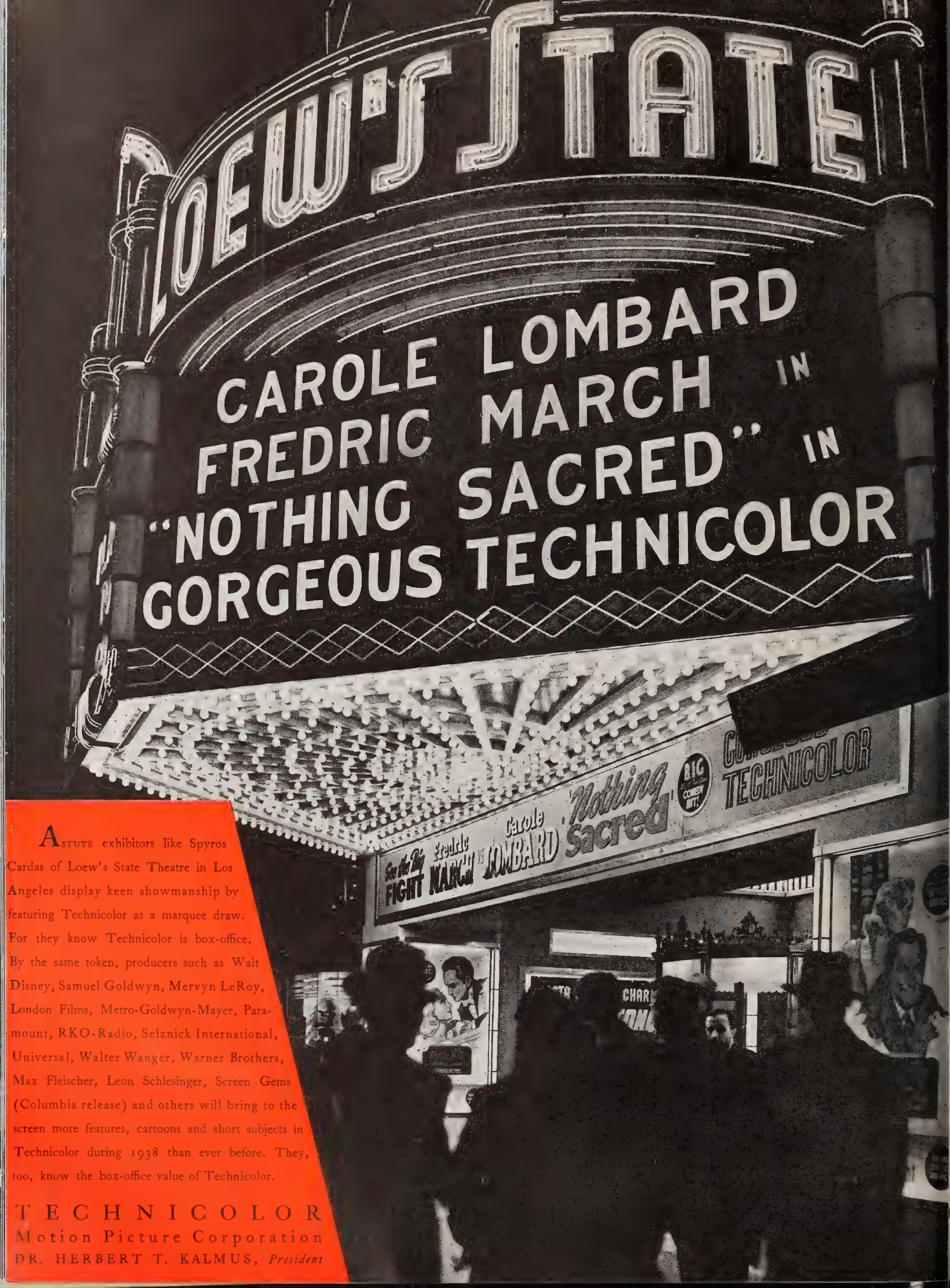
Plan Big Mexican Station

MEXICO CITY, Dec. 28.—Equipment for a powerful radio station is to be obtained in the United States by the National Lottery. The station, to be established here, will be one of the largest and best in Mexico. It is to open early next year.

WOR to Air Congress Opening

The opening of Congress on Jan. 3 will be broadcast over WOR from 12:15 to 12:30 P. M. with Fulton Lewis as commentator.





ASTUTE exhibitors like Spyros Cardas of Loew's State Theatre in Los Angeles display keen showmanship by featuring Technicolor as a marquee draw. For they know Technicolor is box-office. By the same token, producers such as Walt Disney, Samuel Goldwyn, Mervyn LeRoy, London Films, Metro-Goldwyn-Mayer, Paramount, RKO-Radio, Selznick International, Universal, Walter Wanger, Warner Brothers, Max Fleischer, Leon Schlesinger, Screen Gems (Columbia release) and others will bring to the screen more features, cartoons and short subjects in Technicolor during 1938 than ever before. They, too, know the box-office value of Technicolor.

TECHNICOLOR
Motion Picture Corporation
DR. HERBERT T. KALMUS, *President*

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 153 NEW YORK, THURSDAY, DECEMBER 30, 1937 TEN CENTS

Air Business Hit New Peak During 1937

Sales at Peak; Expect Gains to Continue

By JACK BANNER

The year 1937 was bright for radio, with business hitting an unprecedented peak through the 12-month period for chains, independents and transcription companies; great strides made in television and facsimile development and broadcasting; a strengthening reorganization of the industry association, the N.A.B.; a re-awakening by the industry of its obligation to the public, manifested by heavily augmented schedules of cultural and educational programs, and a happier relationship created between the radio and film industries.

The year also sprouted varied trouble spots, evidenced by the drive

(*Continued on page* 16)

The radio headlines of the year, a compilation of the leading daily occurrences in the industry, will be found on page 15.

World Programs on 30,000 Hours in '37

A total of 120 national and regional advertisers in 1937 brought over 30,000 hours of station time, valued at approximately $10,000,000, to broadcast transcribed programs produced by World Broadcasting System, a 20 per cent increase over 1936, according to the company. In all, 485 stations shared in the increased revenue.

Mayell Panay Films To Be Issued Today

Duping prints struck in Los Angeles and a negative of Eric Mayell's 1,500 feet of film showing the bombing of the American gunboat *Panay* as well as subsequent events in Shanghai, pictures which were shown in west coast theatres yesterday, arrived at the Newark Airport at 8:10 P. M.

(*Continued on page* 12)

No Paper Saturday

Motion Picture Daily **will not be published on Saturday, which is New Year's Day.**

British Film Industry Had Critical Year

Marked by Slackening of Production Finance

By AUBREY FLANAGAN

LONDON, Dec. 22.—The year just closing probably has been the most critical in the history of the film industry in England. The financial storm broke shortly after the year opened and the industry now may be said to be gathering the pieces and taking stock of the situation. Most competent observers consider the plight of the industry here by no means hopeless and for the most part are looking forward to a more stable development during 1938.

Indicative of the sharp upheaval is the fact that of more than 150 production companies, there are, at the close of the year, not more than two dozen active, and the bankruptcies and cessation of production are matter of record.

It is pointed out, however, that the

(*Continued on page* 11)

Benas Quits R-W to Take Skouras Post

John M. Benas, general manager and film buyer for the Rosenblatt-Welt circuit of 11 New Jersey and Staten Island theatres for 10 and a half years, has resigned to join the Skouras circuit as assistant to William White, supervisor of theatre operation, film buying and booking. He will assume his new post Jan. 17.

Succeeding Benas as film buyer for the R-W circuit will be Bernard Brooks, upstate New York salesman

(*Continued on page* 11)

Favor Open Sunday

Birmingham, Dec. 29.—As his town was in a muddle of indecision over whether to allow Sunday films, Editor Charles H. Greer of the Sylacauga (Ala.) *News* sent queries to editors in open Sunday towns, asking the people's sentiment.

Reply letters published showed a concensus overwhelmingly favorable, with 29 editors reporting that theatre operators were being careful not to conflict with church functions.

Testimony in North Dakota Case to Start

MINNEAPOLIS, Dec. 29.—Counsel for the governor, attorney general and other North Dakota officials who are named as defendants in Paramount's action to enjoin enforcement of the State's theatre "divorce" statute will begin taking depositions of plaintiffs here on Monday. The depositions of officers of Minnesota Amusement Corp. and American Amusement Corp., the Paramount subsidiaries operating theatres in North Dakota, together with the depositions of branch managers of all exchanges here, will be sought.

New York officials will not be asked for their depositions. Joseph Finley, St. Paul attorney, will represent the plaintiffs during the sessions here. When taking of the depositions has been concluded, the case will be set for trial by a special Federal statutory court of three judges. Indications are that the case will not be heard before spring.

Norman Alley at Warwick Tells of Panay Experience

By SHERWIN A. KANE

At 7:05 P. M. last night, just two weeks to the day after he had been picked up on the banks of the Yangtze River near Nanking by the United State patrol boat *Oahu* after three days of wandering from the scene of the sinking of the *Panay*, Norman Alley, Universal Newsreel cameraman, entered the Warwick Hotel, ending a 12,500-mile journey with one of the most valuable cargoes ever delivered in this or any other country by one of his craft.

A little less than an hour earlier Alley had stepped from a chartered plane at a well-policed Newark Airport, where his films of the capture of Nanking and the bombing of the *Panay* were transferred to an armed car and rushed to the Fort Lee laboratories of Consolidated Film, where

(*Continued on page* 12)

All Broadway Houses Doing SRO Business

Records Crack as Crowds Line Sidewalks

Broadway was jammed yesterday with theatre-goers and all theatres boasted of capacity attendance for all hours of the day. It was not an uncommon sight to find standees waiting hours in line on the streets around the Music Hall, the Roxy, State, Paramount, Capitol, Strand and other houses.

Bob Weitman, manager of the Paramount, stated that the opening of "Wells Fargo" and Fred Waring and His Pennsylvanians, chalked up an all-time record. By 9 A. M., he said, there were 1,700 persons in the theatre and by 1 P. M., the cashiers had tallied 10,300 tickets.

Byron F. (Dinty) Moore said the Strand, which opened with "Submarine D-I," was filled to capacity one hour after the house opened. At 11 A. M., the sale of tickets was stopped. At 12:30 P. M., 6,054 admissions were recorded. Indications are that the picture will be held three weeks.

The Music Hall today will open with "Tovarich" and another onslaught at the box-office is predicted. "I'll Take Romance" created a traffic

(*Continued on page* 12)

Expect RKO Stock Buy Deal Tomorrow

An agreement for the purchase of a part of RCA's holdings of RKO stock and debentures under the $6,000,000 option on the securities held by the investment syndicate headed by Atlas Corp. and Lehman Bros. is expected to be reached tomorrow, the expiration date of the option, official sources said yesterday.

The negotiations will be resumed

(*Continued on page* 11)

Seek Child Ban

Columbus, Dec. 29. — The Franklin County League of Women Voters is waging a campaign to prohibit children from attending theatres during school hours when their classes are in session.

An appeal for assistance to curb delinquency has been made to P. J. Wood, secretary of the Ohio I. T. O.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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K.C. Men Withdraw Conspiracy Appeal

KANSAS CITY, Dec. 29.—E. Rolsky and other independent theatre operators here have dropped the appeal of their conspiracy suit against Fox Midwest and major distributors. After U. S. District Judge Merrill E. Otis last year held no conspiracy was shown, and promulgated the opinion that inasmuch as pictures are copyrighted articles their owners can sell as much protection as they desire, effort was made to take the case to the U. S. Circuit Court of Appeals.

Zanuck to Be Busy

Darryl F. Zanuck, 20th Century-Fox production chief, will find his time fully occupied when he arrives here next week. On Monday, shortly after the train stops at Grand Central, he will begin a series of conferences with Sidney R. Kent and John D. Clark. These conferences will continue for the duration of his visit, when he is not otherwise occupied. On Tuesday he will be the honor guest at a cocktail party at the Waldorf Astoria. On Wednesday he will attend a dinner in his honor at the Union Club. Thursday ushers in "In Old Chicago" at the Astor and Zanuck will be on hand with a party of 30 guests.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"City Girl"

(20th Century-Fox)

HOLLYWOOD, Dec. 29.—"City Girl" is lively melodrama built up to a gripping finish. It is a well moulded piece from Sol Wurtzel at 20th Century-Fox. Because of its portrayal of life made more luxurious through crime or association with criminals, "City Girl," which tells the story of a bright young girl who takes the easiest road, can hardly be recommended for children.

Sops to law and order are provided, but the audience nevertheless is led through much of the film to believe that luxury surrounds crime and that abject poverty sometimes surrounds honesty. In other words, the theme of the story is that crime or dishonesty, although they demand their toll later, are a lot of fun before the price is paid.

The picture's moral aspects may be open to criticism, but the original screenplay by Frances Hyland, Robin Harris and Lester Ziffren, and the direction of Alfred Werker are of high calibre. The cast, headed by Phyllis Brooks, Ricardo Cortez, Robert Wilcox and Douglas Fowley, performs capably. No screen credit is given to Marjorie Main, of "Dead End," "Mannequin," and "Boy of the Streets" fame, who appears again as a suffering mother living in a tenement. Miss Main, a highly capable actress, is in some danger of being "typed."

Miss Brooks, a waitress who lives with her family in a tenement, happens to fall in with a group of racketeers headed by Ricardo Cortez. They fall in love, and Miss Brooks accidentally kills Cortez' former sweetheart. Convicted of murder, Miss Brooks escapes with Cortez' aide. In the meantime, a racket cleanup is ordered and the gang is broken up, the finale showing Miss Brooks being killed by a bullet from Cortez' gun, aimed at her former sweetheart, now a prosecutor.

Running time, 60 minutes. "A."

Looking 'Em Over

"Peter, the First"

(Amkino)

The state-controlled Russian film studios have departed in "Peter, the First" from the usual course of injecting national and political propaganda into their screenplays. Here they have done a historical film on a large scale.

As the title hints, it concerns incidents in the reign of the Czar who was instrumental in lifting Russia from decadence in the 17th century to a powerful European state after the turn of the 18th century with the opening of trade outlets and a merchant fleet. The events are treated in dynamic fashion. The title role is played by Nikolai Simonov and is an outstanding study in the art of acting. The direction of Vladimir Petrov is in the best Soviet style.

The film opens with the defeat of Peter at the hands of the King of Sweden at Narva in 1700. The defeat teaches him that he needs closer cooperation with his people in order to rebuild his country. Minor political officials are ruthlessly made to lend aid and their serfs are invited to join the army. The grand result is the founding of Petersburg. With the city under construction Peter attempts to refine his court with the adoption of sophisticated continental ways. To some extent this gets across. His final triumph is when he takes the mistress of his governor and makes her his Czarina. A son is born to them and the picture closes with his great joy as a father and the similar feeling of his advisers. It is lustily performed and the sequences are driven home with strong drama.

Running time, 104 minutes. "A."

(Additional Reviews on Page 4.)

Mary Lampert to Marry

COCHESTER, CONN., Dec. 29.—Mary Lampert of the Lampert Circuit will be married to Joseph Markoff of Westerly, R. I., Jan. 1. Markoff will be connected with the circuit.

Report 900 Bookings

Columbia's "Community Sing" shorts have been booked by 900 theatres for New Year's Eve, the company reported yesterday.

Hendee Shooting Here

Harold Hendee, RKO director of research, is making shots of New York's midtown section for atmosphere and process scenes to be incorporated in "The Joy of Living."

Premium Deal Collapses

The deal whereby Lester Tobias was to take over the business of Rex Premium Co. has collapsed, it was said yesterday.

Purely Personal

ROBERT T. KANE has left England for Nassau where he will vacation before coming to New York to confer with JOSEPH M. SCHENCK and SIDNEY R. KENT on production in England. SCHENCK will leave the coast Saturday. He will also attend the cocktail party to be given DARRYL F. ZANUCK at the Waldorf next week.

•

HARRY BRAND, 20th Century-Fox studio publicity director, will arrive from the coast today to attend the premiere of "In Old Chicago" on Jan. 6.

•

JOSEPH M. SCHENCK and DARRYL ZANUCK are scheduled to leave the coast tomorrow or Saturday by train for arrival in New York early next week.

•

VYVYAN DONNER, Movietone News fashion editor, was hostess yesterday to a group of women from the League of Mothers' Clubs of the Neighborhood Houses Ass'n.

•

BILL SCHNEIDER, secretary to HARRY C. ARTHUR, JR., will return to St. Louis Sunday after spending the holidays with his family here.

•

JOSEPH BERNHARD, managing director of Warner theatres, will leave today for the coast for conferences at the studios.

•

BILL SUSSMAN and MILT HOSSFELD are being bothered with colds these days, but are at their desks at the 20th Century-Fox home office.

•

GEORGE SKOURAS is making a tour of all theatres in his circuit this week. Yesterday he visited the Long Island group.

•

WILLIAM PERLBERG, Columbia talent head, is due to arrive from Hollywood today.

•

MRS. BEN FIELDING, sister of the GOETZ family, will return Sunday on the *Virginia* from a short honeymoon.

•

LOUIS WEBER, Skouras Theatres attorney, will leave for the coast after the first of the year.

•

HERSCHEL STUART is back from Dallas where he visited his family.

•

HARRY BRANDT left for Atlantic City yesterday.

"Submarine" Out Front

"Submarine D-1" is 11.3 per cent ahead of the biggest grosser among the company's pictures involving a national service, the Warner home office reported yesterday. The picture was reported to be exceeding the business done by "Here Comes the Navy," "Devil Dogs of the Air" and "China Clipper."

Litvak Van Schmus Guest

Newspaper picture critics, the trade press and industry executives were guests yesterday of W. G. Van Schmus at a cocktail party held in honor of Anatole Litvak, director of "Tovarich" which opens at Radio City Music Hall today.

Sh! THE 'FILM DAILY'!



Sh! THE OCTOPUS

Starring

HUGH HERBERT

ALLEN JENKINS · MARCIA RALSTON

Directed by WILLIAM McGANN

Screen Play by George Bricker • Adapted from the Play by Ralph Spence ; Play by Ralph Murphy and Donald Gallaher

A First National Picture

«REVIEWS»

"Sh! The Octopus"

Warners 54 mins.

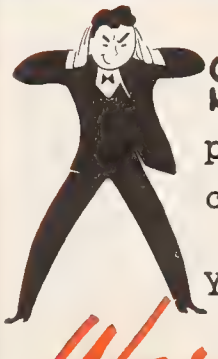
A DAFFY BURLESQUE MYSTERY WITH HUGH HERBERT MAKES AN UPROARIOUSLY FUNNY COMEDY.

Hugh Herbert, Warners' mad and eccentric funster, aided and abetted by Allen Jenkins, another of Warners' ace comics, make this new picture one of the funniest comedies seen in a long time. Strictly burlesqued as a mystery thriller from start to finish, the story is never allowed to take on a serious aspect at any time, and it stays funny throughout. Herbert and Jenkins are about the dizziest pair of detectives the screen has ever offered, and they make the most of their comedy roles with a laugh result that is plenty heavy. Given a deserted lighthouse, an octopus that kills people, a lurking submarine carrying the master mind, trap doors, eerie lights, a hidden death ray, a list of suspects and a few more equally amazing situations, you can imagine what happens. The octopus starts grabbing people and things happen in a hilarious and exciting fashion until the finish of the picture. Mark this one as a pix that will amuse anybody at any time.

CAST: Hugh Herbert, Allen Jenkins, Marcia Ralston, John Eldredge, George Rosener, Brandon Tynan, Eric Stanley, Margaret Irving, Elspeth Dudgeon.

CREDITS: Associate Producer, Bryan Foy; Director, William McGann; Play by, Ralph Murphy and Donald Gallaher; Screenplay, George Bricker; Editor, Clarence Kolster; Cameraman, Arthur Todd.

DIRECTION, Good. PHOTOGRAPHY, Good.



Sh!...What people will say if it catches you asleep!

Yours for comedy,

Warner Bros.

Variety Club

Kansas City

KANSAS CITY, Dec. 29.—EARL JAMESON and SAM ABEND of Film Delivery have presented to Variety Club a new truck, painted white, and carrying the "barker" seal and the legend, "Movies for Shut-Ins."

Film Delivery retains title to the truck, thereby saving Variety the cost of insurance, licenses, upkeep, etc. The gift was accepted by ARTHUR COLE, chairman of the club's welfare committee, and by 75 barkers who had been invited to lunch "for a surprise," including ELMER C. RHODEN, retiring president, R. R. BIECHELE, incoming president, and others.

Until the truck can be equipped properly, GEORGE BAKER of the Electric, Kansas City, Kan., and also executive vice-president of the Central Films Corp. and Audio Visual Sales Co., will give shows to shut-ins with 16-mm equipment and film.

The tent will install new officers following a dinner Jan. 10. The clubrooms will resemble a cabaret New Year's Eve for the annual party. On Feb. 4 and 5 the club will give its second "Days of '49" fair.

Pittsburgh

PITTSBURGH, Dec. 29.—HARRY KALMINE has just been named commander of Tent No. 1's American Legion branch.

FRANK J. HARRIS and JACK JUDD were honored at birthday celebrations.

JIMMY BALMER is the chairman of the Jan. 8 party, when the new officers will be installed.

DICK POWELL sent along his check for $100 to the annual Milk Fund charity.

HARRY HARRIS' Christmas cards this year were sent out on strips of film.

JULES LAPIDUS being congratulated all around on winning second prize in G. N.'s recent sales contest.

JOHNNY HARRIS has just invested in a new high-powered gas buggy.

Pound Committee Is Given $2,932 Award

Federal Judge Francis G. Caffey yesterday granted an allowance of $2,932 as expenses to the Pounds Bondholders' Protective Committee in the Roxy Theatre reorganization. The Pounds Committee, which acted as proponents of the Roxy plan of reorganization, had asked for $37,394, but Judge Caffey ruled that there was "no sufficient explanation" for the $34,462 balance. No ruling was made on the committee's request for $23,318 as fees.

The opinion questioned payments of $14,780 to Straus & Co., $11,600 secretary's expenses, $6,805 interest payment on a $22,000 note, a proposed reserve of $775 and a $500 payment for attorneys' fees. A "reasonable opportunity" to explain these expenditures was granted to the committee by Judge Caffey.

Order Details from Select

Select Theatre Corp. was ordered to furnish a bill of particulars in connection with its infringement suit against Warners by Judge William Bondy in the U. S. District Court here yesterday. Select claims infringement of its play, "The Audition" in "Ready, Willing and Able."

Overseas Previews

"Abus de Confiance" ("Abuse of Confidence")

(L'dif-Bercholz)

PARIS, Dec. 20.—This French melodrama, the last film made in France by Danielle Darrieux before her departure for Hollywood, is good general entertainment, in spite of the fact that the story, written by the French dramatist, Pierre Wolff, famous for his pre-war plays, is rather artificial and unconvincing.

The story tells of a beautiful orphan, Lydia, who lives with her grandmother and is studying law. When her grandmother dies, leaving her penniless, she tries to find work but is unsuccessful. Discouraged, she contemplates suicide, but one of her friends shows her an album containing photographs and old papers proving that 21 years before an actress who knew a Jacques Fernay killed herself without his knowledge after being deserted by him and after the death of her baby. The friend suggests to Lydia that she see the man and pretend she is his daughter. Poverty stricken and starving, Lydia goes to the man's house. He, a wealthy historian, married but childless, believes her, and without investigating her story, adopts her. But the truth is discovered by his wife, as Lydia gets her first case. She has to defend a girl being tried for abuse of confidence, and who is in exactly the same position as herself. Lydia speaks so convincingly and touchingly that it seems she is pleading her own case, and Mrs. Fernay, who attends the trial, forgives her and says nothing to her husband. Henri Decoin, Miss Darrieux's husband, who directed, made the best of this somewhat dated story, which does not seem suited to the girl's youthful personality and talent. The dialogue is lacking in interest and much of it, as well as several of the scenes, check the tempo of the film.

Running time, 90 minutes. "A."

"Le Messager" ("The Messenger")

(Pathé Consortium Cinema)

PARIS, Dec. 20.—This is a clever adaptation, by Marcel Achard, of the famous French stage play by Henry Bernstein. Thanks to Achard and to the director, Raymond Rouleau, it has been turned into an excellent film, full of movement and emotional interest.

It is a dramatic story concerning a couple separated by the vicissitudes of life—the man (Nick) working in a deserted spot in Africa, the woman (Marie) alone in Paris. A close friend of Nick and his assistant in Africa returns to Paris, following a serious illness bringing a message from Nick to his wife. Marie, alone for so long, cannot resist the attraction she feels for the "messenger." The inevitable happens, and when the husband returns, the situation becomes even more dramatic, bringing in its wake tragedy and finally reconciliation, when an express, flying through the night, carries two passengers toward a new life.

The role of Nick gives Jean Gabin opportunity and he is, as usual, excellent. Gaby Morlay, who created the role of Marie on the stage, gives one of her best screen performances in this film, and is at her best in a scene in which she converses over the telephone with Gilbert, and in which she shows the mental struggle between her love for her husband and her attraction for his friend. As Gilbert, Jean-Pierre Aumont definitely gives his best performance to date. Direction and technical work are excellent and the photography is remarkably good.

There is an abundance of dialogue. The story cannot be said to comply with the precepts of the American Production Code.

Running time, 100 minutes. "A." AUTRE

Three Cast by Columbia

HOLLYWOOD, Dec. 29. — Alphonse Martel, Montague Shaw and John Tyrrell have been signed by Columbia for roles in "You Can't Win," which is being directed by C. C. Coleman, Jr.

Arlene Whelan Gets Role

HOLLYWOOD, Dec. 29. — Arlene Whelan has been assigned the feminine lead in "Kidnapped," 20th Century-Fox, and Freddie Bartholomew has been borrowed from M-G-M for a featured role in the same picture.

Melville Sues on Story

LOS ANGELES, Dec. 29.—Clyde E. Melville has filed suit for $2,449,000 against 20th Century-Fox, Principal Prod., Inc., Sol Lesser, Harold Bell Wright, et al, charging piracy in "The Californian," recent Principal film, of his manuscript "Vasquez," which he said he had submitted to Lesser.

Tyrone Power Is Cast

HOLLYWOOD, Dec. 29. — Tyrone Power has been given the role of Count Axel de Fersen in "Marie Antoinette" by M-G-M.

Short Subjects

"Wedding Yells"

(Vitaphone)

Ken Murray and Oswald deliver some fair comedy with this one. Their familiar delivery attains moments of hilarity, but the real laughs are provided by the supporting cast. Murray is about to be married. A rival suitor tricks him into an insane asylum so he will be late for his wedding. Murray meets the inmates of the place and Oswald and a lot of comedy, some of it rather obvious, takes place. Eventually Murray gets out and arrives in time for his nuptials. Running time, 20 mins. "G."

'Candid Cameramaniacs'

(M-G-M)

The current craze in cameracraft is pleasantly and constructively satirized here by Pete Smith. He shows the enthusiasts at their screwiest and makes the entire affair a pleasant interlude. The idea has been tastefully produced. It also touches briefly on the historical aspect of photography. Running time, 9 mins. "G."

"Ears of Experience"

(RKO)

Edgar Kennedy's audience should be delighted with his latest effort. It is one of his best. Kennedy plays the ambitious white-collar worker who is urged on by his talkative wife. He is trying for a promotion and engages a professional listener to hear his troubles. The latter suggests he hire a mansion and put up a wealthy front. He does so, but his father-in-law spoils the whole effect. Florence Lake, William Franey, Richard Lane and Jack Rice assist in the doings. Running time, 18 mins. "G."

"Lonesome Ghosts"

(Disney-RKO)

A new high in cartoon hilarity should be reached with this Mickey Mouse production. Mickey and his associates, the Goof and Donald Duck, are in the ghost chasing business. A quartet of spooks decide to have some fun and invite them over to a deserted mansion to do their stuff. What ensues is the usual highly imaginative stuff executed with touches that are the work of a genius. Running time, 9 mins. "G."

Vaudeville Steps Up Business at Lincoln

LINCOLN, NEB., Dec. 29.—Vaudeville has proved to be a business stimulant here. With film houses reporting business off from 15 to 20 per cent as compared with the fourth quarter of 1936, the Orpheum, playing vaudeville with films, says grosses are five per cent above last year for the same period. The Orpheum prices are 15 cents above other houses.

Fulton Goes to Coast

KANSAS CITY, Dec. 29.—W. D. Fulton, head of the Mutual Theatres circuit here, left this week for the coast, where he will spend a month's vacation. Stanley Schwartz, his partner in the theatres, already is on the coast.

Mutual has reopened the LaSalle, small suburban here.

MOVIETONE NEWS SCORES THE GREATEST SCOOP IN NEWSREEL HISTORY!

24 HOURS AHEAD OF THE ONLY OTHER MOTION PICTURE CAMERA ABOARD THE PANAY!

Movietone's historic camera record shows:

- Bombardment of Nanking.
- Evacuation of Nanking.
- Refugees boarding the Panay.
- Japanese army officers arriving in launch to identify the Panay.
- Bombs from planes falling all around the Panay.
- Panay's deck torn by bombs.
- U. S. sailors shooting back at attacking planes.
- Sailors and civilians wounded on the deck of the Panay.
- Tanker ignited by bombs.
- Survivors of the Panay taking off in boats.
- The Panay actually sinking.
- Wounded and dying hiding in marshes.
- Stretcher - bearers carrying wounded.
- Arrival of the U. S. S. Oahu, rescue ship.
- Survivors arriving in Shanghai.
- Bodies of victims being taken aboard the U. S. S. Augusta.

ONE FULL REEL AT NO EXTRA COST TO YOU!

20th CENTURY FOX

"52nd St." on Dual Boston's Sole Winner

BOSTON, Dec. 29.—"52nd Street" and "Thoroughbreds Don't Cry," were the only films that drew. Loew's Orpheum grossed $16,000, $4,000 above average with the dual program. And Loew's State took $12,500, over par by $1,500.

"Trouble at Midnight" and a vaudeville program headed by Red Sheldon grossed only $18,000 for the week. Average is $22,000. "Manhattan Merry-Go-Round" and Major Bowes' Collegians on the stage at the Metropolitan drew only $16,000.

Total first run business was $79,500. Average is $90,500.

Estimated takings for the week ending Dec. 24:

"DAUGHTER OF SHANGHAI" (Para.)
"LOVE ON THE AIR" (W. B.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $3,000. (Average, $4,500)

"STAGE DOOR" (RKO)
"LOVE FROM A STRANGER" (U. A.)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days, 4th week. **Gross:** $9,000. (Average, $12,000)

"52ND STREET" (U. A.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $16,000. (Average, $12,000)

"52ND STREET" (U. A.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days. **Gross:** $12,500. (Average, $11,000)

"MANHATTAN MERRY-GO-ROUND" (Republic)
METROPOLITAN—(4,332), 25c-40c-65c, 7 days. Stage: Major Bowes' Collegians. **Gross:** $15,000. (Average, $22,000)

"DAUGHTER OF SHANGHAI" (Para.)
"LOVE ON THE AIR" (W. B.)
PARAMOUNT—(1,793), 25c-40c-55c, 7 days. **Gross:** $6,000. (Average, $7,000)

"TROUBLE AT MIDNIGHT" (Univ.)
RKO BOSTON—(3,246), 25c-40c-55c, 7 days. Stage: Red Sheldon. **Gross:** $18,000. (Average, $22,000)

Wall Street

Many Off; Few Rise on Board

	Open	High	Low	Close	Net Change
Col.	11⅜	12	10¾	12	+ ¼
Col. pfd.	27	27	27	27	.....
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5⅜	5½	5⅛	5⅛	— ⅜
E. K.	158	158	158	158	—1½
E. K. pfd.	155	155	155	155	—6
G. T. E.	11⅜	11½	11⅛	11¼	— ¼
Loew	44¼	45	43⅝	44¾	+ ¼
Loew, pfd.	104⅜	104⅜	104	104	.....
Para.	8¾	9¼	8¾	9	+ ⅛
Para. 1.	81	83¼	81	83¼	+1¼
Para. 2.	9⅞	10	9⅝	9⅞	— ¼
Pathe	5¼	5¼	4¾	5¼	— ¼
RKO	3⅞	4	3¾	4	+ ¼
20th Fox	19⅝	20	19	19½	— ⅛
20th pfd.	26	26	25	25½	— ¾
Univ. pfd.	30½	30½	30	30	—2
W. B.	5¾	5⅞	5½	5⅝	— ⅛
W. B. pfd.	33	34	33	34	+ ½

Curb Up Fractionally

	Open	High	Low	Close	Net Change
G. N.	5/8	11/16	½	9/16	.....
Monogram	1½	1½	1½	1½	— ⅛
Sonotone	1⅝	1⅝	1⅝	1⅝	.....
Tech.	15	15⅝	15	15⅛	+ ⅛
Trans-Lux	2½	2½	2½	2½	+ ⅛
Univ. Corp.	1¾	1¾	1¾	1¾	.....

Bonds Drop

	High	Low	Close	Net Change
Keith 6s '46	82½	82½	82½	—2½
Loew 3½s '46	96¼	95½	95½	—1½
Para. B'way 3s '55	60	60	60	.....
Para. Pict. 6s '55	89	89	89	+ ½
W. B. 6s '39	74	73¼	73¼	—1½

(Quotations at close of Dec. 29)

Out Hollywood Way

HOLLYWOOD, Dec. 29.—"Angel in Furs," W. B. COURTNEY story of a missionary nurse stationed among the Eskimos, has been purchased by Paramount for GAIL PATRICK and RANDOLPH SCOTT . . . 20th Century-Fox has purchased "Racing Blood," original by EDWIN DIAL THORGERSON . . . JOSEPH SCHRANK, Warner writer, and NATHANIEL WEST, has sold his play, "Gentlemen, the War," to SAM HARRIS for Broadway production.

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Casting—LLOYD NOLAN, MARY CARLISLE, ROSCOE KARNS, LARRY CRABBE, J. CARROLL NAISH, ANTHONY QUINN, HARVEY STEPHENS, BENNY BAKER and BARLOWE BORLAND in "Highway Racketeers," Paramount, in which GINGER MANNERS will make her film debut . . . RKO has borrowed BEULAH BONDI and CHARLES COBURN from M-G-M for "Vivacious Lady" . . . CORA WITHERSPOON and ETIENNE GIRARDOT in "Professor, Beware," Paramount . . . ROBERT CUMMINGS in "You and Me," Paramount . . .

+

Writers—EARL BALDWIN and WARREN DUFF have been assigned the screenplay of "Gold Diggers of Paris," Warners, making the third battery of writers to work on it . . . NORMAN REILLY RAINE is working on the adaptation of JACK LONDON's "The Sea Wolf," which Warners will produce. It was originally scheduled as a MERVYN LEROY production . . .

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Director—AL SANTELL has been signed by Paramount to direct "Cocoanut Grove." . . .

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Contracts—RKO has extended the pacts of HERMES PAN, dance director, and RICHARD LANE, character player.

"Ebb Tide," "45" Get $8,400, Omaha

OMAHA, Dec. 29.—First run theatres here enjoyed one of the best pre-Christmas weeks in several years with "Ebb Tide" and "45 Fathers" doing $8,400 to top the seven-day par at the Omaha by $2,900.

The 12th weekly Big Apple dance contest and a preview of "Beg, Borrow or Steal" on the Saturday midnight show brought the Orpheum's total gross to $8,200, a gain of $1,000 over the seven-day average of $7,200. "Merry-Go-Round of 1938" and "First Lady" were dualed at the Orpheum.

"Fight For Your Lady" and "Fit For a King" did $4,500 at the Brandeis in eight days, up by $500.

Total first run business was $21,100. Average is $16,700.

Estimated takings:

Week Ending Dec. 22:

"EBB TIDE" (Para.)
"45 FATHERS" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $8,500. (Average, $5,500)

Week Ending Dec. 23:

"MERRY-GO-ROUND OF 1938" (Univ.)
"FIRST LADY" (W. B.)
ORPHEUM — (3,000), 25c-40c, 7 days. Stage: 12th weekly Big Apple contest Saturday midnight with preview of "Beg, Borrow or Steal" (M-G-M). **Gross:** $8,000. Average, $7,200)

"FIGHT FOR YOUR LADY" (RKO)
"FIT FOR A KING" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 8 days. **Gross:** $4,500. (Average, $4,000)

Drops Cleveland House

CLEVELAND, Dec. 29.—Paul Gusdanovic has sold his interest in the new Parma at Parma to John Kalafat.

Take Over House in Denver

DENVER, Dec. 29.—The Bidawee has been taken over from Albert Coppell by the Venus Theatre Co., recently formed by Nat Wolfe and A. R. Mulock.

Takes Back Ohio Theatre

LIMA, O., Dec. 29.—George D. Ritzler is understood to have taken back the Majestic, which has been operated by Louis J. Hayes.

"Blossoms" Is Fair In Milwaukee Lull

MILWAUKEE, Dec. 29.—Business for the week proved a bust with no houses hitting par. Closest to average was "Blossoms on Broadway" and "Daughter of Shanghai" which grossed $4,500 at Fox's Palace. Average for the house is $5,000.

Total first run business was $23,300. Average for five houses is $26,500.

Estimated takings:

Week Ending Dec. 21:

"ALCATRAZ ISLAND" (F.N.)
"THE PERFECT SPECIMEN" (F. N.)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $3,000. (Average, $4,500)

"BEG, BORROW OR STEAL" (M-G-M)
"THOROUGHBREDS DON'T CRY" (M-G-M)
WISCONSIN—(3,200), 35c-50c, 5 days. **Gross:** $5,800. (Average, $8,000)

Week Ending Dec. 23:

"RENFREW OF THE ROYAL MOUNTED" (G. N.)
"THE SHADOW STRIKES" (G. N.)
GARDEN—(1,200), 25c-35c, 5 days. **Gross:** $1,800.

"BLOSSOMS ON BROADWAY" (Para.)
"DAUGHTER OF SHANGHAI" (Para.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $4,500. (Average, $5,000)

"ALL OVER TOWN" (Republic)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Pre-Christmas Stage Pageant. **Gross:** $4,200. (Average, $5,000)

"THEY WON'T FORGET" (F. N.)
"FIGHT FOR YOUR LADY" (RKO)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $4,000. (Average, $5,000)

Add Two to "Chan" Cast

HOLLYWOOD, Dec. 29.—Lynn Bari and Jayne Regan have been assigned the principal feminine roles in "Charlie Chan at the Ringside." Shortly to go into production at the 20th Century-Fox studios.

Mme. Major Gets Pact

HOLLYWOOD, Dec. 29.—Mme. Elizabeth Major who coached Simone Simon for her singing role in "Love and Hisses," has been placed under contract by 20th Century-Fox.

Plan New Dionne Short

Pathe has completed arrangements with Dr. Allan Roy Dafoe for another short to be made in Callander, Ont., featuring the Dionne quintuplets.

"Wedding" Is Washington's Only Grosser

WASHINGTON, Dec. 29.—In one of the worst pre-Christmas weeks on record, only one theatre showed anything like a fair gross. Loew's Columbia, with a return engagement of "Double Wedding," which took $4,500, exceeded the seven-day, first-run average by $900.

"Missing Witnesses," at the Metropolitan, hit a par $4,300. The Earle, with "The Barrier," which was bulwarked by the personal appearance of Mary Dees and Monte Blue, took $11,900, or $6,000 under average. Loew's Capitol, with "52nd Street" and a stage show, took $12,700, which was $8,200 under par.

Total first run business was $43,700. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Dec. 23:

"THE BARRIER" (Para.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Mary Dees & Monte Blue; Kay, Katya & Kay; the Virginians; Hector & Pals. **Gross:** $11,900. (Average, $18,400)

"52ND STREET" (U. A.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Cross & Dunn; Texas Jime Lewis & His Lone Star Cowboys; Bill Reed; 16 Crosley Dance Cuties; Raymond Wilbert. Added: Cliff Battles, Charles Malone (of the Washington Champion Redskins). WOL's Tony Wakeman. **Gross:** $12,700. (Average, $20,900)

"NOTHING SACRED" (U. A.)
LOEW'S PALACE — (2,370), 35c-55c, 7 days. **Gross:** $5,900. (Average, first week, $15,900).

"MISSING WITNESSES" (W. B.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,300. (Average, $4,300)

"MANHATTAN MERRY-GO-ROUND" (Republic)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $4,500. (Average, $10,600)

Eight Days Ending Dec. 23:

"DOUBLE WEDDING" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 8 days (return engagement). **Gross:** $4,500. (Average, 7 days, $3,600)

Dedicate RKO Sales Campaign to Depinet

The annual billings and sales drive of RKO will be dedicated this year to Ned E. Depinet, vice-president in charge of distribution. The drive will include the branches of the company in this country and abroad. Walter Branson, midwestern district manager, has been named leader of the drive in this country and Canada, while Ben Cammack, general manager for Latin America, will head the drive of the company's foreign sales branches.

Last year's drive was dedicated to Jules Levy, general sales manager. This year the campaign will start on Jan. 29 and run for 15 weeks, ending on May 13. Among the important pictures the company plans to release during that period will be "Snow White and the Seven Dwarfs," "Having Wonderful Time," "Bringing Up Baby," "The Joy of Living," "Radio City Revels," "Vivacious Lady" and "Hawaii Calls." Branson will tour all RKO branches, accompanied by Harry Gittelson, editor of *Flash*, who will publish the house organ from the field during the tour. This will mark the first time the drive will be world wide.

AW!



©W.D.P.



"All that the advertising copy writers have been saying about 'Snow White' is true in spades! It is a box office natural in the most expectant interpretation of that loosely bandied term, and what it achieves in the way of audience satisfaction is spectacularly the box office's business . . . it will captivate the population as perhaps no other picture ever has or will."

— MOTION PICTURE DAILY

"Here is a picture so masterfully produced and of such unusual entertainment value that it will make motion picture history. It should be a clean-up for any exhibitor anywhere."

— FILM DAILY

"An inspiring masterpiece of elegant beauty and entertainment . . . sure to satisfy all audiences, who will rave about it . . . new Multiplane Technicolor photography surpasses anything yet seen in color . . . outstanding entertainment . . . should live for many years."

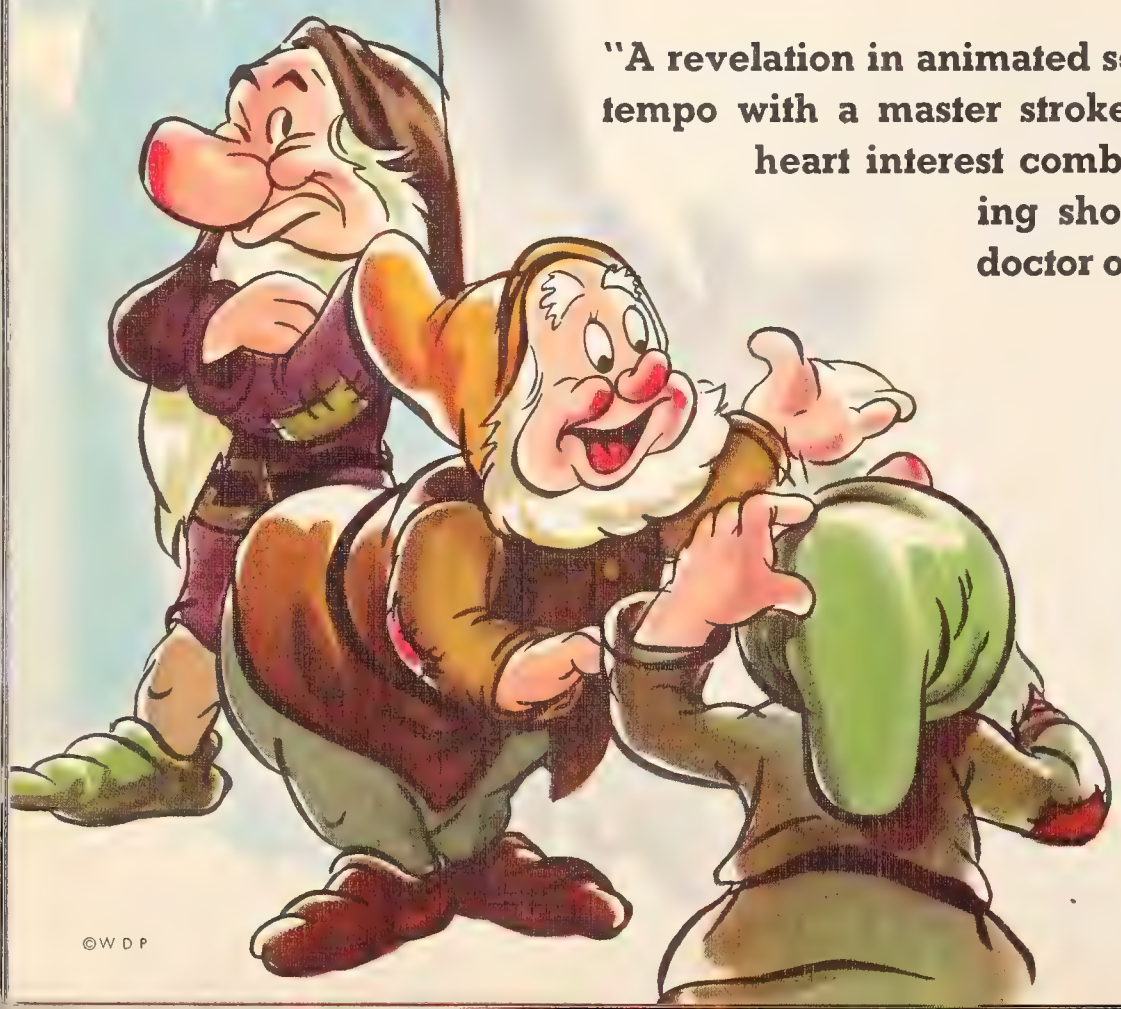
— SHOWMAN'S TRADE REVIEW

"Superlative screen entertainment . . . the most important picture from a production perspective since the advent of sound . . . it has a universal appeal seldom if ever before attained in the realm of celluloid entertainment. Never before have such breath-takingly gorgeous hues been imprisoned in celluloid for any type of picture."

— BOX OFFICE

"A revelation in animated screen entertainment displaying mood and tempo with a master stroke. Romance, drama, pathos and genuine heart interest combined with artistic craftsmanship for nothing short of a box office smash. Just what the doctor ordered for old and young alike."

— JAY EMANUEL PUBLICATIONS



"Meets even the wildest expectations of Disney's millions of admirers. It is a masterpiece of entertainment for people of every age . . . marks milestone of motion picture progress . . . Walt Disney has carved for himself a permanent niche in the motion picture hall of fame."

— HOLLYWOOD REPORTER

"Priceless entertainment."

— MOTION PICTURE HERALD

©WDP

"Sets milestone in art of picture making . . . completely a thing of beauty and charm, vastly appealing entertainment for every normal human being . . . it will do smashing business and regale all manner of audiences in extended runs."

—HOLLYWOOD VARIETY

"A motion picture miracle has come into being. It is a film fairy tale that will enrapture audiences around the world . . . it is a great screen contribution not only for today but for tomorrow."

—EDWIN SCHALLERT,
Los Angeles Times

"Walt Disney adds new laurels to his fame. 'Snow White' and her fairy prince and the seven dwarfs become stars you will love and take into your heart. The sets are breath-taking in their beauty . . . the color is equally exquisite . . . the loveliest thing of its kind ever brought to the screen."

—LOUELLA PARSONS,
Los Angeles Examiner

"Yes there is a Santa Claus! His name is Walt Disney, and as a yuletide gift for all those young in spirit and mind he has brought forth his first feature length attraction . . . an unforgettable experience."

—LOS ANGELES DAILY NEWS

"In all my nineteen years of reviewing I have never met screen characters that more completely captured my heart than did 'Snow White and the Seven Dwarfs'. Children, young folks, men and women — put on your 'must see' list, the delightful charming fairy tale of 'Snow White'."

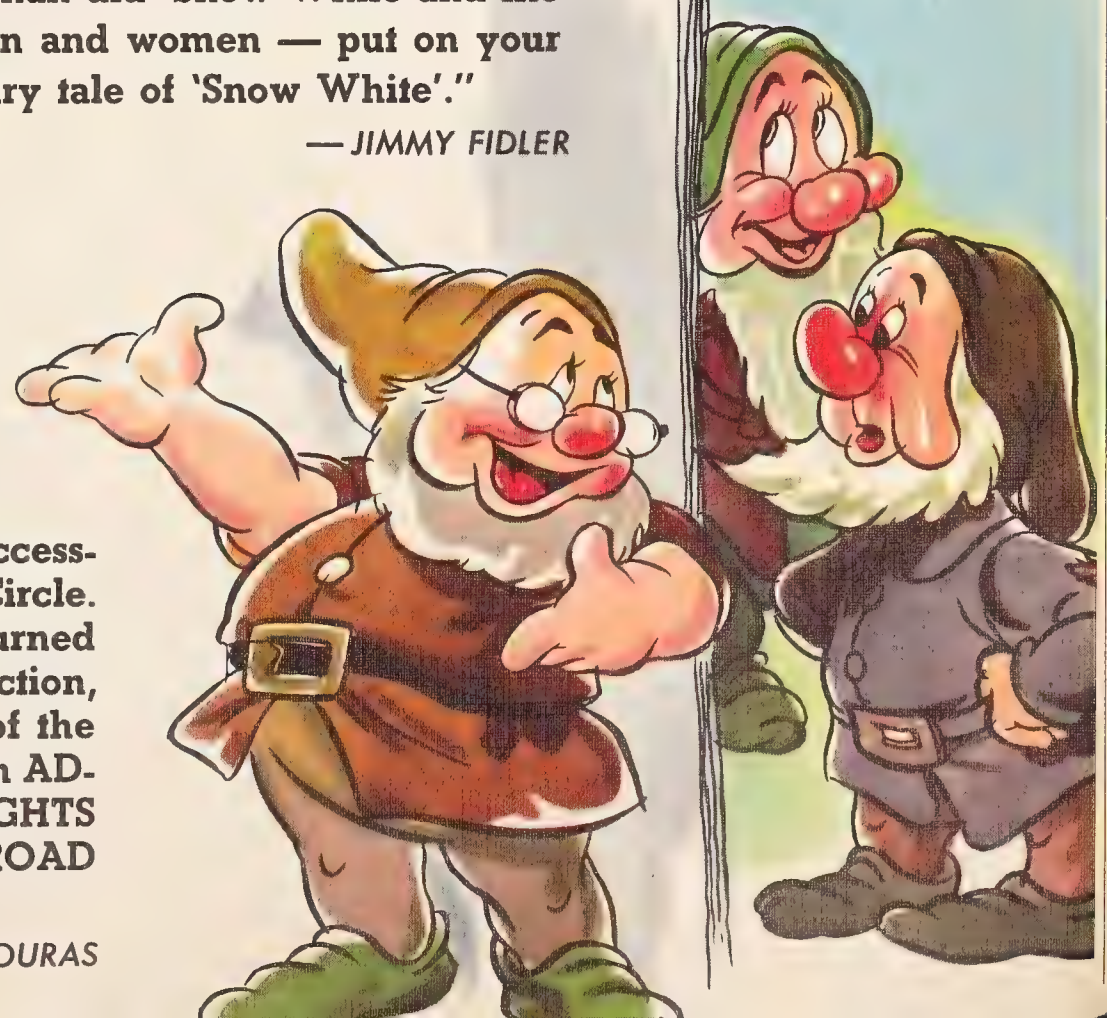
—JIMMY FIDLER

"Walt Disney scored a new and impressive triumph last night . . . a fascinating screen experience . . . a picture that nobody should miss."

—HARRISON CARROLL,
Los Angeles Herald Express

"World premiere of 'Snow White' most successful opening we have ever had at Carthay Circle. Practically every celebrity in Hollywood turned out and paid tribute to Walt Disney's production, with applause lasting long after the end of the picture. Public interest is equally high with ADVANCE SALE BOTH MATINEES AND NIGHTS TOPPING THAT OF ANY PREVIOUS ROAD SHOW AT CARTHAY CIRCLE."

—Telegram from CHARLES P. SKOURAS



WALT DISNEY'S

FIRST FULL LENGTH FEATURE PRODUCTION

SNOW WHITE

AND THE SEVEN DWARFS

in the marvelous MULTIPLANE TECHNICOLOR

Distributed by RKO RADIO PICTURES, INC.

●

NOW PLAYING

Twice Daily

CARTHAY CIRCLE

LOS ANGELES

●

..THEN AROUND THE WORLD!

"Zola" Beats Strong Coast Competition

LOS ANGELES, Dec. 29.—"The Life of Emile Zola" stood up in its second week under some terrific competition. At the Warner Hollywood it went $3,000 over normal on a take of $17,000 and at the Downtown it was $7,500 up on a take of $19,500.

"Snow White and the Seven Dwarfs" took $19,300 in its first seven days at the Carthay Circle. This was $2,300 above average.

"Rosalie," on a dual with "Thank You, Mr. Moto," turned in a fine $14,057 at the Chinese. This was up by $2,057, and the same bill at Loew's State pulled $17,431, over par by $3,431. The only other attraction to hold up in the face of this battery of strong pictures was "Peter I," a Russian import.

Total first run business was $121,559. Average is $110,450.

Estimated takings for the week ending Dec. 29:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days. **Gross:** $19,300. (Average, $17,000)
"ROSALIE" (M-G-M)
"THANK YOU, MR. MOTO" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $14,057. (Average, $12,500)
"PETER I" (Amkino)
ESQUIRE—(900), 40c-75c, 7days. **Gross:** $2,200. (Average, $2,500)
"DINNER AT THE RITZ" (20th-Fox)
"THE RIVER" (U. S. Dep't of Commerce)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $2,871. (Average, $3,250)
"PETER I" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** $2,700. (Average, $1,200)
"HITTING A NEW HIGH" (RKO)
"THE WESTLAND CASE" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)
"ROSALIE" (M-G-M)
"THANK YOU, MR. MOTO" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $17,431. (Average, $14,000)
"HITTING A NEW HIGH" (RKO)
"THE WESTLAND CASE" (Univ.)
PANTAGES—(3,595), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)
"TRUE CONFESSION" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days, 2nd week. Stage: F. & M. Revue, "Story Book Review." **Gross:** $15,500. (Average, $18,000)
"THE LIFE OF EMILE ZOLA" (W. B.)
WARNER BROS. (HOLYWOOD)—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $17,000. (Average, $14,000)
"THE LIFE OF EMILE ZOLA" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days, 2nd week. **Gross:** $19,500. (Average, $12,000)

Schine Circuit Gets 2 Theatres in Ohio

COLUMBUS, Dec. 29.—The Schine circuit has taken over the Kent at Kent, O., on lease and the Ravenna at Ravenna, O. John Paliff will continue as house manager of the Kent, under the supervision of Milton Schosberg, Schine district manager. George Laby will manage the Ravenna. The circuit will modernize the two houses.

The Linda at Shawnee, O., formerly operated by C. E. Davis, has been taken over by Elias Hatem, who will continue operation of the house. The Princess, only dark theatre in Youngstown, has been reopened, with a continuous run, combination vaudeville and films poilcy. Lee Cannon is continuing as manager. George Manos of the Manos Amusement Co., has acquired the American at Leetonia, O., from Sam Reichbloom.

"Hurricane" Detroit Top; Gets $11,000

DETROIT, Dec. 29.—"The Hurricane" was one of two run attractions to demonstrate any strength in the pre-holiday week. It grossed $11,000, over par by $1,000, at the Madison.

The other was "True Confession" at the Michigan. Helped by an Albertina Rasch troupe on the stage, the feature went $1,500 over normal on a gross of $21,500. "Rosalie" managed to get $500 over the line on a take of $10,500, but business elsewhere failed to stir any enthusiasm.

Total first run business was $72,800. Average is $75,000.

Estimated takings for the week ending Dec. 23:

"TRAPPED BY G-MEN" (Col.)
"45 FATHERS" (20th-Fox)
ADAMS—(1,700), 15c-50c, 7 days. **Gross:** $4,800. (Average, $5,000)
"I'LL TAKE ROMANCE" (Col.)
FOX—(5,100), 15c-75c, 7 days. Stage: Count Basie band. **Gross:** $20,000. (Average, $20,000)
"THE HURRICANE" (U. A.)
MADISON—(2,000), 15c-75c, 7 days. **Gross:** $11,000. (Average, $10,000)
"TRUE CONFESSION" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Albertina Rasch and troupe. **Gross:** $21,500. (Average, $20,000)
"ROSALIE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days. **Gross:** $10,500. (Average, $10,000)
"THE LAST GANGSTER" (M-G-M)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $5,000. (Average, $10,000)

Warner Sears Drive On Sales Under Way

Warners have begun the annual Sears sales drive, named in honor of Gradwell L. Sears, general sales manager. The drive will run for 16 weeks, through April 16. The company has a list of important product lined up for the campaign, including "Tovarich," "Jezebel," "Hollywood Hotel," "Swing Your Lady," "Gold Is Where You Find It," "Food for Scandal," "A Slight Case of Murder," "The Kid Comes Back," "The Invisible Menace," "Penrod and His Twin Brother" and "Over the Wall."

Last year's drive, also named for Sears, was said to have been the most successful in the company's history.

Brandt's Expansion Plans Are Abandoned

Expansion plans by the Brandt circuit have been abandoned until the stock market recovers, it was stated yesterday by an executive of the circuit. Negotiations had been in progress to take over two local independent circuits, but these deals have been put off until the market picks up.

The Brandt circuit today is interested in 92 theatres in Greater New York and has four on 42nd St., the Selwyn, Apollo, Times Square and Liberty.

Lew Pollack Signed

HOLLYWOOD, Dec. 29.—Lew Pollack, song writer, has signed a new contract with 20th Century-Fox. He has been assigned to write the score for "Kentucky Moonshine," a Ritz Brothers picture.

Benas Quits R-W to Take Skouras Post

(*Continued from page* 1)

for Paramount. Brooks will join the independent circuit on Jan. 10. Prior to his promotion as salesman, Brooks was advertising sales manager and New Jersey booker at the local Paramount exchange.

In the new lineup of Skouras operation under George Skouras, White will be top man with Benas and Jack Harris as his assistants. Harris recently was elevated from district manager in Long Island to the home office job. The Skouras string of theatres comprise 63 in New York and Ne Jersey.

Negotiations with Benas have been under way for some time and were consummated early this week.

Leon Rosenblatt will handle the buying for his circuit.

Expect RKO Stock Buy Deal Tomorrow

(*Continued from page* 1)

today with the return of David Sarnoff, RCA president, from Cleveland. Indications are that one-sixth of RCA's holdings will be acquired for $1,000,000 and the option on the remainder will be extended for another year. However, if no agreement is reached by the time of the expiration, it is likely that a part of the expiring option will be exercised and negotiations will be begun later on a new option covering the purchase of the balance of the securities.

Grant Made Talent, Story Head for "U"

Marshall Grant, formerly associated with the RKO studio, has been named head of Universal's talent and story department, succeeding Charles Beahan, whose contract has been settled, it was stated at Universal yesterday

Grant, until recently, had been an assistant to Sam Briskin at the RKO studio and had been a title editor there. He was also associated with Edward Small as story editor and production assistant and with the Theatre Guild, the company's announcement stated.

Fronkiss May Become Monogram Treasurer

Leon Fronkiss is reported joining Monogram as treasurer Jan. 3. Louis Lifton, publicity and advertising head for the company, yesterday said he knew nothing of the report.

Meuer Cohen Is Dead

DALLAS, Dec. 29.—Meyer Cohen, veteran film man, who for the past few months has been connected with the local exploitation staff of RKO, died yesterday. He was 65 years old. Cohen started in the film business in the states rights field and in 1908 handled territorial rights for a number of features. He was Pacific coast representative for George Kleine and the General Film Co. Later he became Los Angeles branch manager for Louis J. Selznick and Select Pictures During the war he directed publicity for the Pacific Coast Division of War Films, under George Creel. He joined the local RKO office last summer.

British Film Industry Had Critical Year

(*Continued from page* 1)

slump which struck the industry was largely a production situation. Early in the year, Gaumont British closed its studios suddenly, disbanded the distribution forces and concluded a deal whereby C. M. Woolf's General Distributors took over the G. B. distribution, supplying needed financing. The effect of that move was immediate. Money which before had poured from the financial interests without question suddenly ceased to flow, as backers took stock, and found their investments less than successful in many cases. From that moment, the production slump set in.

Exhibition Strong

Theatre business, however, thanks to the sustained strength of foreign product, chiefly American, was excellent, an example being the 18 per cent dividend paid by Associated British Pictures, the John Maxwell company. Money has not been lacking for theatre expansion. Oscar Deutsch merged his holdings with County Cinemas and emerged with 300 theatres. Union Cinemas and Maxwell's A.B.P. also merged, making Maxwell the leading theatre operator in Europe, controlling 500 houses.

Financial complications also are held responsible for the collapse of the deal whereby Alexander Korda and Samuel Goldwyn were to acquire control of United Artists.

The most vital current factor, which is still not concluded, is the pending Films Act, to replace the legislation which will expire in 1938. Quota percentages, particularly as they conconcern the American interests, are of paramount importance, and following long and inconclusive sessions of the House of Commons Films Act Committee, the matter has been set over until Commons reconvenes in February. Quota pictures unquestionably will cost more, and distributors will have to spend more on them.

American Production Featured

A recent and important development is the move on the part of large American companies like M-G-M, 20th Century-Fox and Warners to develop English production as never before. As for the native production industry, there were 130 films made here in 1937, but it is extremely doubtful that that figure will be approached in 1938. Important in the quota discussions is the likelihood that the reciprocal trade treaty under discussion between the Government of England and that of the United States will have a pronounced effect eventually on film legislation.

Such men as Charles P. Metcalfe, president of the Cinematograph Exhibitors' Ass'n, believe that the prospects are bright, especially for American product in England, in view of the fact that the employment situation is excellent, and likely to remain so. The same view was expressed by J. C. Graham, managing director for Paramount in England, and Francis L. Harley, English manager for 20th Century-Fox.

All Broadway Houses Doing SRO Business

(Continued from page 1)

problem for policemen. Theatregoers were all over the sidewalk and street, making it virtually impossible at times for pedestrians to move along.

"Navy Blue and Gold" found early lines at the Capitol, which increased during the day. The lobbies, inside and out, were crowded at all hours with the ushers doing the best they could to hold patrons in check.

At the Astor, "The Hurricane" did a sellout business for both matinee and evening shows with numerous standees admitted. The matinee take was $1,057.

Starting tomorrow at 9 A. M., the Criterion will keep open for 43 consecutive hours. The picture will be "Manhattan Merry-Go-Round." This theatre as well as Loew's Mayfair, the Rialto and the Rivoli also garnered top business during the day.

Paramount yesterday reported that "Wells Fargo" was running 20 and 48 per cent ahead of average business in 10 key spots. In the first four days, the Paramount, Toledo; the Alabama, Birmingham; Minnesota, Minneapolis; Penn, Wilkes-Barre; Capitol, Scranton; Paramount, St. Paul; Newman, Kansas City; California, San Diego; Paramount, Des Moines, are among the theatres which have been tallying grosses far above normal takes with each indicating new records may be set before the week is over.

U. A. Circuit Meets

The board of directors of United Artists Theatre Circuit, Inc., yesterday held a routine meeting at the company's headquarters.

Mayell Panay Films To Be Shown Today

(Continued from page 1)

last night for delivery to Movietone News and News of the Day. The film was cut here and will be released to theatres today as the regular midweek issue of both reels.

A Movietone News representative who escorted the films from Alameda following its arrival on the *China Clipper* was a passenger on the plane chartered by Universal to carry Norman Alley's *Panay* bombing scenes but was put off the plane at Omaha when uncertain flying conditions made it advisable to lighten the ship's load. The Movietone News escort caught the next plane out of Omaha. News of the Day shares the Mayell film because of a cooperative agreement on China coverage between the two reels.

Paramount received 4,000 feet of film showing the capture and occupation of Nanking at the same hour last night. The film will be cut to about 700 feet and released with the regular midweek issue today.

Panay Showings Protested

Concordia, a clerical society of Lutheran pastors, yesterday "disapproved" the showing of newsreels on the *Panay* incident and the accompanying newspaper publicity on the ground that they "needlessly arouse national hatred."

Norman Alley at Warwick Tells of Panay Experience

(Continued from page 1)

was begun the routine work of readying prints for delivery to theatres early today. Alley's estimate of the film he had delivered was that it would total about 6,000 feet, 2,500 of which is on the capture of Nanking and the remainder on the *Panay*. He had not seen it up to the time of his arrival, as it was in negative, but believes that 3,000 feet or more, sufficient to compose the three-reel special announced by Universal, are of highly dramatic content and in perfect photographic condition.

Has Two Slight Wounds

Over a Scotch-and-soda in the Pine Room of the Warwick, Alley recounted the story of his journey home to reporters. He was wounded in the right leg and left hand during the bombing of the *Panay* and, after the evacuation of the sinking patrol boat, was forced to hide his films and self in the reeds of the river bank to escape Japanese army patrols, he said. From this vantage point he was able to film the disputed machine-gunning of the doomed *Panay* from the river and of the ship itself as it settled beneath the Yangtze waters.

After wandering along the river for three days with other survivors, Alley was picked up by the *Oahu* on Dec. 15; taken under convoy to the protection of the U. S. flagship *Augusta* at Shanghai, from whence he was transferred to the cruiser *Stewart* and taken to Manila. He remained under the protection of the Navy throughout his trans-Pacific flight on the *China Clipper* from that point to Alameda. A chartered plane met him there and after being grounded Tuesday night at Cheyenne, eventually deposited him at Newark Airport after stops en route at Omaha, Chicago and Cleveland.

Homeward Journey Uneventful

Although Universal had insured the film against "inexplicable disappearance" under any circumstances in the amount of $350,000—a clue to its estimated net value to the company—and although Alley and the film were under constant guard throughout the long journey, no significant "incident" occurred after the departure from Shanghai, the cameraman said. However, while aboard the *Augusta* before departing for Manila, Alley said he believed it noteworthy that the Japanese official spokesman at Shanghai, an acquaintance of his from earlier press conferences there, turned to him after paying his respects to the *Panay* victims aboard the flagship, and inquired of the cameraman whether he would be coming ashore.

Alley related also that when the *Stewart* was approximately 500 miles out of Shanghai, off Formosa, Japanese observation planes circled the ship several times.

Pressed for his own opinion of the *Panay* incident, Alley declared that while he was convinced that the attack was deliberate on the part of young and irresponsible Japanese officers, he was equally certain that it was made without the knowledge of the Japanese high command and was without a military motive.

"Presumably," Alley said, "those who participated in the attack did so on their own initiative and probably for no other reason than to clear the river of foreigners by way of celebrating the capture of Nanking."

He said that his pictures would bear out the assertion that the attack was deliberate, that the identity of the *Panay* and the Standard Oil ships could not have been mistaken, that a Japanese boarding party was on the *Panay* in advance of the bombing and that the ship was machine gunned afterwards and its survivors exposed to the fire. Alley praised the calmness of the ship's officers and crews and his fellow passengers during the attack.

With Mrs. Alley, his daughters Norene, 17; Janet, 15, and son, Dexter, 21, he posed for news photographers, holding one of the *Panay's* life preservers which had been autographed by surviving passengers, one of whom, however, died later of wounds. He plans to leave for Washington tomorrow to confer with Navy Dep't officials and will leave for Hollywood with his family thereafter. His plans for returning to China are indefinite at the moment.

Will Do Narration

From the press conference he went to the recording laboratory of General Service Studio at Astoria to do the narration for the film. It was first previewed there in preliminary form after midnight. Prints had been sent on in advance from the studio to catch midnight sailings for Europe South America and Australia, and one of the first prints to be struck was started for Washington and the State Dep't at once.

Alley was accompanied from the coast by Inspector Andrew Ford of the California State Police and Inspector Elmer Steinmeyer. The latter, however, weighing 240 pounds, together with John McGrath of Universal's Los Angeles office, were dropped at Omaha when hazardous flying weather made a lighter load advisable. David Lipton, Universal publicity manager; John McHenry of Universal Newsreel's San Francisco office, and Anita Jenkins, a friend of the Alleys, completed the journey with the cameraman and his family.

Seeks Game Stay in Fla.

LAKELAND, Fla., Dec. 29.—"Bank Nite" as operated by the Lake here was attacked today by counsel for Harvey Parrish, who asked the Circuit Court in Bartow for an injunction to prevent the holding of this and other drawings. The drawings are lotteries and nuisances, Parrish contends. R. H. Boardman, manager for the theatre, denied that the drawings constitute lotteries. A decision is expected later in the week from Judge H. C. Petteway.

Basson Reelected by 306

Joseph Basson last night was reelected president of Local 306 for a two-year term. Other officers elected were: Frank Ruddock, vice-president; Arthur Beckman, financial secretary; "Pinkie" Hurst, treasurer, and Walter Burns and Charles Kielburn, business managers.

Cummings Repeats Probe Suggestions

By BERTRAM F. LINZ

WASHINGTON, Dec. 29.—Recommendations for a Congressional investigation of all phases of monopoly precedent to the enactment of new anti-trust legislation were renewed today by Attorney General Homer Cummings.

Explaining that he did not contemplate submitting any reports on the situation without request, Cummings said he was ready to appear before Congressional committees to tell what he thought should be studied, and that the subjects he would recommend would include Federal licensing of interstate corporations, taxation, tariffs, patent controls and other pertinent matters.

Allied Board Meet Will Be Jan. 18-19

WASHINGTON, Dec. 29.—Allied's board of directors will hold their annual meeting here Jan. 18 and 19 at the Carlton Hotel for the election of officers and discussion of a national policy for 1938.

Tentative programs of subjects to come up are to be mailed out a week before the meeting. In the meantime state leaders are sending in suggestions.

Among those who have indicated they will attend are: New England—Nathan Yamins and Dr. J. B. Fishman; New Jersey—Irving Dollinger and Sidney E. Samuelson; Maryland—Herman Blum and Arthur B. Price; District of Columbia—C. H. Olive; Western Pennsylvania—M. A. Rosenberg and Fred J. Herrington; Ohio—Martin G. Smith and P. J. Wood; Indiana—Maurice Rubin and I. R. Holycross; Wisconsin—Ray Tesch; Northwest—W. A. Steffes; Texas—H. A. Cole.

The location of the national convention will be discussed and probably decided at this meeting. Invitations have been received from Atlantic City and Indianapolis.

To Elect Lind Successor

COLUMBUS, Dec. 29.—Directors of the Ohio I.T.O. will meet during January to select a successor to Sam E. Lind, Zanesville, who was reelected first vice-president of the organization at the annual convention early this month.

Lind died suddenly of a heart attack at New Orleans several days ago.

ITOA Defers Action On Games, Giveaways

Action on giveaways yesterday was deferred by the I. T. O. A. until a successor to Nate J. Blumberg has been appointed at RKO, it was stated by a spokesman after a meeting of the exhibitor organization at the Astor. Members of the independent unit are desirous to negotiate with Blumberg's successor in an effort to do away with games and giveaways, but in the event nothing is done members of the I. T. O. A. promise to band together for a mass award.

High film costs were criticized. No action was taken. Another meeting is expected to be held in about two weeks.

The Winnah and New Champion





The BEST of the WESTS!

Paramount Pictures

Think Edmund Lowe is kidding — Flip the page . . .

WEST COAST critics say—

It's the BEST of the WESTS!



"Mae West's best picture to date."
—Louella O. Parsons, Motion Picture Editor International News Service

"The best Miss West has made."
—United Press

"One of the star's best."*—Los Angeles Examiner*

"Surpasses anything Mae has yet accomplished." *—Los Angeles Times*

"Mae West applauded in 'Every Day's A Holiday.' Preview hit recorded by new picture. Decided improvement over last two pictures. Ranks next to 'She Done Him Wrong'."
—James F. Crow, Hollywood Citizen-News

Paramount Pictures

MAE WEST in "**Every Day's A Holiday**" with **EDMUND LOWE** • **CHARLES BUTTERWORTH**
CHARLES WINNINGER • **WALTER CATLETT** • **LLOYD NOLAN** • **HERMAN BING** • **CHESTER CONKLIN** and **LOUIS ARMSTRONG**
Screen Play by Mae West • An Emanuel Cohen Production • Directed by A. Edward Sutherland • A Paramount Picture

The Radio Year in Headlines

January

Jan. 4.—M-G-M objects to film stars on air during good theatre hours.
Jan. 5.—Londoners see first theatre television.
Jan. 6.—Station total of 656 is near 1928 figures.
Jan. 11.—Plan cancellation of sponsor time at a heavy cost to broadcast President Roosevelt's inaugural.
Jan. 13.—Henry Ford expresses objection to chain break announcements.
Jan. 15.—Move made for Washington probe of alleged radio monopoly.
Jan. 16.—Radio revenue for November totaled $11,419,143.
Jan. 17.—Radio seen in complete hold of Hollywood as a talent source.
Jan. 22.—Radio penetration in the film industry is expected to extend still further.
Jan. 25.—Clear Christie studio site for new CBS studio.
Jan. 26.—Figures show Lord & Thomas biggest spender for NBC time.
Jan. 27.—Twenty advertising agencies spent $42,497,970 for radio time with NBC and CBS.
Jan. 28.—Midwest floods cause heavy losses to many stations.
Jan. 30.—Paramount studies three broadcasting offers.

February

Feb. 1.—Canadians act to halt Mexican use of conflicting waves.
Feb. 4.—Mutual first year net $2,000,000. Relax radio censorship to aid social disease curb.
Feb. 6.—British to use Marconi-EMI television method.
Feb. 10.—F.C.C. studies flood emergency measures.
Feb. 11.—CBS January sales totaled $2,360,730.
Feb. 12.—Philco shows its 441-line television.
Feb. 15.—NBC January time is 10-year top.
Feb. 16.—Paramount and NBC sign for a weekly program.
Feb. 20.—Seek amendment of the Copyright Act to place responsibility on the person originating the performance.
Feb. 23.—F.T.C. moves against television schools.
Feb. 24.—Checkup in Canada shows that radios there exceed 1,000,000.
Feb. 25.—Toscanini engaged to direct 10 concerts for RCA.
Feb. 27.—Will Hays denies conflict between radio and films.

March

March 1.—U. S. family radio hours are put at 95,500,000 daily.
March 3.—A new national network is reported in formation, with Richard C. Patterson and Dr. Stanley High behind it.
March 4.—NBC adds 30 stations since Jan. 1, recapitulation shows.
March 5.—Mrs. Franklin D. Roosevelt signed for 13-week series.
March 8.—CBS concentrating further on Hollywood as source of programs. Three networks bill $5,562,187 in February, NBC leading.
March 9.—Ten stations in southwest join Mutual network. WFIL undertakes listener study in Philadelphia.
March 10.—Radio controls most of music talent, House Immigration Committee is told.
March 12.—Newspapers control 200 stations throughout country, F.C.C. report indicates. Monopoly of air is charged to utilities before House Rules Committee. January air ads total $10,369,556.
March 13.—CBS gross time sales for 1936 total $27,800,000.
March 16.—Networks answer charges they are biased in favor of President Roosevelt's plan to change Supreme Court.
March 19.—Senator Key Pittman plans to seek inquiry of the allegedly excessive profits of broadcasting stations.
March 22.—Best radio programs on air during most profitable theatre hours, survey shows. Jack Benny takes Milwaukee air poll.
March 23.—United Press leads news agencies in supplying material to radio stations, listing 150 of most powerful. Women's National Radio Committee to award prizes to six most popular programs.
March 24.—Renew request for air probe by Congress.
March 27.—Time changes planned for eight NBC programs.
March 31.—Canadian Broadcasting Corp. plans reorganization of Dominion network. Radio exports total $2,584,207 in January.

April

April 1.—William S. Paley gratified as CBS wins four of six awards presented by the Women's National Radio Committee.
April 2.—CBS has plan on world's largest television unit.
April 6.—Cost of television causing financial crisis in British Broadcasting Corp.
April 7.—RCA will manufacture new television transmitter for CBS, David Sarnoff tells stockholders.
April 9.—M.P.T.O.A. committee named to consider plans for control of film personalities on the air.
April 10.—M.P.T.O.A. radio committee will meet on April 20.
April 13.—Radio speeds invasion of Hollywood.
April 14.—Special tax on broadcasting stations recommended by Commissioner George H. Payne of the F.C.C. Warners find air previews aid theatre business in Philadelphia.
April 17.—NBC plans air salute to ANPA convention in New York.
April 19.—Tobacco firms are greatest users of air, report indicates. Sports programs lined up on 21 scattered stations.
April 22.—NBC to expand and improve six of its plants in key cities. Paramount air show fades unexpectedly.
April 23.—Outlook for radio probe in Washington is seen diminishing.
April 26.—CBS service medal to go to WHAS, Louisville, for floodwork.
April 28.—Staff of NBC to operate on five-day week.
April 29.—WOR stand on commercial announcements causes it to bar program.
April 30.—General radio-film meeting sought by M.P.T.O.A. committee.

May

May 1.—Equity plans drive to get radio talent.
May 3.—Over 1,000 expected to attend radio engineers' convention.
May 5.—Coronation television to be medium's most ambitious effort.
May 6.—M.P.T.O.A. seeks conference on radio problem. CBS discloses 24,500,000 families own radios. Oil firms will air 400 baseball games.
May 7.—CBS to open daily service to continent. Television not a problem to theatres, Lohr states. CBS signs to broadcast all tennis games.
May 8.—Lohr denies San Francisco office to be moved. Radio flashes news of *Hindenburg* disaster inside 12 minutes.
May 10.—Yankee network asks television station. Arde Bulova buys WLWL from Paulists.
May 11.—Dick Merrill goes on air soon after arrival. China to hear NBC's American broadcasts. Iowa air libel bill signed by governor.
May 12.—French bar airing of Duke of Windsor's moves. Networks to begin broadcast of Coronation at 5 A. M. Move to start big Canadian transmitter.
May 13.—Mexican stations stir coast worry. Radio does itself proud in broadcasting of Coronation.
May 14.—Mutual upset as NBC signs Merrill trip. Mackay protests F.C.C. decision on circuit.
May 15.—NBC centers coast heads at Hollywood. CBS completes plans for new coast plant.
May 17.—WOR gets part of Merrill's air talk. United of Ohio will join Mutual.
May 18.—Equity claims over half radio talent. Eddie Cantor signed until 1943 for air series.
May 19.—Report M-G-M plans weekly radio show.
May 21.—Two attorneys are accused by F.C.C. Television start far off, says Sarnoff.
May 25.—NBC coast quarters shift is still anybody's guess. C.I.O. picketing WIP Philadelphia plant.
May 26.—RCA intervenes in suits over records. Two Don Lee serials replaced on Mutual.
May 28.—CBS will put Shakespeare plays on air.

June

June 1.—Hollywood gaining as program source.
June 3.—M.P.T.O.A. radio moves await studio action.
June 4.—P. & G. signs renewals on nine series.
June 10.—CBS five-month day sales go up by 83.8 per cent.
June 14.—WMCA agrees to inaugurate 40-hour week.
June 16.—Radio given $39,844,751 by 394 national accounts. NBC plans Shakespeare series in wake of CBS.
June 17.—Radio control held hopeless by Kuykendall.
June 18.—Government station aim of Celler bill. Screen Actors' Guild may oppose "guests" on radio without payment.
June 21.—N.A.B. meeting starts today; labor seen as highlight.
June 22.—Copyright big air problem, NAB feels.
June 23.—Elmer chosen as president of the NAB. CBS accused of anti-union actions here.
June 24.—Programs need change, Pryor tells the N.A.B.
June 25.—Mutual now guarantees time on all stations to sponsors.
June 29.—Report 10 stations to be added to NBC-Blue chain in south.
June 30.—Announcers' Guild to take in others.

July

July 1.—Lenox R. Lohr confirms the report of the addition of 10 new NBC outlets in the south.
July 2.—Public Utilities Advertising Ass'n makes two awards to NBC for best 1937 broadcasts.
July 7.—NBC-CBS "exclusives" get less so as heat increases. CBS pays W. S. Paley $237,524 in year.
July 8.—No Congressional radio inquiry is expected at this session.
July 12.—Canada sends four stations to Arctic. Mutual billings for June reach $99,136.
July 13.—Don Lee stations ask amateurs to help television study. NBC weekday sales up 57.2 per cent for June.
July 14.—Drugs and toiletries top NBC sales for first six months of year. Foods lead with CBS. Lanny Ross signed for Packard series.
July 15.—Two new offices for Transradio started. Bamberger to sell programs to others.
July 16.—Total radio advertising in May was $11,325,165, according to National Ass'n of Broadcasters.
July 17.—Unionization of radio performers as branch of Equity predicted in short time.
July 19.—Gross time sales for the first five months of year are $54,814,519. Perfection of antennae is seen as the key to future by the National Resources Committee.
July 20.—Transradio is clearing ideas on expansion move. International short wave tests being started. Television's next problem is described as economic by the F.C.C.
July 21.—Future benefits from radio developments will depend upon how industry is controlled, states National Resources Committee report on technological trends. Coca-Cola and Vicks sign new CBS contracts. Representative McFarland of Texas demands radio industry probe and likens situation to Teapot Dome scandal.
July 22.—NBC's eastern division turns in 43.5 per cent of the network's June business. Television in theatres is aimed by Scophony in England. A tribute to Marconi is broadcast by WMCA.
July 23.—Representative Celler of New York warns that opponents of a Government short-wave station will "get their fingers burned."
July 24.—Anning S. Prall, chairman of the F.C.C., dies. Procter & Gamble signs new contract with Mutual, WOR.
July 27.—American Federation of Musicians starts fight on canned music.
July 28.—American Federation of Labor radio union will be autonomous unit like Screen Actors' Guild, it is predicted. Charles Michelson takes post with Crosley's WLW and WSAI.
July 29.—Don Lee takes over 11 stations, doubling his coast outlets. Van Cronkhite Associates, Inc., buys George Roesler's interest in RCA's foreign language radio station representative division. WCKY's transmitter is started.
July 30.—Three networks' yachting experts leave for Newport. Radio Equity adopts A.A.A.A. labor policy. Mexico forming national radio web.
July 31.—Move for probe of F.C.C. and radio industry gains weight in Congress.

August

Aug. 2.—CBS building plans are halted for a year. CBS six-month morning sales are 136 per cent above last year. Peace is believed nearer in A. F. of M. row.
Aug. 4.—WGY's Schenectady studio is started. Stuart Haydon joins Van Cronkhite Associates. Crosley six-month net is down to $219,316.
Aug. 5.—NBC buys Hollywood block as site for new studio. Canada ban on radio liquor ads to be discussed in Ottawa.
Aug. 6.—Board for newly organized American Federation of Radio Actors is tentatively chosen. Signing of Gen. Hugh S. Johnson for air series is confirmed. Mutual billings for July are $84,261.65.
Aug. 9.—Louisville & Nashville train to broadcast from Cincinnati to New Orleans. Birmingham's radio stations are shifted.
Aug. 10.—National Ass'n of Broadcasters charges the American Federation of Musicians is unfair in its demands.
Aug. 11.—Jose Iturbi's refusal to play Victor Herbert music stirs up storm. Transradio gets third 50,000-watt station.
Aug. 12.—NBC lists 11 new programs and 11 renewals. Senate Interstate Commerce Committee approves proposal for a radio probe.
Aug. 13.—NBC and CBS delay construction plans on coast because of fear of television developments.
Aug. 16.—WOR signs union contract granting higher wages. CBS commercial schedule most elaborate ever. Congressman McFarland of Texas pushes move for Congressional probe of the F.C.C.
Aug. 17.—Congressmen approve F.C.C. demand that Crosley explain uses to which 500,000-watt power has been put.
Aug. 18.—Personality shows lead amateurs in popularity rating. Dissension flares up among F.C.C. members.
Aug. 19.—T. A. M. Craven named to F.C.C. Rapid cleanup of commission predicted.
Aug. 21.—Gilbert Seldes named to direct CBS television programs.
Aug. 23.—Broadcast ads in six months total $65,426,432, according to the National Ass'n of Broadcasters.
Aug. 25.—Joseph Weber, president of the A. F. of M., demands raises for musicians totalling $5,500,000.
Aug. 26.—T. A. M. Craven sworn in as a member of the F.C.C. Transradio's recorded news to start soon.
Aug. 27.—Congress members to resume broadcasting. National Ass'n of Broadcasters calls New York meeting for Sept. 10 to discuss musicians' demands.
Aug. 28.—C.I.O. is reported to be ready to start drive in radio field following A.R.T.A. victory at WHN. Crosley to rebuild WLW-WSAI stations.
Aug. 31.—Stay halts any but NBC fiight programs. Music Corp. to test new radio programs.

September

Sept. 1.—Cliff Soubier-NBC pact binding, court holds in L. A.
Sept. 3.—Foodstuffs lead radio time buyers for first half of year.
Sept. 4.—NBC asks F.C.C. license for television station.
Sept. 10.—Expect CBS six-month net $2,600,000. General Foods signs with M-G-M for weekly air show emanating from studios on coast.
Sept. 11.—Broadcasters fail to agree on music plan.
Sept. 13.—CBS summer daytime use up 257 per cent.
Sept. 16.—F.C.C. approves permits for three new stations. Radio-music negotiators fail to sign. CBS shows motor time buys gained 320.9 per cent in three months.
Sept. 17.—$2,523,813 net for CBS in six months. I.R.N.A. moves for standard A.F.M. pact.
Sept. 18.—A.F.M. defers talk pending I.R.N.A. deals.
Sept. 20.—Decks cleared for new deal involving F.C.C.
Sept. 21.—Set new rules for Canadian broadcasting.

(*Continued on following page*)

Radio Headlines

(Continued from page 15)

Sept. 22.—I.R.N.A. and A.F.M. groups meet with no agreement reached.
Sept. 23.—Agreement reached on musicians' pact here. Pick NBC web to air M-G-M ether shows.
Sept. 24.—NBC to try new pickups by television. CBS realigns handling for coast talent. Most M-G-M talent to be available for air series. WMCA moving to new Broadway spot.
Sept. 27.—Radio treaty for Mexican bands sought. Announcers' Guild to meet soon in New York.
Sept. 28.—A.F.M. and web executives negotiating musicians' pact. Paramount reported studying new air program.
Sept. 30.—Utilize radio to boost box-office in Michigan.

October

Oct. 4.—F.C.C. suggests control of air rates by U. S. Three webs to air series regardless of schedules. A.R.T.A. deals closed with two stations. CBS sales up 11.1 per cent to new high of $2,045,825.
Oct. 5.—M.P.P.A. urges extended ban on song plugs.
Oct. 12.—Pennsylvania high court upholds Fred Waring on music air casts. Musicians pay ratified anew by the I.N.R.A.
Oct. 13.—Departmentalization voted by N.A.B.; dues boosted 50 per cent.
Oct. 14.—N.A.B. reconsiders its move on departmentalization plan.
Oct. 15.—RCA television on three by four foot screen uses technique.
Oct. 18.—N.A.B. opposes A.F.M. on licensings.
Oct. 19.—I.R.N.A., A.F.M. deadlocked on strike issue. Canada ad time on air raised to 10 per cent.
Oct. 20.—New use seen for high frequencies.
Oct. 22.—I.R.N.A. and A.F.M. finally reach a settlement.
Oct. 23.—Report George H. Payne plans appeal from disbarment by F.C.C.
Oct. 30.—RKO drops plans for studio radio show.

November

Nov. 1.—F.C.C. study shows radio nearly free of "false" advertising. NBC acquires property for coast studio.
Nov. 4.—CBS reports 39-week net of $3,053,416. Election of Albanes due at Cuba meeting. Warners to stop supply of scripts to small stations.
Nov. 5.—M-G-M's first studio broadcast reviewed.
Nov. 6.—RCA nine-month net is $6,599,111.
Nov. 9.—Telegraphers' union protests to Toscanini on NBC layoffs. New Canadian radio policy irks dailies. San Francisco will continue as key origin spot for NBC.
Nov. 11.—Television permit is granted to NBC.
Nov. 12.—Warners to start studio broadcasts Dec. 1. Politics out of F.C.C., new chairman says. F.C.C. approves building of two stations.
Nov. 13.—Sponsors rush to beat WOR rate increase.
Nov. 16.—Canada papers eliminate radio publicity.
Nov. 19.—Survey shows preponderance of film names on air.
Nov. 20.—Stations get instructions on A.F.M. deals.
Nov. 22.—Canada restricts Sunday ads, religious talks.
Nov. 24.—Television transmission on coaxial cable demonstrated.
Nov. 26.—Federal investigation of broadcasting postponed to January.
Nov. 27.—NBC elects three new officers. Broadcasting results in $891,000,000 public buying.
Nov. 30.—Hollywood sees "gossip" programs being regulated.

December

Dec. 1.—H. M. Warner, Darryl Zanuck in verbal clash over regulation of Hollywood air "gossip."
Dec. 2.—Radio stock transactions revealed by S.E.C.
Dec. 3.—Radio is aid to films, CBS official tells picture gathering. Screen Actors' Guild joins move to curb Hollywood "gossip" on air.
Dec. 9.—NBC plans test of mobile television.
Dec. 13.—Canada starts 50,000-watt CBF at Montreal.
Dec. 14.—Majority of stations seen signing new A.F.M. contract. Martin Quigley warns radio on use of objectionable programs after Mae West broadcast.
Dec. 15.—CBS signs contract with technicians' union.
Dec. 16.—Film stars and material cannot be kept off air, Walter Vincent, chairman of exhibitors' radio committee states.
Dec. 17.—Protests against Mae West broadcast increase with Legion of Decency turning attention to radio for first time. CBS extends William Paley's contract to end of 1940.
Dec. 18.—Criticism of Mae West's broadcast seen injuring standing of Frank R. McNinch, chairman of F.C.C.
Dec. 20.—Edgar Bergen's "Charlie McCarthy" takes top honors in MOTION PICTURE DAILY's second annual radio popularity poll of more than 400 radio editors.
Dec. 21.—F.C.C. asks details of Mae West broadcast in letter to NBC.
Dec. 22.—CBS reports business total of $28,828,000 for year, highest of any network for second consecutive time.
Dec. 24.—A. F. of M. extends period for signing pacts with its locals to Jan. 3.
Dec. 27.—Washington sentiment against newspaper ownership of radio stations seen increasing. NBC to add 17 new accounts in January.
Dec. 28.—Lenox R. Lohr summarizes radio's trends during 1937.
Dec. 29.—Radio carries Will H. Hays's story of the film industry to nation.

Expenditures for Air Time Hit New Peak During 1937

(Continued from page 1)

at the industry by the A. F. of M. and other labor bodies; the thinning of the cord holding the sword of a threatened Federal probe; and the demand for a censorship of radio crystalized recently by the unfortunate Mae West broadcast. But all in all, the broadcasters will look back with satisfaction to the year 1937, a study of the year's radio news headlines, appearing in this issue, indicates.

Earnings statement of CBS and NBC were greater than for any other period in radio's history. Mutual's billings declined slightly. CBS, in 1937, billed $28,828,000, an increase of 24.4 per cent over 1936, NBC's 1937 billings, with the December total still uncounted, is $35,012,200 with indications that the complete billings for the year will approximate $39,000,000. This compares to the 1936 figures of $34,523,950.

Boom Country-Wide

According to estimates received throughout the country from owners of independent stations, 1937 was the best year in history, and the indications are that they will get even more attention from advertisers in 1938. The transcription companies too enjoyed an excellent year.

NBC added 41 stations to its networks, bringing the total to 143 outlets, and new studios were built or begun in many major cities, with ground to be broken soon at Hollywood for a new plant. Columbia added 21 new stations this year, giving the chain 108 stations, and a new $2,000,000 studio in Hollywood is nearing completion. The year saw Mutual's expansion from a network of 46 stations to one of 76 stations, with billings slightly off. Last year's total was $1,987,572. This year the total is $1,899,000, with the December total estimated.

Great strides were made in television during the year. NBC gave more than 60 demonstrations during the year; Mutual's coast affiliate, Don Lee, has begun daily television service; CBS is now constructing the world's largest television unit. Technically, television improved greatly in the past 12 months, especially in foreign countries.

Hollywood continued to gain as a program source, with the major programs on all three networks emanating from the coast. Paramount attempted a studio program, but abandoned it after a short experiment, but M-G-M and Warners completed tieups with commercial sponsors and are currently broadcasting weekly programs.

The A. F. of M. early this year demanded that radio spend an additional $1,500,000 a year for musicians; the ultimatum resulted in the calling of a special N.A.B. session in June. At the close of this year the situation is almost settled, with the Federation's demands agreed to by the industry. John Elmer again was elected president of the A. F. of M. during the stormy special meeting, with a reorganization of the association planned at the next N.A.B. general session.

Congress a Threat

The industry was uneasy throughout the year as various members of Congress demanded an investigation of radio, most charging monopoly and the threat is undiminished as the year draws to a close.

Various labor organizations, including Equity, A.R.T.A., A.F.M., A.G.R.A.P. and other company unions made deep inroads into radio, with announcers, engineers, sound effects men, production men and talent, now organized and recognized nationally and sectionally.

Death took Anning S. Prall, chairman of the F. C. C., and Frank R. McNinch was named the new chairman. T. A. M. Craven was selected as a member of the commission.

Color Television Is Success, Says Baird

LONDON, Dec. 29.—John L. Baird declared today at the annual meeting of Television, Inc., that experiments conducted during the past year in transmitting large screen television images by wireless and in color were successful.

This was the first time color transmission had been achieved, Baird said. While it still requires much development he is convinced, he said, that color television eventually would supersede the black and white pictures of the present day.

Beck Federal Vice-President

Joseph F. Beck, for the past seven years a member of the media department of the Federal Advertising Agency, has been elected a vice-president. Other additions to the agency's staff include James F. O'Brien, formerly vice-president, named senior vice-president, and Jules B. Singer, account executive, named a vice-president.

Sister of Damrosch Dies

Mrs. Marie Damrosch Weichmann, 73, sister of Walter Damrosch, died yesterday at her home. Besides Dr. Damrosch, she is survived by a daughter, son and two sisters.

Radio Personals

EARLE HARPER, WNEW sports announcer, will leave for his annual winter vacation, tomorrow, going to Florida . . . Jane Froman will appear on the Al Pearce show Jan. 4 . . . Fred MacMurray and Walter Connolly have been signed to appear with Claudette Colbert in the Lux "Radio Theatre" production of "Alice Adams," Jan. 3 . . . Benny Goodman has been offered $100,000 for an exclusive three-year binder by Brunswick Recording Co. . . . Franchot Tone will fill in some of his vacation time here by appearing on the Kate Smith show tonight.

✚

Kenneth M. Donaldson has joined the home office staff of the station relations department of the World Broadcasting System. . . . Blue Barron's orchestra will open at the Edison here Jan. 6, with an NBC wire. . . . Arline Blackburn, "Pretty Kitty Kelly" series star, will be featured on Sunday's "On Broadway" dramatization. . . . Connie Bennett will appear on the Kraft "Music Hall" Jan. 6.

Olson Plans Series Of Morning Shows

Olson Rug Co. will start a series of transcribed morning programs over five NBC stations next month, using NBC Thesaurus recordings. The stations to be used will be WEAF, New York; KYW, Philadelphia; KOA, Denver; WGY, Schenectady, and KDKA, Pittsburgh.

The transcribed series for WEAF is the first to be booked under the new setup permitting the use of transcribed programs on NBC's key stations in New York up to 9 A. M. The WEAF schedule is 7:45 to 8 A. M., Mondays, Wednesdays and Fridays starting Jan. 10. Presba, Fellers & Presba, Chicago, is the agency.

CBS to Salute WAPI

CBS will salute its incoming affiliate WAPI, Birmingham, Jan. 1, on which date the station joins the network. The broadcast will be divided between WABC and WAPI, where Gov. Bib Graves will speak briefly The balance of the program will be vocal and musical.

Standard to Present News

Standard Oil Co. of New Jersey will sponsor United Press news bulletins presented as "Esso News" in five-minute periods presented four times daily over KYW in Philadelphia, starting Jan. 1. Marschalk & Pratt is the agency.

Borden to Return to WEAF

The Borden Milk Co. will return to WEAF beginning Jan. 4, when it will present Gabriel Heatter in a new series over that station only, Tuesdays and Thursdays from 9 to 9:15 A.M. Batten, Barton, Durstine & Osborn is the agency.

Mutual to Take WSAI Show

Mutual will take a program from WSAI, Cincinnati, Jan. 3, from 9 to 9:30 P.M. to celebrate the station's increase in daytime wattage.

Out with the New Year

FAME

Edited By TERRY RAMSAYE

THE WORLD'S AUDIT of
PERSONALITIES by SHOWMEN

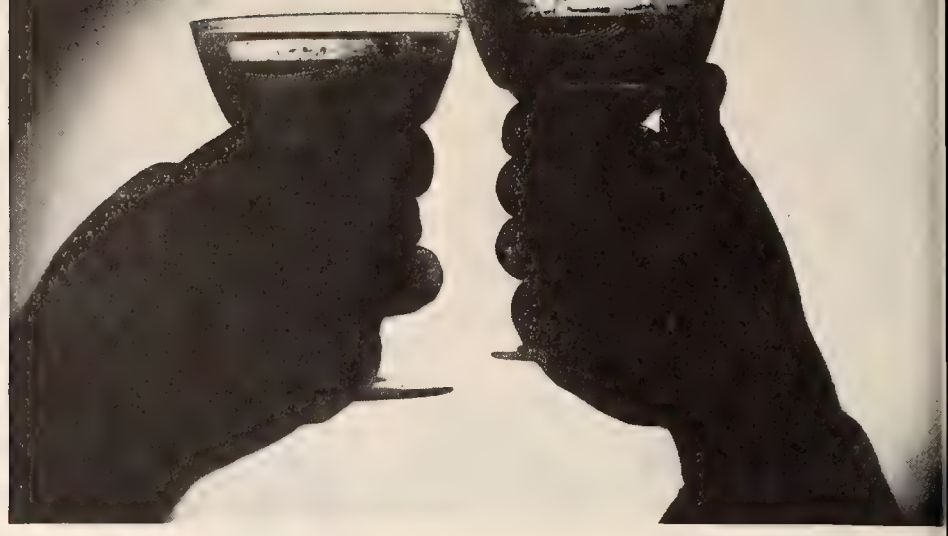
The fourth annual edition of the international reference authority on star values is now on the press. . . . ¶ The box office champions of 1937 presented with complete analysis and personnel credits. . . . ¶ The money making stars of the season evaluated and reported upon by the exhibitor showmen of the world. . . . ¶ The radio champions of 1937 as polled by the radio editors of the daily newspapers of America. . . . ¶ Fame and Radio—an analysis of the extent to which the air waves lean on Hollywood for talent.

ONE DOLLAR THE COPY

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK





"M-G-M wishes you happiness!"



1938 IS A LION!

NELSON EDDY, ELEANOR POWELL, Ray Bolger, Frank Morgan, Edna May Oliver, Reginald Owen in "ROSALIE"

•

MYRNA LOY, Franchot Tone, Rosalind Russell in "MAN-PROOF"

•

"EVERYBODY SING"
Allan Jones, Judy Garland, Fannie Brice, Billie Burke, Reginald Owen

•

JOAN CRAWFORD, SPENCER TRACY in "MANNEQUIN"

•

"LOVE IS A HEADACHE"
GLADYS GEORGE, FRANCHOT TONE, Ted Healy, Mickey Rooney

•

ROBERT TAYLOR, Maureen O'SULLIVAN, Lionel Barrymore in "A YANK AT OXFORD"

•

CONSTANCE BENNETT, Brian Aherne in "MERRILY WE LIVE"

•

"BENEFITS FORGOT"
WALTER HUSTON, JAMES STEWART, Guy Kibbee, Beulah Bondi

•

NELSON EDDY, JEANETTE MacDONALD in "GIRL OF THE GOLDEN WEST"

•

"THREE MEN IN THE SNOW"
Robert Young, Frank Morgan, Edna May Oliver, Mary Astor, Florence Rice, Reginald Owen, Henry Hull

•

CLARK GABLE, MYRNA LOY, SPENCER TRACY in "TEST PILOT"

•

and others to be announced

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 42. NO. 154 NEW YORK, FRIDAY, DECEMBER 31, 1937 TEN CENTS

Eleven M-G-M Men to Get Profit Share Under Plan

Schenck Outlines Proposed New Contracts In Letter to Stockholders; Asks for Approval at Jan. 25 Meeting

Eleven top M-G-M excutives are to receive a percentage of the company profits, instead of three, as formerly, under the terms of contracts recently approved by the board of directors of Loew's, Inc., subject to the approval of stockholders at a meeting to be held Jan. 25.

The aggregate percentage of the profits will remain the same as under the old profit-sharing plan in which Louis B. Mayer, J. Robert Rubin and the late Irving G. Thalberg were the participants.

Stockholders were informed of the proposed arrangement in letters sent out last night by Nicholas M. Schenck, president. A financial statement of the company covering the fiscal year ending Aug. 31 accompanied the letter.

This statement showed that earnings for the fiscal year have increased to $8.62 per share on the outstanding common, a net of $14,426,062 after all charges, including Federal tax on undistributed profits and minority interests' share in partly owned subsidiaries. For the previous year the total was $11,076,823, before deduction of the Federal undistributed

(*Continued on page 4*)

"In Old Chicago"

[20th Century-Fox]

SOME films depend upon just one quality for greatness. It may be powerful emotion, a stirring story, personalities, production detail, musical content, excellence of direction or a stunning spectacle which exercises a powerful impact upon human sensibilities.

When a single picture, however, possesses all of the separate qualities which make any film great, then it is foreordained that that picture will be both worthy entertainment and a commercial success. During his career Darryl F. Zanuck has accounted for many exceptional productions and it is hardly to be doubted that press, public and exhibitors will look upon "In Old Chicago" as the high spot of his efforts to date.

+ +

Epic in story idea, production quality and the stirring effect of its terrifying spectacle, "In Old Chicago" is no mere biography of a city. Long before the spectacle sequences which everybody knew were coming appeared on the screen "In Old Chicago" had swept a press preview audience under its spell. The prelude to the thrilling episodes is a gripping human interest story of the O'Leary family. The film tells the story of a mother and three sons in a fashion to grip and hold every human sentiment.

+ +

One son of the washerwoman, an opportunist, turns to the seamy side of the pioneer city's life. By chicanery, intrigue and double dealing he establishes himself as a figure in the growing community's sordid political life. Meanwhile he enjoys a surprisingly pleasing romance with a picturesque cabaret entertainer of whom he makes a business partner.

The next son, an idealist, chooses law for a profession, but when the older brother decides to make himself a political boss of a wild honky

(*Continued on page 2*)

Radio—Pp. 10-11

First Panay Films Shown Around Noon

Newsreels of the bombing of the *Panay* went on Broadway theatre screens yesterday at noon. Stimulated by unprecedented newsreel advertising by Movietone News and individual theatres, capacity business was recorded in all houses throughout the day.

Movietone News and News of the Day, which shared Eric Mayell's shots of the *Panay* incident under a pooling agreement on China war coverage between the two, were neck and neck in hitting the Broadway screens. News of the Day went on the screen at the Embassy at 11:48 and, at approximately the same time, Movietone News was showing in the Grand Central Newsreel Theatre.

Universal, coping with a three-reel production from Norman Alley's 6,000 feet of film, failed to reach Broadway screens until night. Paramount,

(*Continued on page 6*)

Agreement Made on RKO Option Renewal

An agreement to extend the $6,000,000 option to purchase RCA's remaining holdings of RKO securities, which is held by a banking syndicate headed by Atlas Corp. and Lehman Bros., was reached yesterday following lengthy negotiations.

An initial extension of six months to June 30, 1938, is granted in consideration for the purchase of one-twelfth

(*Continued on page 6*)

Korda Back Here on His Way to England

Having completed conferences regarding the future of London Films and his own status as a producer-partner in U. A., Alexander Korda returned late last night from the coast on the *American Mercury*. He had been in Hollywood since Nov. 17 and is scheduled to sail for England Jan. 5 on the *Berengaria*.

Maurice Silverstone, head of U. A.

(*Continued on page 6*)

Man-Power

By Martin Quigley

MR. Nicholas M. Schenck who speaks with a voice of especial authority on the subject of profitable operation in the motion picture industry makes the following declaration:

It is my firm opinion that the determining factor in the success of a motion picture enterprise is the man-power which operates it.

All who know the business of motion pictures and are in a position to realize the peculiar exactions which it imposes upon those who administer its affairs successfully will concur unhesitatingly in this opinion.

Mr. Schenck's declaration comes in explanation of the introduction by Loew's, Inc., of a profit-sharing arrangement which brings into existence an ideal which has long been under discussion in the industry. Under the arrangement a group of executives and producers who occupy key positions in the affairs of the company will have a direct interest in profits to the

(*Continued on page 2*)

Thompson-O'Connor To Run RKO Houses

Major Leslie E. Thompson and John O'Connor assume operating direction of RKO theatres after today, with the resignation of Nate J. Blumberg becoming effective. Blumberg will officially assume office as president of Universal on Monday.

The designation of a theatre operating head to succeed Blumberg is being held in abeyance during the absence from the city of Leo Spitz, RKO president. Spitz is not expected back in New York before February and,

(*Continued on page 11*)

Cohen Will Make 5; Silent on Release

HOLLYWOOD, Dec. 30.—In the face of rumors to the effect that he is abandoning his Paramount releasing arrangement for an RKO berth, Emanuel Cohen, head of Major Pictures, today stated that his schedule calls for five films for immediate production. Releasing details were not

(*Continued on page 11*)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
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VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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"Zola," Muni Win In Poll of Critics

"The Life of Emile Zola" has been chosen by the New York Film Critics as the most distinguished picture of 1937 and, by coincidence, the title role star of the picture, Paul Muni, has been named as having given in that part the best performance of any actor during the year.

Greta Garbo's portrayal of Marguerite Gautier in "Camille" was adjudged the finest performance by an actress during 1937.

Gregory La Cava took first place among the directors for "Stage Door," and "Mayerling" was named as the best foreign language film to be shown during the year.

Offices to Close Early

Home offices of all major companies will close at 1:00 P. M. today in observance of the New Year holiday weekend.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, which is New Year's Day.**

Man-Power

(*Continued from page 1*)

end, obviously, of insuring both continuity and quality of performance.

A striking feature of the new arrangement which already has been authorized by the board of directors is the substitution of contracts covering a group of 11 executives and producers for previous contracts participated in by only three persons, yet the aggregate percentage of profits to be disbursed remains the same.

Study of the record of the past two decades in the motion picture industry reveals a long series of changes in the relative positions of the leading companies. Almost invariably the rise of an institution has been attended by the enlistment at the time of man-power of outstanding ability. Again, with the changes that have so frequently come about, we find a former top-ranking company lodged down the list in prestige and profits as the result of the loss of the man-power that engineered its former success.

And so the scene has changed, sometimes within the space of from one season to another.

The management of Loew's, Inc., obviously seeks to avoid the changing order of the past and to ordain in its stead arrangements which will hold its vital man-power intact. That this may best be done by means of long-term contracts entailing a direct share in the company's success seems entirely plain.

That the requisite skill and experience is the essential need of the business of motion pictures is a fact that receives constant affirmation. In other industries materials, factories, formulae, patents, trademarks and many other elements give a corporation a measure of permanence and stability. But in motion pictures no similar condition applies; first reliance must inevitably be upon the skill and experience of the directing personnel.

The business of motion pictures, particularly in its production department, involves constantly a multitude of decisions, many of them entailing the expenditure of substantial sums of money and almost all concerned with the intricate and sometimes fantastic stuff of entertainment. Upon the quality and promptness of the judgment depends the screen value of the resultant picture and consequently the profits of the company.

Hence, fortunate indeed is the company which once that it has assembled man-power capable of obtaining the desired results is both able and willing to take steps to insure the continued availability of such man-power and to avoid constantly facing competitive bidding.

This development which naturally has important product implications will be viewed with interest and approval by theatre operators who inevitably become partners in the fortunes of product sources. It is as well that kind of reward to creative effort which becomes generally a healthy stimulus and encouragement.

If, then, as Mr. Schenck says—and none denies—that the determining factor in the success of a motion picture enterprise is the man-power which operates it, he has made at this year-end a notable contribution to the institution over which he presides and one which adds a note of permanency and stability to the industry at large.

Offers Prize for Title

M-G-M will offer a prize of $5,000 for a new title to the picture now known as "Benefits Forgot." Details of the contest were disclosed on the Metro radio program last night, when the first of a two-part synopsis of the film's story was broadcast. The second part will be broadcast next Thursday. A trip to Hollywood will be part of the award.

Para. Handles "River"

Paramount will distribute "The River," a three-reel subject produced by the U. S. Dep't of Agriculture on flood control. The film will be made available to exhibitors free of charge. It was directed by Pare Lorentz with a narrative by Thomas Chalmers.

Schenck, Zanuck Tuesday

Joseph M. Schenck and Darryl Zanuck will arrive in New York Tuesday morning from the coast. Definite arrangements for their departure from there Sunday night were completed yesterday.

Dan Michalove, who has been at the 20th Century-Fox studio for the past year, will return with the Schenck-Zanuck party to reestablish his headquarters here as assistant to Sidney R. Kent.

Jones at Central City

DENVER, Dec. 30.—To complete his five-year contract with the Central City Ass'n, Robert Edmond Jones again will direct the annual Central City play festival next summer.

"In Old Chicago"

(*Continued from page 1*)

tonk district, he chooses his idealist brother to be a candidate for and elected mayor. Idealist and opportunist clash. The mayor, determined to wipe out the cesspool of vice and corruption which is his brother's domain, calls upon the cabaret singer for aid. Rising in opposition the elder brother vows vengeance, tricks the entertainer into marrying him, since the wife cannot testify against her husband. As the brothers stage a wild fistic brawl, Mrs. O'Leary's cow kicks over a lantern and the fire that reduced wooden Chicago to ashes erupts.

\+ +

The fiery spectacle which features the film compared in force and power with any production achievements in film history. As the mayor is killed and as dynamite is used to check the fury of the flames, the singer and mother are reconciled, and when found by the repentent son all vision a great new Chicago of stone and steel.

Headed by Don Ameche, Alice Faye, Tyrone Power, Alice Brady, Brian Donlevy, Tom Brown, Berton Churchill and June Storey, the entire cast turns in commendable performances. The quality of Henry King's direction is both imaginative and practical. It is chock full of showmanship and understanding. Musical specialties sung by Miss Faye and an excellent score add much to the melodramatic and romantic content of this character picture.

\+ +

Based on a story by Nevin Bush, adapted by Lamar Trotti and Conya Levein, with music and lyrics by Mack Gordon and Harry Revel, Lew Pollack and Sidney Mitchell, it does not take the special effects spectacle arranged by Fred Sersen, Ralph Hammeras and Louis Witte and directed by H. Bruce Humberstone to make "In Old Chicago" a picture that should have audiences eager to view it.

Zanuck's reputation as a producer of money making pictures will grow brighter by "In Old Chicago."

Running time, 110 minutes. "G."

Artcinema Set in West

Artcinema has closed distribution contracts for west coast areas with Oscar Seltzer, Portland and Seattle; Armand Cohn, San Francisco, and Jay M. Sutton, Los Angeles. The distributors will handle the 10 feature productions of Artcinema.

To Release 12 Shorts

Vitaphone will release 12 shorts next month, Norman Moray, sales, manager, stated yesterday. Of the number three will be two-reelers and the balance single-reel subjects.

As new as 1938...

HOLLYWOOD HOTEL

After "Tovarich" from Warner Bros.

Purely Personal

Y. FRANK FREEMAN, Paramount theatre head, will leave for New Orleans tomorrow to attend the wedding there on Monday of the daughter of E. V. RICHARDS, Saenger Circuit head. FREEMAN will remain for the Paramount divisional sales meeting and the premiere of "The Buccaneer" in New Orleans next week, returning to New York about Jan. 10.

•

O. C. DOERING, JR., of counsel to the RKO trustee, is enroute to the RKO studio there for conferences with FLOYD ODLUM and LEO SPITZ. He represents A. H. MCCAUSLAND, trustee's official, who is remaining in New York on RKO organization matters.

•

STANTON GRIFFIS, chairman of the Paramount executive committee, is due back from a Florida fishing trip on Jan. 6 and will go to Ithaca the following day for a meeting of the board of Cornell University, of which he is a member.

•

HARRY BRAND, 20th Century-Fox studio publicity director, arrived from the coast yesterday to help with preparations for the Astor opening of "In Old Chicago" on Jan. 6. He plans to return to the coast next Friday.

•

LEWEN PIZOR, president of the U.M.P.T.O., was here from Philadelphia yesterday and visited with Paramount home office sales executives. "The visits had no significance," he said.

•

JACKIE COOPER, star of "Boy of the Streets," arrived in town yesterday for a series of personal appearances. He will be in New York about a week, then will head for Hartford.

•

BERNIE BROOKS was a busy man yesterday receiving congratulations on his new appointment as film buyer and booker for Rosenblatt-Welt circuit.

•

E. K. (TED) O'SHEA, eastern district manager for M-G-M, will fly to Buffalo today to spend the holidays with his family.

•

WILLIAM SMALLEY of Cooperstown and CLAYTON EASTMAN, Albany manager for Paramount, were in town yesterday.

•

JACQUELINE WELLS, Columbia player, will arrive this morning at Newark Airport for a short vacation.

•

NORMAN MORAY will leave Sunday for Washington to spend a few days with the Warner sales staff there.

•

BOB HATHAWAY is assisting FRANK HOCKE, who is ill, in the booking for the Central, Goshen.

•

JACQUES DEVAL will leave for Hollywood today via American Airlines.

•

ABE SCHNEIDER, Columbia treasurer, left yesterday for a vacation in Florida.

•

JOHN BEAL is in town from the coast.

Last Roxy Report of Cullman Is Approved

Federal Judge Francis G. Caffey yesterday approved the final accounting rendered by Howard S. Cullman, receiver and trustee in the reorganization of the Roxy. Judge Caffey indicated that the final granting of fees and allowances would be delayed until February because of the pressure of other work.

In another opinion Judge Caffey ruled that an unnamed member of the second mortgage gold noteholders' protective committee would receive no compensation because he had traded in Roxy securities. Beekman, Bogue, Leake, Stephens & Black, attorneys for the noteholders, received an allowance of $390 for expenses. They had asked for $497. Cullman was authorized to continue the services of Barrow, Wade, Gunthrie & Co. as accountants.

Orders "U" Examination

An examination before trial on Jan. 11 of Robert H. Cochrane, Willard S. McKay and Charles B. Paine was ordered by Justice Aaron Steuer in N. Y. Supreme Court yesterday in the suit of John D. Tippett, Inc., against Universal, Consolidated Film Industries, Inc., J. E. Brulatour, Inc., Eastman Kodak, Print Stock Corp., Carl Laemmle and Jules E. Brulatour for $600,000 damages. He alleges that the defendants "conspired" to induce Universal to breach its contract with the plaintiff for the purchase of raw film.

Uphold Right of Censor

The constitutional right of a state to censor an undesirable picture, although it had been passed by customs authority was upheld by a special Statutory Court consisting of Federal Judges Martin T. Manton, Robert F. Patterson and Samuel Mandelbaum in the U. S. District Court here yesterday. The action concerned the film "Ecstasy."

Trans-Lux Suit Dismissed

The suit of Abe Felt, real estate broker, for $45,409 commission against Trans-Lux Movies Corp. and Trans-Lux Daylight Screen Corp. was dismissed in the U. S. District Court here before Federal Judge Robert Inch.

M & P Hub Manager Dies

BOSTON, Dec. 30.—Henry Taylor, managing director of the Metropolitan here, died at 12:30 this morning across the street at the Hotel Bradford where he and his wife had been living for a year. A blood clot was the immediate cause of death. Burial will take place in Boston Sunday. He leaves a widow, Florence, and a brother, Ernest.

Taylor was with Shuberts for some 15 years and later went with RKO. His first position with Mullin and Pinanski was as managing director of the Metropolitan. Later, he managed the Paramount until returning to the Metropolitan a year and a half ago. No successor has been named.

Adolph Pollak Resigns

Adolph Pollak has resigned as general sales manager of Theatre Trailer Service to devote his time exclusively to the commercial field and state rights business. Pollak had been with Theatre Trailer Service for about a year.

M-G-M Profit Share for 11 Men Proposed

(*Continued from page* 1)

profits tax, or $6.79 per share on the outstanding common.

Participants in the proposed new profit-sharing arrangement will be:

Louis B. Mayer,
Vice-President in Charge of Production.

Al Lichtman,
Vice-President and executive aid to Nicholas M. Schenck

J. Robert Rubin,
Vice-President and General Counsel.

Edgar J. Mannix,
Production Executive.

Samuel Katz,
Production Executive.

Benjamin Thau,
Production Executive.

Hunt Stromberg,
Producer.

Bernard Hyman,
Producer.

Lawrence A. Weingarten,
Producer.

Harry Rapf,
Producer.

Mervyn LeRoy,
Producer.

In addition, David Bernstein, vice-president and treasurer, has been given a five-year contract extension.

The original profit-sharing arrangement had been in effect since 1924, according to Nicholas M. Schenck, president. In his letter to stockholders Schenck points out that the percentage of profits formerly allocated to three officials will be divided among 11 "whose producing and managerial talent or executive ability has, in the opinion of the directors, been principally responsible for the success of M-G-M pictures.

"The proposed contracts provide for compensation based in part upon a percentage of Loew's share of the combined annual net profits of Loew's, Inc., and all subsidiaries, after reserves, interest, taxes, depreciation of the company's properties and after deduction of cumulative dividends on all present or future preferred stock of Loew's, Inc., and after deduction of $2 per annum for each share of outstanding common stock (other than shares issued as a stock dividend) the last representing $2,612,424 per annum on the common stock now outstanding."

Man-Power Stressed

In his letter Schenck states: "It is my firm opinion that the determining factor in the success of a motion picture enterprise is the man-power which operates it. In harmony with that belief I have endeavored as president to obtain the best men available in the industry and to hold them firmly in the company's service."

Details of the financial statement issued with Schenck's letter show that the gross operating revenues of the company for the fiscal year totalled $121,828,606, of which $118,464,900 was represented by theatre receipts and rentals and sales of films and accessories, and the balance by rent and miscellaneous income. For the year ending Aug. 31, 1936, gross operating revenues were $108,780,542.

Total current assets of Loew's, Inc., and wholly owned subsidiaries on Aug. 31 were $52,404,545, as against total current liabilities of $12,107,408. The company's earned surplus on Aug. 31 was $44,354,274.

Warners' Managers Meet in Washington

WASHINGTON, Dec. 30.—Managers from 40 theatres in the Washington zone of the Warner circuit held a business session yesterday at the executive offices in the Earle Bldg. The session was presided over by J. J. Payette, general manager of the zone.

Discussions were devoted for the most part to new product of all companies which will be played in the Warner houses. An earlier meeting was held two weeks ago, which was featured by Payette's annual banquet for the managers and all of his assistants.

W. B. Coast Meet Next Week

HOLLYWOOD, Dec. 30.—Important Warner product conferences here will start next week with every branch of activity from production to exhibition undergoing scrutiny. Joseph Bernard, Warner theatre head, will arrive Sunday to confer with Harry and Jack Warner. Gradwell Sears is expected some time next week. Others present will be S. Charles Einfeld, Hal Wallis and Sam Schneider, company financial expert. The Sears Sales Drive and product will be among the topics discussed.

Warnerites to Do Play

"Three Cornered Moon" will be presented by the Warner Club Players, dramatic organization comprising home office employes, Jan. 21, at the company's club rooms.

Fox Intermountain Adds Three Houses

DENVER, Dec. 30.—Fox Intermountain has increased its string of theatres by three, with openings of new theatres in the territory.

At Sun Valley, Idaho, a new 400-seat house, the Sun Valley Opera House has been built by the Union Pacific railroad. The house is equipped for the running of rushes of pictures being shot in the vicinity. Ed Conahan, former assistant at the Isis, Denver, is managing the house. Another in Idaho will be opened on Jan. 6 at Pocatello. It will be named the Chief and will seat 1,200. At Climax, Col., a 200-seat house has been opened, which is operating two nights a week. Bob Nelson, manager, is also manager at Leadville, Col.

Theatre Firm Formed

HARRISONBURG, VA., Dec. 30.—Sperryville Theatre Corp., this city, has been chartered with maximum capital of $25,000 to operate a theatre. Charles S. Roth is president.

J. A. FitzPatrick Is Re-Signed by M-G-M

HOLLYWOOD, Dec. 30.—M-G-M today signed James A. FitzPatrick to continue his traveltalk subject production for 1938 and 1939. No definite number was set. The deal was handled by Fred Quimby here.



ANSWERING THE PANAY MAIL!

Metro-Goldwyn-Mayer takes this means of acknowledging a flood of thanks from its exhibitor friends. It was a privilege to be able to deliver to each and every one of our newsreel accounts at no extra cost to them the complete pictorial story of the sinking of the U. S. S. PANAY in the regular issue of M-G-M's NEWS OF THE DAY.

First Panay Films Shown Around Noon

(*Continued from page* 1)

which obtained no actual shots of the *Panay* bombing, held up its reel until late afternoon in order to "cover" its accounts on the incident by buying photographic material to include in its record of the capture of Nanking and return of the *Panay* victims and survivors to Shanghai. In consequence, the Palace, which had bought the Universal reel, was without *Panay* film all day, and the Paramount, waiting for its own reel, was without it until late afternoon. The latter house, however, was playing to capacity all day, regardless.

Broadway theatre managers found it difficult to make definite estimates of the actual box-office strength of the reels due to the fact that the leading first run houses have been playing to capacity all week as a result of the brisk holiday trade. Smaller houses, such as the Criterion, Rialto and the newsreel theatres, where capacity business has not been sustained throughout the week, were quick to feel the pulling power of the reels and accompanying advertising and gave credit to them freely.

Capacity Assured

Houses such as the Music Hall, Capitol, Paramount, Loew's State, Strand and Rivoli credited the *Panay* reels with exceptional drawing power, but pointed out at the same time that they have played to capacity since Sunday.

All New York morning and afternoon papers yesterday carried 800-line ads on the Movietone *Panay* reel listing a total of 225 theatres at which it was playing. The advertising was placed by 20th Century-Fox and is believed to be the first time that such extensive space has been employed for newsreel advertising. In addition, virtually all Broadway first runs carried *Panay* display lines in their individual advertising spaces. Marquees and lobbies billed the films everywhere.

Approximately 1,000 prints were struck by Movietone, many of which were on their way out of the city by mid-afternoon. News of the Day ordered about 800 prints. Nearby out of town points had the reels last night, and with Movietone News distribution from the coast beginning Tuesday night, all major cities throughout the country should have reels by today.

Korda Back Here on His Way to England

(*Continued from page* 1)

sales in England, is still on the coast and is expected to leave soon for New York.

Korda's plan to produce a group of pictures for release through other companies was objected to by Samuel Goldwyn, coast advices stated yesterday. Goldwyn, it was said, held out for the same privilege, which the board voted down.

Goldwyn was among those at the Glendale Airport seeing Korda off and the parting was described as "friendly."

The Newsreel Parade

"The Bombing of the U. S. S. Panay"

(Universal)

The story of the bombing of the U. S. Gunboat *Panay,* as recorded by Norman Alley, Universal cameraman on the ship, becomes an important documentary film by reason of its camera reporting of an occurrence of international consequence in the Sino-Japanese conflict. It is at the same time good theatrical material.

Alley succeed in capturing the devastating effect of the Japanese bombing on the survivors rather more effectively than he did the actual bombing of the ship. Of the attack itself, and incidentally the display of American flags on the *Panay* is clearly visible in the film, he caught flashes of two Japanese planes, the rushing of sailors to man the guns, and shows them pointing to the sky, the confusion on the decks and the sudden activity when the order came to abandon ship. The scenes of the removal of wounded to the launches, the group hiding in the reeds on the bank of the Yangtze, the dressing of the wounded there, and the long and slow trek over rough country to the nearest town, with the assistance of Chinese soldiers, are effectively pictured by Alley's camera. Then is seen the flotilla carrying the coffins of the dead and the weakened survivors back to Shanghai, where the film closes.

The special reel has been built into a dramatic and suspense-laden narrative in chronological sequence, leading to the actual bombing. It opens with the dash by ship and planes from Shanghai to New York of Alley and his precious film, then goes into scenes of the havoc that was wreaked in Nanking by the advancing Japanese troops. The most harrowing shots of the picture include those showing the dead and dying Chinese soldiers and civilians in the streets of Nanking, a mother and two children wailing frantically beside the body of her husband. From there the narrative picks up the flight of the group of cameramen and reporters to the *Panay,* the ship steaming down river with its convoy of Standard Oil tankers, the quiet and calm of the *Panay* cabin, then the sudden alarm as the Japanese struck.

Running time, 22 mins. A.

Movietone News

Vol. 20, No. 32

(20th Century-Fox)

Panay sinking scenes make up the entire reel. The shots are just as dramatic as the world-wide build-up in the press and can stand billing above or alongside the feature. As an audience draw they're better than the *Hindenburg* because of the tremendous advance publicity.

The documentation of the events starts with the bombing of Nanking. Refugees are seen evacuating the city and making for the *Panay.* The gunboat moves up the river. A Japanese launch comes alongside and identifies the naval craft. The *Panay* continues upstream to becomes the target of Japanese airplanes. The bombs exploding around the ship are seen and the damage wrought on the decks is caught. The wounded are dragged to safety and lifted, bloodily, into small boats that will take them ashore. Oil tankers anchored nearby are seen in flames, more evidence of Nipponese marksmanship. On shore the *Panay* is seen listing and in later clips it settles headlong into the river. The wounded lay on the river bank waiting to be given medical attention at nearby Hoshien. Their wounds staunched, they are placed on the *Oahu* and taken to Shanghai and the reel closes with a shot of the coffin of a petty officer being lifted aboard the *Augusta* while the flag flies at half-staff.

Running time, 9 mins. P.

News of the Day

Vol. 9, No. 230

(M-G-M)

As in the reel reviewed above, the *Panay* is also the sole topic of this issue of News of the Day. The material is the same, but the cutting and assemblage is different. It has the vivid qualities mentioned above and will strike a note of horror among audiences viewing it.

The cutting and makeup combine with the narration to give first hand views of the action as it unfolded in front of the cameraman, Eric Mayell, and what has been said above might also apply here.

Running time, 9 mins. P.

RKO Pathe News

Vol. 9, No. 47

(RKO)

A routine collection of shorts make up this reel.

There are speeches by various officials on monopoly legislation, a wrecked ship on the Formosa coast, a Palm Beach hotel preparing for the winter season, a flood in Rome, a champion hunting dog going through its paces and a hockey game. There is nothing on the bombing of the *Panay.*

Running time, 8½ mins. K.

Paramount News

No. 43

(Paramount)

Arthur Menken remained behind in besieged Nanking where, in the ordinary course of events, it might reasonably be expected that something was more likely to happen than aboard a gunboat of a neutral nation. In consequence, Menken was able to give Paramount News some film that would have been sensational in its way if events had not made the *Panay* the scene of action instead of the fallen Chinese capital. To cover its accounts on the *Panay* incident, Paramount News has included in this release stills from Wide World pictures obtained by Norman Soong, news photographer who was a passenger on the *Panay.* This section of the film runs about three minutes. The remainder of the 9½-minute reel consists of Menken's shots of besieged Nanking.

The reel runs in fairly chronological order, beginning with scenes in Nanking and shots of the *Panay* and some of its passengers. The stills are fitted in to show the destruction of the ship; then the camera picks up the account with the *Panay* survivors being conveyed to Shanghai, describes the happenings there and then returns to Nanking. The latter scenes are exceptionally forceful, even gruesome. They depict the dead and injured on the streets of the city; the homeless natives bedded in alleyways; the living mourning beside their dead; the wounded for whom there were no more hospital accommodations lying in the streets.

Menken has given Paramount a reel which, without the *Panay* incident, stands by itself.

Running time, 9½ minutes. K.

Universal Newsreel

Vol. 9, No. 266

(Universal)

This issue probably will stir more excitement among exhibitors than any Universal has turned out in a long time, but this will be due to what it lacks rather than what it contains. No shots of the *Panay* sinking are included. All of that material is in the company's three-reel special.

A year-end stunt performed by girls on aquaplanes with a Father Time in the picture starts it. The remaining clips are made up of material from Barnegat, N. C., Bonneville, Wash., and elsewhere.

There are scenes of a new airplane wing de-icer, the completion of the Bonneville Dam, workers being fingerprinted in Florida, the Pennsylvania Railroad's electrification progress, a non-skid tire compound demonstrated in Montreal, a pet deer in New Jersey wearing a "Don't Shoot" sign, golfing with black balls on the snow-covered mountains around Crater Lake in Oregon, bathing suited girls playing loop tennis in Venice, Cal., and a painfully funny series of shots of team wrestling in Seattle, where contestants are paired off and each team helps the man on the mat out of his predicament.

Running time, 9 mins. P.

Agreement Made on RKO Option Renewal

(*Continued from page* 1)

of RCA's present RKO holdings for $500,000 during the month of January. A second extension of six months to Dec. 31, 1938, on the purchase of another $500,000 of the securities is provided for under the agreement. It was reported in MOTION PICTURE DAILY earlier that a one-year extension of the option, which expires today, would be granted in consideration for the payment of $1,000,000 of the purchase price.

The extension was sought by the option holders due to the fact that completion of the RKO reorganization has been delayed beyond earlier expectations.

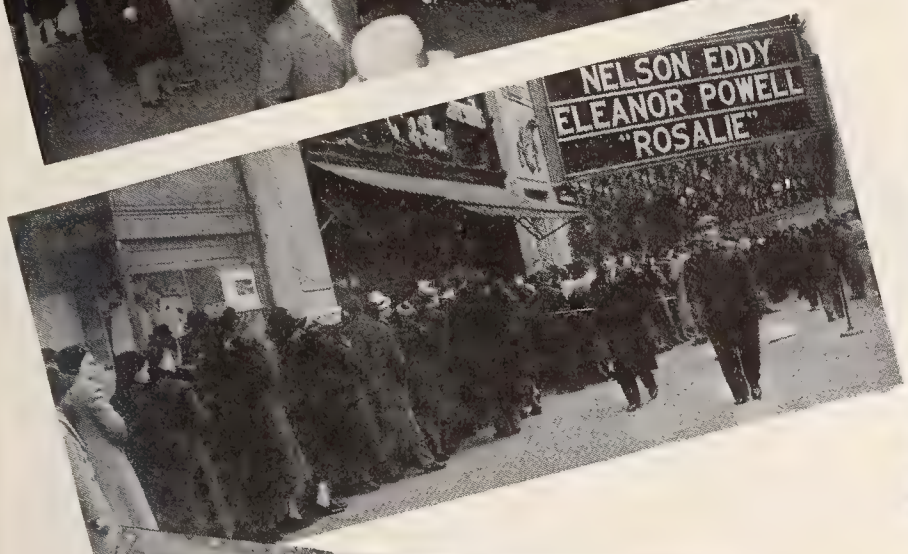
Doyle Extends His Stay

Negotiations with Arthur W. Kelly for a 10-year franchise for five theatres he plans to build in South Africa and other deals will detain Stuart F. Doyle here for at least three weeks, he stated yesterday. Doyle said that he did not expect to conclude talks with Kelly this week, as originally anticipated.

Open at Fort Pierce

FORT PIERCE, FLA., Dec. 30.—The Ritz here, operated in connection with the Sunrise, has opened for the season. The feature attraction for the opening was Rex Beach's "Barrier."











THAT'S HOW RECORDS ARE BORN!

Biggest opening at Capitol, N. Y. since the inauguration of the straight picture policy 3 years ago.

("Rosalie" swamps previous record-holder "Mutiny on the Bounty")

F A

Out Soon



ONE DOLLAR THE COPY

M E

edited by Terry Ramsaye

Fourth annual edition,
bigger than ever,
now on the press.

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK

Canadian Web To Take Many NBC Programs

MONTREAL, Dec. 30.—Pressed by listener demands, the Canadian Broadcasting Corp. has taken over a host of NBC commercials and will broadcast them starting Jan. 2. Station CBM, the corporation's English station here, will take the new shows and CBF, the new 50,000-watt French-language station, will take them with special translated announcements.

In addition to the American commercials CBC has taken a number of new local commercials to be heard over both its local outlets.

Headliners taken by the corporation include Rudy Vallee, Bing Crosby, Jack Benny (all three formerly handled by Marconi's station, CFCF), Amos 'n' Andy, "Voice of Firestone," "Fibber McGee and Molly," and others. With the start of the New Year they will drop Kate Smith's program.

Amos 'n' Andy Jan. 2

On Jan. 2 CBM will welcome Amos 'n' Andy, who have not been heard in Montreal for several years, "Voice of Firestone," "McGee and Molly," "Hour of Charm," the "Carnation Contented" program, and three short local commercials, while CBF will take five locals. Claire Trevor will be heard on CBM for Lifebuoy. On Wednesday the English station receives "One Man's Family" and "Spotlight Parade" plus locals while CBF will get a French program, "Dans Ma Tasse de The," sponsored by Standard Brands, and "Spotlight Parade." Thursday both stations will have Vallee and Crosby, special announcements having been worked out in French for CBF, and CBM will also take the Maxwell House Showboat. Both stations will take Frank Munn's "Waltz Time" on Friday and on Sunday CBM will air Malcolm LePrade's "Travel Talks" and Jack Benny, while CBF will get "Manhattan Merry-go-Round."

General Mills Testing Scripts

CHICAGO, Dec. 30.—General Mills Corp., having signed Joan Blaine for a new series, is now undecided as to which of several scripts will be used. The company will test a script written by Sandra Michael on WGN, Chicago, starting Jan. 3. If the story proves to be a proper vehicle the show will be moved to New York and the network within a few weeks.

Olsen, Johnson to New Show

HOLLYWOOD, Dec. 30.—Their own program for Richfield Oil being off the air, Olsen and Johnson today were set as masters of ceremonies on the "Hollywood Melody Shop" starting this Sunday. It is a sustainer.



Toscanini Concerts To Canada Stations

NBC will feed the Toscanini symphony broadcasts to the 33 outlets of the Canadian Broadcasting Corp. for the duration of the series through an agreement effected yesterday.

The addition of the CBS outlets to the coverage of the symphonies brings the number of stations to which the programs are offered to 182. This figure includes the 143 stations of the combined NBC networks and six short-wave outlets, the biggest hookup of stations ever combined to carry a regularly scheduled air series.

NBC Thesaurus Sets Four New Contracts

NBC thesaurus division yesterday received contracts for four new subscribers to the transcribed service, and nine renewal contracts.

The new subscribers are WHH, Newport News, Va.; WHDL, Olean, N. Y.; WWJ, Detroit, and VOCM, St. Johns, Newfoundland. The renewals are from WJAX, Jacksonville, Fla.; WMBG, Richmond; WROK, Rockford, Ill.; KPLT, Paris, Tex.; CHML, Hamilton, Ontario; CKCH, Hull, Quebec; CJCB, Sydney, Nova Scotia; CHNS, Halifax, and KFDM, Beaumont, Tex.

John M. Henry Resigns

LINCOLN, Neb., Dec. 30.—John M. Henry, acting general manager of the Central States Broadcasting Co., will resign Jan. 1. He had been station manager of KOIL and the Omaha studios of KFAB. His resignation came on the tail of announcement that Don Searle, late of WIBW, Topeka, would come here as general manager. Henry intends to devote his time to writing.

P. & G. Gets WNEW Series

Procter & Gamble, for Oxydol, will pay for 15 announcements a week for 26 weeks on WNEW, beginning Jan. 3. The contract is through Blackett-Sample-Hummert.

Justin Haynes & Co. has purchased three 15-minute periods a week of the "Make Believe Ballroom" over WNEW, starting Jan. 4. William Irving Hamilton, Inc., is the agency.

Bosco Co. to Have Program

The Bosco Co. will go on the air with a 15-minute broadcast featuring Don Ross, Jan. 3, to be heard Monday, Wednesday and Friday over WOR, 12:00 to 12:15 P. M. The program will be produced by the radio department of Kenyon & Eckhardt, Inc.

Fay to Be Vocalist

Will Fay, manager of WHAM, Rochester, who has arranged for air appearances of hundreds of singers, will take to the airways himself as a vocal soloist during the "Music Is My Hobby" program Jan. 24, at 7 P. M. on the NBC-Blue.

WOR Wins Sales Award

The WOR sales promotion department has been given the Certificate of Award of the American Institute of Graphic Arts for its art, layouts and copy for promotional work. It is the second year this department has received the award.

New Shows On the Air

Lawrence Tibbett

That Lawrence Tibbett is one of America's great baritones is no news; that Tibbett has returned to the microphone as the regular star of a series after a long absence from the airways is news, definitely good news. Since the past Wednesday, Tibbett may be heard weekly that evening from 9 to 9:30 P. M. on the Chesterfield cigarette series over CBS.

Tibbett's magnificent baritone voice was heard in an offering from "La Traviata," Gershwin's "I Got Plenty of Nothin'" from "Porgy and Bess," Cole Porter's "In the Still of the Night," and the dramatic narrative from "The Rogue Song," "Song of the Shirt." His was one of the soundest vocal performances to be heard on the air in some time.

The Kostelanetz orchestra of course performed beautifully in supporting Tibbett, and in two specialties, "Once in a While" and "Tiger Rag." Deems Taylor's informal musical comments fit nicely into the production.

Paralysis Drive

President Roosevelt's annual drive against paralysis, the funds of which go to the Warm Springs Foundation, was launched over the air yesterday from 5 to 5:30 P. M. over the microphones of WNEW, WHN, WQXR, WINS and WNYC, the pickups coming from the Waldorf-Astoria, where a rally attended by social, civic and political leaders was in progress. The program was under the supervision of James E. Sauter of Air Features.

Heard in eloquent pleas for a successful drive in this state were George M. Cohan, Basil O'Connor, chairman of the New York campaign; Keith Morgan, chairman of the national committee; Dr. Max Peet of the University of Michigan, and Mrs. Douglas Gibbons, chairman of the state's woman's division. The entertainment was headed by Lucy Monroe, whose warm soprano voice made the hearing of the national anthem even more stirring than it usually is. Walter Cassell sang "Old Man River."

BANNER

WMT in Deal With Musicians' Locals

CEDAR RAPIDS, Dec. 30.—WMT, with studios in Cedar Rapids and Waterloo, has completed agreements with the musicians' locals in the two cities to spend $12,500 a year for the next two years in hiring union musical talent. The situation at WMT was unique inasmuch as the station maintains full time studios in two cities which necessitated carrying on negotiations with both the Cedar Rapid and Waterloo locals.

The negotiations for the two-year contracts were conducted by Sumner D. Ouarton, general manager for WMT; Doug Grant, program director; Don Inman, Waterloo commercial head, and the presidents and secretaries of both locals.

"Chicago" Opening on Air

Opening of the picture "In Old Chicago" at the Astor Jan. 6 will be broadcast from the lobby by WHN. The program will be aired from 8:45 to 9 P. M.

Radio Personals

NAN GREY, of the screen, has been selected to play the lead in "Those We Love," new series replacing "Husbands and Wives," Jan. 4. . . . Gene Ford, WHN producer, will interview Jack Robbins on his "New York Town" program today. It so happens that Ford a number of years ago wrote one of the biggest hits ever published by Robbins, the song titled "Rain." . . . The "Book of the Month" club will be on the air with a program within two weeks. . . . CBS and Mutual will pick up Abe Lyman's music from Billy Rose's Casa Manana when it opens Jan. 7. . . . Mary Margaret McBride returns from her Florida vacation Sunday to her new five-a-week series on CBS the following day. . . . Ralph Edwards has been signed as announcer for the forthcoming Ben Bernie series. . . . Bob Trout has been booked to address a meeting of the Springfield, Vt., Chamber of Commerce. . . . Col. Jack Major, of CBS, will headline the stage bill at the Metropolitan Theatre, Boston, the week of Jan. 20. . . . H. V. Kaltenborn will lecture at the Buffalo Athletic Club Feb. 12. . . . All above bookings were arranged by the CBS artists' bureau.

✚

Pittsburgh Town Pump

PITTSBURGH, Dec. 30.—Freda Johnson is directing a quarter-hour dramatic show called "The Bradleys" on WWSW every Saturday afternoon . . . A. E. Nelson, manager of KDKA, has gone to Denver for the holidays . . . Bill Robson, who has been named to replace Irving Reis as director of the CBS Workshop, is a former Pittsburgh newspaper reporter . . . Rosey Rowswell's gift from his baseball-broadcast sponsor was a beautiful wrist watch . . . Cliff Daniel, program manager of WCAE, is broadcasting descriptions of the masses from St. Paul's cathedral every week and getting a lot of congratulatory mail . . . Frank Seidel, special writer at WCAE, sold a Christmas script this season to the Heinz "Magazine of the Air" . . . The Leonard Kapners (Dorothy Yelig), back from their Atlantic City honeymoon, are living at the Cathedral Mansions . . . Nan Grayson, who broadcasts with her husband, Walt Framer, over WWSW, will play the lead in the "Y" Playhouse's coming production of "Spring Song."

✚

Lincoln Town Pump

LINCOLN, Dec. 30.—Ray Suber has left the KFOR announcing staff, and will probably be replaced by Porter Randall, of WIBW, Topeka . . . Reg Martin of KFAB-KFOR spent the holidays with radio friends of the Iowa network in Des Moines . . . Jim Cox, of the KFOR continuity staff, has a twice-weekly show, "This Thing Success" in which details of obstacles overcome in the lives of the famous are given.

Research Group in WHN Deal

Health Research Foundation has signed a contract with WHN for 52 weeks to participate in Ida Bailey Allen's "Homemakers of the Air" starting Jan. 3. The Andrews agency of Detroit placed the business.

Radio

FCC Sets Tentative February Hearings

WASHINGTON, Dec. 30.—The F.C.C. has arranged a tentative calendar for hearings on examiners' reports during February, as follows:

Feb. 11—Applications of Chase S. Osborn, Jr., for a new 1,440-kilocycle, 500-watt station at Fresno, Cal., and KRE, Berkeley, Cal., for change of frequency from 1370 to 1,440 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

Feb. 18—Applications of Standard Life Insurance Co. of the South for a 1,420-kilocycle station at Jackson, Miss., 100 watts night, 250 watts day, and Arthur Lucas for a 1,310-kilocycle, 100-watt station at Savannah, Ga.

Feb. 24—Application of Birmingham News Co. for a 590-kilocycle, 1,000-watt station at Birmingham; contesting applications of Radio Station WFNC and Capitol Broadcasting Co., Inc., for a 1,210-kilocycle station at Raleigh, N. C., and applications of KQV, Pittsburgh, for increase of power from 500 to 1,000 watts, and WSMK, Dayton, for increase of power from 200 watts to 250 watts night, 500 watts day.

WFIL Gets January Permit from F. C. C.

WASHINGTON, Dec. 30.—The F.C.C. has authorized WFIL, Philadelphia, to operate on 560 kilocycles with 1,000 watts power at night during the month of January, pending the filing of and action on a license application.

P. W. Spencer has resubmitted an application for a construction permit for a new station to operate daytime only on 1,500 kilocycles with 100 watts power at Rock Hill, S. C.

WQXR Book Show To Be Started Soon

The largest radio campaign ever launched for the sale of books will start on WQXR Jan. 15 under the sponsorship of the Book-of-the-Month Club, Inc. It will consist of a full hour musical program daily from 10 to 11 P. M. except Saturday, when it will be heard from 9 to 10 P. M. The series will continue indefinitely.

Because of this new sponsorship, WQXR will extend its broadcasting time beginning Jan. 15 for a full hour from 11 P. M. to midnight. The "Just Music" program, previously broadcast from 10 to 11 P. M., will thereafter be on the air from 11 P. M. to 12. The contract was placed through Schwab & Beatty.

Contract 260 Programs

SAN FRANCISCO, Dec. 30.—Rulo Distributors have contracted for 260 studio programs on KQW, with five broadcasts scheduled each week. Other new accounts on KQW are Eggo Milling Co., Protected Milk Products, Forward Dairy, Gensler Lee Jewelers, F. W. Woolworth, Tidewater Associated Oil Co., De Anza Hotel.

Reenact Crowning

Having received official permission from the English Government, Mutual will broadcast reenactments of George VI's Coronation address and a description of the Coronation ceremony as a feature of the special program, "1937 in Review," to be broadcast Jan. 2 from 9 to 9:30 P. M.

Goldsmith Enthuses Over Television Use

SYRACUSE, Dec. 30.—Dr. Alfred N. Goldsmith, former vice-president of RCA and present technical consultant to the company, told the convention of New York State Science Teachers in the course of an address that "television was in a sense the superlative art of communication," since many of its aspects could be described only in terms of "most." He said it was the most scientific form of communication, the most luxurious form of broadcasting and the most difficult type of communication.

"The approach of television as a home service emphasizes the rapidly growing influence of science upon our existence," he said, "and the time has arrived when everyone should understand at least the fundamental principles of the many technical devices in daily use. Unless we understand the natural laws of this world, and the rules which govern our implements and surroundings, we can hardly hope to live most effectively and comfortably."

Because of the important part science plays in everyday life, an "s" should be added to the "three r's" of elementary education, Dr. Goldsmith said.

German Program Tonight

Tonight at 8:30 the WBNX German Hour will present a program covering the last three months of activities in the local German colony. Starting with the German Day meet Oct. 3 in Madison Square Garden, the program also includes the interview with Madame Erna Sack, the opening of the Christmas Charity Bazaar in the 71st Regiment Armory, when the German Consul General Dr. Borchers presented his best wishes for a successful bazaar, and other events. Herbert Oettgen, WBNX German announcer, who manages his productions under the name of Radio-Rundfunk uses a portable recording equipment, with which he collects memorable events for broadcast purposes. This collection contains voices of many American and European statesmen, recorded during official activities in their respective fields.

Renews WHN Contract

Renewal contract has been received by WHN from Godefroy Manufacturing Co. for spot announcements until Jan. 22, 1938. Anfenger Advertising Co., handles the account.

Local 306 Elects 10 To Executive Board

The new executive board of Local 306, elected for a two-year term on Wednesday, consists of the following: Arthur J. Costigan, Frank J. Inciardi, Richard Scott, Nathaniel Doragoff, Charles Eichorn, Edward Stewart, Richard Camcallare, Alexander Polin, Samuel Clare and Jack Winick.

Herman Gilbert was elected recording secretary and Joseph Kelban and Jack Tritler were elected business agents for Brooklyn. The slate of officers elected, headed by Joseph Basson, president, was reported in MOTION PICTURE DAILY yesterday. A tabulation showed that approximately 2,000 of the local's 2,141 members voted.

Thompson-O'Connor To Run RKO Houses

(*Continued from page* 1)

it is believed, Thompson and O'Connor will continue the theatre operations until that time, at least. Spitz, now temporarily directing the studio, may name a production head to fill Sam Briskin's former place within the next two weeks, dependent upon the outcome of current coast conferences with Floyd Odlum of Atlas Corp.

Cohen Will Make 5; Silent on Release

(*Continued from page* 1)

published. A spokesman for Cohen denied the current rumors that the producer is going to RKO.

The first Cohen production will be "Call Back Love," with Kitty Clancy and will start in three weeks. Others will be "Hold That Kiss," "Eight Hours," "Free Woman" and "Man in Evening Clothes."

Miss Tallichet Loaned

Margaret Tallichet who will play "Carreen O'Hara" in the film version of "Gone with the Wind," has been loaned by David O. Selznick to Le Petit Theatre Du Vieux Carre in New Orleans for the production of Molnar's "The Play's the Thing." It is said to be the first time a film player has been asked to perform on the stage of that theatre. Miss Tallichet will leave for the south after the first of the year.

Add 9 "Hurricane" Men

United Artists has dispatched into the field nine additional exploitation men to cover the popular priced engagements of "The Hurricane." They are: Harold Marshall, Washington; Ed Bellew, Louisville; Bernard Evans, Houston; Steve Edeards, Dayton; Ben Hill, Fort Worth; James McFarland, Albany; Harry Rice, Scranton and Wilkes-Barre, and Charles Baron, Binghamton. Ed Milburn has replaced Ed Gallner at Providence.

G. B. Adds 3 More Men

Addition of three men to the field sales force brings to a total of 12 the number of new salesmen added to the G.B. staff in recent weeks. The three new salesmen will start Monday. Harry Charnas, not the former Criterion partner, has been put on in Chicago, another man in Cleveland and a third in Dallas.

Governor Takes Hand In Kansas Clearance

KANSAS CITY, Dec. 30.—Gov. Walter A. Huxman of Kansas has taken a hand in the Kansas City, Kan., fight for first run pictures by writing to Will H. Hays. In the letter Governor Huxman asks Hays to intervene.

"Naturally," the Governor wrote, the citizens of Kansas City, Kan., resent this situation very much and feel that inasmuch as they are the largest city in Kansas they are entitled to different treatment from the motion picture industry than this. I cannot help but join in this feeling, and while I know that it is a private enterprise and not a governmental function, yet I feel constrained to call it to your attention and ask your intervention in this matter."

Netco to Open House

Netco Corp., Paramount subsidiary, will open the new Juliet, Poughkeepsie, on Jan. 6, according to George Walsh, president.

The Community, Narrowsburg, N. Y., has closed for the winter. Malcom Dexter will reopen the house in a few months.

James Spadero is rushing construction of the Shadowland, Ellenville, for opening Jan. 17. The theatre burned several months ago and is being rebuilt.

Construction of a new theatre in Goshen has been temporarily halted.

Change Bank Night Vote

CASPER, WYO., Dec. 30.—Reversing its previous vote, the City Council here voted down an ordinance to prohibit Bank Night after having passed it unanimously on the first ballot. The ordinance would have banned all forms of drawings, but was voted down by a 4 to 2 vote.

Plan Children's Films

LOS ANGELES, Dec. 30.—The Julia Ellsworth Ford Foundation has inaugurated a nationwide program for the production and free distribution of pictures in color for children. They will be distributed for showing in schools, and through parent-teacher, women's and civic organizations.

Wall Street

Advances Dominate Board

	Open	High	Low	Close	Net Change
Col.	11¾	12¼	11¾	12¼	+ ¼
Cons.	1½	1½	1½	1½	+ ⅜
Cons. pfd.	5¼	5½	5¼	5¼	+ ⅛
E. K.	160	160	160	160	+2
G. T. E.	11	11¾	11	11¾	+ ½
Loew	45¼	45¼	45	45	+ ¼
Para.	9⅜	9⅞	9¼	9⅞	+ ⅞
Para. 1	84¾	84¾	84¾	84¾	+1½
Para. 2	10	10⅝	10	10⅝	+ ¾
Pathe	5¼	5⅜	5¼	5¼	.....
RKO	4	4	3⅞	3⅞	— ⅛
20th Fox	19¾	20⅛	19⅝	19¾	+ ¼
Univ. pfd.	29	29	29	29	—1
W. B.	6	6¼	6	6	+ ⅜

G. N. in Small Curb Gain

	Open	High	Low	Close	Net Change
G. N.	⅝	¾	9/16	⅝	+ ⅛
Tech.	16½	16½	16	16	.....
Trans-Lux	2½	2½	2½	2½	.....
Univ. Corp.	1¾	1¾	1¾	1¾	.....

Warner Bonds Up 1½

	High	Low	Close	Net Change
Loew 3½s '46	96½	96¼	96¼	+ ¾
RKO 6s '41	75	75	75	.....
W. B. 6s '39	74¾	74	74¾	+1½

(Quotations at close of Dec. 30)

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